



Glenelg Shire Council

Notice of Meeting and Agenda

Council Meeting Tuesday 28 February 2023

Notice is hereby given that an Council Meeting will be held in the Council Chamber, Glenelg Shire Municipal Offices, 71 Cliff Street, Portland commencing at **7:00 pm** on the above date for the purpose of transacting the business on the attached Agenda, together with such other business as the Chairperson may permit.

PAUL PHELAN

Chief Executive Officer

Date of Issue: Thursday 23 February 2023

Invited: Mayor, Councillor Scott Martin
Deputy Mayor, Councillor Jayden Smith
Councillor Michael Carr
Councillor Chrissy Hawker
Councillor Anita Rank
Councillor Karen Stephens
Councillor Gilbert Wilson
Chief Executive Officer, Mr Paul Phelan
Director Community Services, Ms Melanie Bennett
Director Corporate Services, Mr David Hol
Chief Information Officer, Ms Ann Kirkham
Acting Director Assets, Mr Chris Saunders

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1. PRESENT**2. OPENING PRAYER**

Lord, we ask you for your blessing upon Council, direct and prosper its deliberations to the advantage of Thy Glory, and the true welfare of the people whom we serve.

3. ACKNOWLEDGEMENT TO COUNTRY

On behalf of this Glenelg Shire Council, I respectfully acknowledge the traditional lands and waters of the Gunditjmara, Bunganditj Jardwadjali people and their respective culture heritages. I acknowledge the elders past and present here at today's gathering and through them, to all Aboriginal people.

Aboriginal and Torres Strait Islander People provide an important contribution to Australia's cultural heritage and identity. We respectfully acknowledge the Aboriginal and Torres Strait community living throughout the Glenelg Shire and the contribution they make to the Glenelg Shire's prosperity and wellbeing.

4. RECORDING OF MEETINGS

To those present in the gallery today, by attending a public meeting of the Council you are consenting to your image, voice and comments being recorded and published. Council meetings maybe livestreamed and the Chief Executive Officer will enable a copy of the recording to the public.

5. RECEIPT OF APOLOGIES

Nil.

6. QUESTION TIME**6.1. QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETING**

Mr Howard Templeton of Tahara Bridge asked the following questions:

- a. *Page 9 draft rating discussion paper stated that there was a steady decrease in the overall rates received from primary production land from 2016/17 till 2021/22. A graph on page 9 illustrates a steady decline in revenue from that sector. Do you believe that was an accurate reflection of the rates received?*

The Mayor advised he would take the question on notice.

A response has been provided to Mr Templeton acknowledging that an error occurred in the calculations and that the total rate income from this category was not reflected accurately in the table.

The response also outlined the relevant other factors, rationale and process undertaken by Council to transition from an unsustainable rate rebate system to a differential rating model. The rebate scheme in 2010/2011 amounted to just over \$1m whilst it accounted for over \$3.4m in rebates in 2021/2022.

The second question taken on notice from Mr Templeton:

- b. Figures obtained from the adopted budget for those years and from the Council finance staff show rates received from primary production land from 2016/17 until 2021/22 actually increased, not decreased, from \$6.6 million to \$8 million during that period. This is exactly the opposite to the information presented in the draft rating policy. Wouldn't this mean that the massive rate rise adopted by Council on 28 June is based on incorrect information?*

The Mayor advised he would take the question on notice.

A response has since been provided to Mr Templeton outlining that the adopted budget for those years accurately reports an increase in the primary production category. It also shows that the increase in income received from this particular category was reducing.

The response also outlined that Council considered many factors and issues prior to the resolution to transition from a rebate to a differential rating method.

Mr David Punton of Portland asked the following questions:

- a. How many employees casual, permanent and fulltime, does Glenelg Shire Council have and can you supply a complete list of job roles within Glenelg Shire Council and the number of employees in each of those job roles?*

The Mayor advised he would take the question on notice.

The Mayor provided Mr Punton with a table outlining full time, part time and casual staff per department and unit.

6.2. QUESTIONS FROM THE GALLERY

7. DECLARATIONS OF CONFLICT OF INTEREST**Conflict of Interest**

In accordance with Section 130 (1-8) of the Local Government Act 2020, there is an obligation for Councillors and Officers to declare a conflict of interest in a matter that could come before Council.

Disclosure of Conflict of Interest

A Councillor or Officer must make full disclosure of a conflict of interest by advising the class and nature of the interest immediately before the matter is considered at the meeting. While the matter is being considered or any vote taken, the Councillor with the conflict of interest must leave the room and notify the Chairperson that he or she is doing so.

8. CONFIRMATION OF MINUTES**Recommendation**

That the minutes of the Council Meeting held on Tuesday 24 January 2023, as circulated, be confirmed.

9. PRESENTATIONS

Nil.

10. DEPUTATIONS

Nil.

11. NOTICES OF MOTION

Nil.

12. PETITIONS

Nil.

13. COMMITTEE REPORTS

Nil.

14. MANAGEMENT REPORTS**14.1. GLENELG SHIRE COUNCIL FINANCIAL REPORT JANUARY 2023**

Director: David Hol, Director Corporate Services

Executive Summary

The Financial Report is a key document in assuring responsible and responsive governance and decision making. This high-level report is provided to give Council the ability to monitor Glenelg Shire's financial performance.

Recommendation

That Council receives the Financial report for the period ending January 2023.

Background/Key Information:

The 2022/2023 Annual Budget was adopted by Council on 28 June 2022.

This report provides information on the current status of Council's financial position and performance and includes:

- Comprehensive Income Statement;
- Balance Sheet;
- Statement of Cash Flows; and
- Statement of Capital Works.

a. **Council Plan and Policy Linkage**

Our Voice and Action - A highly engaged and capable local government, leading Glenelg to ensure the needs and aspirations of our community are realised.

b. **Legislative, Legal and Risk Management Considerations**

This report is prepared monthly and is in addition to the requirements set out in the Local Government Act 2020 Division 2, Section 97 where Council is required to prepare a quarterly budget report to be submitted to Council.

Also, in accordance with Division 4, Section 101 Council is required to consider the following Financial Management Principles:

- (a) Revenue, expenses, assets, liabilities, investments and financial transactions must be managed in accordance with a Council's financial policies and strategic plans;
- (b) Financial risks must be monitored and managed prudently having regard to economic circumstances.

c. Consultation and/or communication processes implemented or proposed

The finance report is prepared monthly for Council and submitted to the Audit and Risk Committee quarterly.

d. Financial Implications and Collaboration

The resourcing of the preparation of the financial report and year-end audit of the financial statements is provided for in the adopted budget.

The financial report is a key document that is required to monitor Council's budget and financial result.

The Financial Report provides commentary on all material variances (Greater than 10% or \$500K) to the adopted 2022/2023 budget.

The information in this report contributes to various strategic planning documents under Council's strategic planning framework, including the Annual Budget, Financial Plan and Revenue and Rating Plan.

e. Governance Principles

The ongoing financial viability of the Council is to be ensured.

Attachment List

1. Financial Statements 2022 2023 - January 2023 For Council Meeting [**14.1.1** - 7 pages]



Glenelg Shire Council
2022/2023 Financial Report - YTD January

Glenelg Shire Council 2022/2023 Financial Report - YTD January**Contents**

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Comprehensive Income Statement

For the Period ended January 2023

	2022/2023 Adopted Budget	2022/2023 Forecast Budget	January 2023 YTD Forecast Budget	January 2023 YTD Actual
Income				
Rates and Charges	31,392,915	31,392,915	31,060,636	31,253,341
Statutory Fees and Fines	931,778	923,778	457,095	495,211
User Fees	3,152,858	3,159,358	1,616,592	1,920,478
Grants - Operating	14,783,620	16,835,547	6,241,805	6,130,782
Grants - Capital	8,248,469	18,479,513	12,230,137	11,287,257
Other Income	573,892	1,075,392	869,714	921,074
Contributions - Monetary	115,000	364,118	279,118	136,840
Net Gain (or Loss) on disposal of PP & E	1,200	1,200	74,027	305,653
Total Income	59,199,732	72,231,821	52,829,124	52,450,637
Expenses				
Employee Costs	(26,339,804)	(26,602,504)	(13,937,171)	(13,208,075)
Materials and Services	(18,825,769)	(21,571,759)	(12,372,503)	(11,190,758)
Borrowing Costs	(146,000)	(146,000)	(73,000)	(20)
Bad and Doubtful Debts	0	0	0	(75)
Other Expenses	(2,266,607)	(2,287,457)	(1,507,368)	(1,480,307)
Finance Costs - Leases	(19,500)	(19,500)	(10,375)	(10,413)
Depreciation and Amortisation	(12,751,800)	(12,751,800)	(7,420,796)	(7,416,692)
Internal Cost Allocations	1,210,577	1,210,577	802,852	336,561
Total Expenses	(59,138,903)	(62,168,443)	(34,518,361)	(32,969,779)
Surplus/(Deficit) for the year	60,829	10,063,378	18,310,763	19,480,858

Notes

Rates and Charges amount is based on amount invoiced during this financial year (1 Jul 2022 to 30 Jun 2023)

Variance notes are based on a materiality threshold where the variance is greater or less than \$500,000 and this variance to YTD forecast or Full year budget is greater or less than 10 percent.

Category	Variance Notes
User Fees	User Fees are tracking \$303k above YTD budget due to timing differences in Kinder (\$52k) and Lease Income (\$17k). Higher than expected User Fees have been received for Waste (\$224k), Hall Hire (\$26k) and Aged Care (\$26k). This is offset by a timing difference in Education & Care User Fee Income (\$50k) YTD.
Grants - Capital	The YTD Capital Grants are \$942k below YTD Forecast Budget due to \$1M of Local Roads and Infrastructure (COVID stimulus) funding not yet received. This was partially offset by \$73k Grant funding received for Henty Creek Bridge.
Contributions - Monetary	Monetary Contributions received YTD are \$142k less than YTD Forecast budget due to timing. Funds have not yet been received for the following budget items: Great South Coast Cycling Tour (\$20k) and Western Vic Grain Industry Supply Chain Study (\$125k)
Net Gain (or Loss) on disposal of Property Plant & Equipment	Net gain for the month is \$312k higher than YTD budget as 14 Light Fleet Vehicles have been disposed of YTD.
Borrowing Costs	YTD Borrowing costs are \$72k below YTD budget. This large variance is due to the deferral of the need to draw down on Loans.
Internal Cost Allocations	Allocations for vehicle and machinery costs will increase in H2 as works programs get underway. Gravel allocations fluctuate each year depending on materials required for the capital works program. Internal Cost Allocation is \$120k higher than Jan YTD 21/22.

Balance Sheet

For the Period ended January 2023

	2022/2023 Adopted Budget	2022/2023 Forecast Budget	January 2023 YTD Actual
Assets			
Current assets			
Cash and Cash Equivalents	4,696,000	4,412,327	5,130,432
Trade and other receivables	3,204,000	3,204,000	20,463,429
Inventories	200,000	200,000	189,767
Non-current assets classified as held for sale	0	0	0
Other Assets	400,000	400,000	5,048
Total current assets	8,500,000	8,216,327	25,788,676
Non-current assets			
Non current Trade and other receivables	10,000	10,000	0
Property, infrastructure, plant and equipment	460,044,000	472,081,035	458,447,577
Right of Use Assets	249,000	249,000	334,188
Total non-current assets	460,303,000	472,340,035	458,781,764
Total assets	468,803,000	480,556,362	484,570,441
Liabilities			
Current liabilities			
Trade and other payables	2,100,000	2,100,000	2,213,870
Trust funds and deposits	1,000,000	1,000,000	1,715,266
Provisions	5,052,000	5,052,000	3,794,618
Interest-bearing loans and borrowings	1,147,000	771,446	216,454
Lease Liabilities - Current	155,000	155,000	85,832
Total Current liabilities	9,454,000	9,078,446	8,026,040
Non-current liabilities			
Non Current Provisions	8,291,000	8,291,000	9,965,762
Non Current Interest-bearing loans and borrowings	13,532,000	6,906,892	710,500
Lease Liabilities - Non Current	93,000	93,000	263,629
Total Non-current liabilities	21,915,000	15,290,892	10,939,891
Total liabilities	31,369,000	24,369,338	18,965,931
Net assets	437,434,000	456,187,024	465,604,509
Equity			
Accumulated surplus	143,040,171	125,173,362	125,173,368
Reserves	293,875,509	320,492,793	320,492,793
Reserves - Restricted Cash	457,491	457,491	457,491
Operating Surplus (Deficit)	60,829	10,063,378	19,480,858
Total Equity	437,434,000	456,187,024	465,604,509

Balance Sheet variance analysis**For the Period ended January 2023**

Category	Variance Notes
Cash and cash equivalents	Cash and Cash Equivalents decreased by \$406k in January. Rates and User Fees of \$3.1M were collected together with Grant Income of \$364k and Proceeds from sale of Assets \$285k. This was offset by Capital Works expenditure of \$902k, Salary Expenses of \$2M and Materials & Services of \$1.3M.
Trade and other receivables	Trade and other receivables at EOM have decreased by \$3.4M to \$20.4M for the period ending 31 January 2023. The value of Rates debtors at EOM is \$18.2M and the Fire Services Debtors \$1.6M. As each Rate instalment falls due, the value of Rates Debtors will decrease. Sundry Debtors at EOM total \$178k while Other Debtors make up \$160k.
Non current assets held for sale	There are no identified non current assets held for sale.
Right of use assets	No new Lease Agreements were entered into in January.
Trade and other payables	Trade and Other payables has decreased by \$465k for January 2023. Trade and Other Payables of \$2.2M is made up of Fire Services Levy (\$1.88M), Rates Overpayments of (\$234k) and Other Payables (\$92k).
Provisions	Current and Non Current provisions are made up of Employee, Landfill and Gravel Pit Provisions. From 30 June 2022 to YTD, Provisions have decreased by approx \$1.7M due to payments of Annual Leave, Long Service Leave and Sick Leave Gratuity.
Interest Bearing Loans and borrowings	No change in Loans outstanding of \$1.2M at 30 June 2022. Borrowings are fully offset by cash balances resulting in \$0 interest paid YTD. Council have budgeted new borrowings of \$7M in the 2022/23 Budget which is not expected to be used prior to 30 June 2023. However Council will utilise an approved loan facility of approximately \$7M with the NAB from the Budget 21/22 (this amount was not draw down in 21/22 due to surplus cash from grants paid in advance).
Reserves	Reserves have increased as a result of a revaluation of land and buildings from an independent valuation in 21/22. Also included is a reserve for Public Open Space levies collected of \$457k to be spent at a future date.

Statement of Cash Flows

For the Period ended January 2023

	2022/2023 Adopted Budget	2022/2023 Forecast Budget	January 2023 YTD Actual
	Inflow (Outflow)	Inflow (Outflow)	Inflow (Outflow)
Cash flows from operating activities			
Rates, Charges & User Fees (including kerbside collection)	34,546,000	34,552,273	15,735,881
Grants	23,032,000	21,822,361	6,907,157
Statutory Fees and Fines	932,000	923,778	495,211
Contributions - monetary	115,000	364,118	552,684
Interest received	100,000	150,000	112,691
Other receipts	475,000	925,392	808,383
Employee costs	(26,340,000)	(26,602,504)	(14,990,867)
Materials and services	(18,826,000)	(23,245,017)	(12,912,885)
Short term, low value and variable lease payments	(20,000)	(50,000)	(64,474)
Trust funds and deposits repaid	0	0	(1,115,046)
Other payments	(2,432,000)	(2,287,457)	(1,480,307)
Net cash provided by/(used in) operating activities	11,582,000	6,552,944	(5,951,571)
Cash flows from investing activities			
Payments for property, infrastructure, plant and equipment	(10,920,000)	(11,932,035)	(1,943,366)
Payments for carry forward property, infrastructure, plant & equipment	(17,332,000)	(12,960,289)	(3,731,781)
Proceeds from sale of property, infrastructure, plant and equipment	0	1,200	305,653
Proceeds from investments	0	0	0
Loans and advances made	0	0	0
Payments of loans and advances	0	0	0
Net cash provided by/(used in) investing activities	(28,252,000)	(24,891,124)	(5,369,493)
Cash flows from financing activities			
Finance costs	0	(19,500)	0
Proceeds from borrowings	7,000,000	7,000,000	0
Repayment of borrowings	(590,000)	(590,000)	0
Interest paid - Lease liabilities	(21,000)	(17,570)	(11,003)
Repayment of lease liabilities	(183,000)	(193,844)	(108,921)
Net cash provided by/(used in) financing activities	6,206,000	6,179,086	(119,925)
Net increase (decrease) in cash and cash equivalents	(10,463,000)	(12,159,094)	(11,440,989)
Cash and cash equivalents at the beginning of the financial year	15,159,000	16,571,421	16,571,421
Cash and cash equivalents	4,696,000	4,412,327	5,130,432

Statement of Capital Works
For the Period ended January 2023

	2022/2023 Adopted Budget	2022/2023 Forecast Budget	January 2023 YTD Actual
Property			
Buildings	5,375,000	12,252,675	376,284
Land	0	0	3,759
Total Property	5,375,000	12,252,675	380,043
Plant and Equipment			
Heritage plant and equipment	10,000	20,000	1,500
IT Equipment	0	0	0
Plant, machinery and equipment	1,135,000	2,049,250	1,444,977
Fixtures, fittings and furniture	10,000	10,000	0
Library Resources	95,000	95,000	51,869
Total Plant and Equipment	1,250,000	2,174,250	1,498,346
Infrastructure			
Roads	2,905,000	7,820,800	566,477
Bridges	200,000	1,199,926	218,239
Footpaths and Street Furniture	50,000	59,814	335
Drainage	50,000	2,597,258	15,230
Recreational, Leisure and Community facilities	200,000	5,751,901	1,574,855
Waste Management	280,000	290,000	136,745
Parks, Open Space and Streetscapes	260,000	1,457,552	(195,808)
Aerodrome	50,000	430,000	3,069
Off Street Carparks	50,000	50,000	0
Other Infrastructure - LRCI	0	5,350,117	1,475,414
Other Infrastructure - Other	250,000	749,749	2,200
Total Infrastructure	4,295,000	25,757,117	3,796,757
Total Capital Works Expenditure	10,920,000	40,184,042	5,675,146
Capital Works represented by:			
New asset expenditure	5,350,000	31,585,134	2,936,701
Asset renewal expenditure	5,310,000	8,250,034	2,472,980
Asset upgrade expenditure	260,000	348,874	265,465
Total Capital Works	10,920,000	40,184,042	5,675,146

Notes

The Forecast Budget 2022/2023 has not been adjusted for expenditure that will be carried forward to future financial years as a result of phasing of some major projects.

Category	Variance Notes
Property	The Forecast budget for "Property" Capital Works has increased to \$12.25M due to carried forward works from 21/22 of \$6.8M. \$6.1M of the carried forward works are for the Foreshore Multipurpose Building which has incurred \$208k of expenditure YTD for design work.
Plant and equipment	The Forecast Budget for "Plant and Equipment" Capital Works has increased by \$924k to \$2.17M. This is due to delays passed on by suppliers for the purchase of 2 heavy vehicles and a number of light fleet vehicles that were on order and budgeted for in 21/22. YTD \$1.5M has been spent made up of the following: \$844k on Heavy Fleet (2 new trucks) and \$556k on Light Fleet. YTD \$51k has also been spent on Library Resources and \$36k on Generators for Relief & Recovery Centres.
Infrastructure	The Forecast Budget for "Infrastructure" Capital Works has increased by \$21.5M to \$25.7M. This includes new projects such as the Airport Hangar Improvement project of \$630k, and fully funded projects such as Local Freight Roads \$4.8M and Portland North Precinct \$2.5M. It also includes carry forwards of \$12.5M from 21/22 such as Alexandra Park for \$4.4M, Bridge Replacement works \$1M, Bridgwater Bay \$1.1M, and Local Roads and Infrastructure Projects (Covid Stimulus LRCI program) of \$5.3M. YTD \$3.8M has been spent on Infrastructure with some of the major projects including Alexandra Park Masterplan (\$1.4M), Portland Foreshore Ancillary Works (\$684k) and Road Resheeting (\$494k).

14.2. DELEGATIONS UPDATE FEBRUARY 2023

Director: David Hol, Director Corporate Services

Executive Summary

In accordance with the principles of good governance, continuous improvement and statutory compliance, the review of the Delegations and Authorisations has been undertaken. In accordance with Section 11(7) of the *Local Government Act 2020*, Council review delegations twice a year or in accordance with changes to various Acts.

The review includes the following Council Instruments of Delegations:

- Instrument of Delegation from Council to Chief Executive Officer (S5)
- Instrument of Delegation from Council to Members of staff (S6);
- Instrument of Sub-Delegation from the Chief Executive Officer to Council Staff (S7); and
- Instrument of Delegation of CEO powers, duties and functions (S13);
- Instrument of Delegation by CEO for VicSmart Applications under the *Planning and Environment Act 1987* (S14)

Recommendation

That Council:

- 1. Exercise the power conferred by s 11(1)(b) of the *Local Government Act 2020* (the Act), Glenelg Shire Council (Council) RESOLVES THAT –**
 - a. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument.**
 - b. The instrument (S5 Council to Chief Executive Officer) comes into force immediately upon this resolution being made and is signed by the Council's Chief Executive Officer and the Mayor.**
 - c. On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.**

- d. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
2. Adopt the following Instruments of Delegation:
 - a. Instrument of Delegation Council to Members of Staff dated Tuesday 28 February 2023 (S6);
 - i. the Instruments referred to above come into force upon this resolution being made and is to be signed by the Council's Chief Executive Officer and previous Instruments are revoked
 - ii. The duties and functions set out in the Instrument referred to must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
3. Note that the following Instruments have been amended and will come into force when it is signed by the Chief Executive Officer on Wednesday 1 March 2023;
 - a. Instrument of Sub-Delegation from the Chief Executive Officer to Council staff (S7)
 - b. Instrument of Delegation of CEO powers, duties and functions (S13)
 - c. Instrument of Delegation by CEO for VicSmart Applications under the *Planning and Environment Act 1987*
 - i. The duties and functions set out in the Instruments referred to in must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

Background/Key Information:

Section 11(1) of the *Local Government Act 2020* enables Councils to delegate to Council Committees and Staff a diverse range of powers, duties or functions to facilitate the effective and efficient management and operation of municipalities.

The Glenelg Shire Council, together with a number of other Victorian municipalities, subscribes to the Maddock's Lawyers Delegations and Authorisations update service. This review is based on the Maddock's proforma documents with appropriate alterations identified by each Director and their staff.

The objectives of delegation and authorisation reviews are to:

- Achieve good governance;
- Ensure statutory compliance by incorporating recent legislative changes;
- Facilitate responsive and efficient customer service;
- Deliver continuous improvement in service delivery and decision making; and
- Make minor wording enhancements, where necessary, to improve the quality of the documents.

a. Council Plan and Policy Linkage

Leading Glenelg - Create shared visions within the Community, ensuring agreed outcomes

b. Legislative, Legal and Risk Management Considerations

Section 47 of the *Local Government Act 2020* provides that the Chief Executive Officer a Council may by instrument of delegation delegate to a member of its staff any power, duty or function of a Council under this Act or any other Act.

c. Consultation and/or communication processes implemented or proposed

Council staff listed in the schedule contained in the various Instruments of Delegation were provided with a copy of the draft delegations and authorisations and invited to provide comment prior to finalisation.

Documents are available for staff and Councillors who can view the Delegations prior to being adopted at the Council Meeting.

d. Financial Implications and Collaboration

Resources for preparation and coordination of regular delegation reviews are allowed for within the Corporate Services department.

e. Governance Principles

Council decisions are to be made and actions taken in accordance with the relevant law.

The transparency of Council decisions, actions and information is to be ensured.

Attachment List

1. Maddocks Letter to subscribers 20 January 2023 [**14.2.1** - 5 pages]
2. Draft S 5 Instrument of Delegation to Chief Executive Officer [**14.2.2** - 6 pages]
3. Draft S 7 Instrument of Sub- Delegation by CEO to Staff [**14.2.3** - 350 pages]
4. Draft S 13 Instrument of Delegation of CEO powers__duties and functions [**14.2.4** - 39 pages]
5. Draft S 14 Instrument of Delegation by CEO for Vic Smart Applications under the Planning and Environ [**14.2.5** - 22 pages]

**Maddocks**

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Email Letter

From Maryam Popal	Date 20 January 2023
Direct 03 9258 3305	Email Maryam.Popal@maddocks.com.au
Partner Melanie Olynyk	

Our Ref MSB:MARP:628721

Dear subscriber

**Delegations and Authorisations Service Update
First Update for 2023**

We are pleased to provide you with our first update to the Delegations and Authorisations Service for 2023. This takes into account legislative changes which were assented to, or made, on or after 22 July 2022, and some other miscellaneous changes, which affect council's powers, duties and functions.

This update is contained on the new Maddocks Digital platform, which can be accessed by clicking the following link: <https://indepth.maddocks.com.au/>.

As always, please carefully review this explanatory letter and refer to the updated instruments to ensure that you are aware of the recent legislative changes that affect your council's delegations and authorisations.

Changes made in this update

This update amends our S5, S6, S7 and S11 Instruments. We outline some of the changes to each Instrument below.

1. Changes to the S5 Instrument Delegation, Council to the CEO (S5)

We have made a change to the S5 with respect to expenditure limitations. As you may recall, s 11(5) of the *Local Government Act 2020* states that a delegation that includes the power to make any expenditure must specify a maximum monetary limit that cannot be exceeded. We have found that councils deal with this in different ways and so we have endeavoured to keep the template general so that it can be tailored to suit each particular council.

2. Changes to the S6 Instrument of Delegation, Council to other Members of Council staff (S6)

The following changes have been made to the S6:

- 2.1. The execution of the S6 Instrument has been amended to enable Council's Chief Executive Officer (**CEO**) to sign the Instrument, where a **resolution** has been made by Council for the CEO to sign the Instrument.

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- 2.2. Regulations 25(a) and (b) of the Planning and Environment Regulations 1987 have been slightly amended by the Planning and Environment Amendment Regulations 2022, to refer to the public availability requirements.
- 2.3. Section 52 of the *Cemeteries and Crematoria Act 2003* has been inserted relating to the duty to report annually to the Secretary.

3. **Changes to the S7 Instrument of Sub-delegation, from the CEO to Members of Council staff (S7)**

The following changes have been made to the S7:

- 3.1. The *Child Wellbeing and Safety Act 2005* was amended pursuant to the *Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Act 2021* (**Child Wellbeing Amendment Act**), which commenced on 1 January 2023, and so we have:
 - 3.1.1. Inserted s 23A to the provision relating to s 19, which requires Council, as relevant entity, to comply with Child Standards generally. We have also inserted in the conditions and limitations column that the provisions apply where Council is a Schedule 1 entity (pursuant to amended Schedule 1 under s 17 of the Child Wellbeing Amendment Act).
 - 3.1.2. Inserted reference to 'information' under s 25, as amended by s 15 of the Child Wellbeing Amendment Act.
 - 3.1.3. Removed ss 26, 27 and 29, as these have been substituted with new provisions relating to authorised officers (pursuant to ss 21, 22 and 24 of the Child Wellbeing Amendment Act).
 - 3.1.4. Inserted new s 29A(2) relating to the function of receiving notice of inspection of premises (pursuant to s 24 of the Child Wellbeing Amendment Act).
 - 3.1.5. Amended s 30(1) to s 30(1A) (pursuant to s 25 of the Child Wellbeing Amendment Act).
 - 3.1.6. Inserted new s 34C relating to complying with an adverse publicity order (pursuant to s 30 of the Child Wellbeing Amendment Act).
 - 3.1.7. Amended s 36 to insert reference to 'sector regulator' (pursuant to s 32 of the Child Wellbeing Amendment Act).
 - 3.1.8. Inserted new ss 36A and 36B relating to the function of receiving an 'official warning' and 'infringement notice'. New s 36C(1) has also been inserted relating to the power to make an enforceable undertaking, and subsection 36C(3) has been added relating to the power to withdraw or vary the enforceable undertaking. These changes are made in accordance with s 33 of the Child Wellbeing Amendment Act.
 - 3.1.9. Amended ss 41I and 41J to remove reference to the Commission and replace it with sector regulator (pursuant to s 36 of the Child Wellbeing Amendment Act).
 - 3.1.10. Amended the full name of the Commission for Children and Young People to just the Commission.
- 3.2. The Child Wellbeing Amendment Act also made amendments to the *Education and Training Reform Act 2006*, and so we have:
 - 3.2.1. Inserted s 4.2.2(1)(g) relating to the function of receiving education, information and advice pursuant to s 56 of the Child Wellbeing Amendment Act.



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- 3.2.2. Pursuant to s 76 of the Child Wellbeing Amendment Act, inserted:
- 3.2.2.1. s 5.8.18 relating to the function of receiving a notice to comply from the Authority.
 - 3.2.2.2. s 5.8.24 relating to the function of receiving an official warning from the Authority.
 - 3.2.2.3. s 5.8.26 relating to the power to make an enforceable undertaking, as well as the power to withdraw or vary the enforceable undertaking.
 - 3.2.2.4. s 5.8.30 relating to the duty to comply with an adverse publicity order.
- 3.3. The *Valuation of Land Act 1960* was amended by the *Windfall Gains Tax and State Taxation and Other Acts Further Amendment Act 2022*, and so a new s 13Q(5) has been inserted relating to windfall gains tax. However, it is not yet in force. It will commence on a date to be proclaimed or on 1 July 2023.
- 3.4. We have inserted ss 50(2)(b), 56, 57, 58 and 60 of the *Circular Economy (Waste Reduction and Recycling) Act 2021* relating to functions and powers of councils. These are in force.
- 3.5. We have amended the provisions relating to the *Environment Protection Act 2017 (EPA 2017)* in light of the Environment Legislation Amendment Act, as follows:
- 3.5.1. Inserted s 242(2) and (2A) regarding the appointment of authorised officers for the purposes of the power or functions delegated to councils. This is in force.
 - 3.5.2. Inserted s 242(2B) regarding the duty to prepare and give a written report to the Authority regarding the exercise of the powers and functions by authorised persons. This is in force.
 - 3.5.3. Insert s 347(7) relating to the appointment of employees or officers of council for the purpose of taking proceedings for offences under ss 25, 27, 286, 287 and 288. This is in force.
 - 3.5.4. Inserted new ss 50A and 51A. These provisions are not yet in force and will commence on a date to be proclaimed, or on 1 June 2023.
- We also note that s 50(3) will be repealed pursuant to s 30 of the Environment Legislation Amendment Act but this is **not yet** in force and so it has not yet been applied.
- 3.6. We have inserted a note to the *Sex Work Act 1994* that the Act will be repealed on 1 December 2023 pursuant to *Sex Work Decriminalisation Act 2022*. This was foreshadowed in our previous Update.
- 3.7. The *Local Government Act 1989* has been amended by the *Local Government Legislation Amendment (Rating and Other Matters) Act 2022*. These changes relate to service rates and charges. However, the changes are not yet in force. They will commence on a date to be proclaimed or on 20 June 2023. We have made note of the changes below and will insert the changes for the next update:
- 3.7.1. New s 169(1AA) relates to the power to grant a rebate or concession in relation to any rate or charge.
 - 3.7.2. New s 171B relates to the power to enter into a payment plan relating to unpaid rates or charges.



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- 3.7.3. New s 180A relates to the duty to provide notice before commencing proceedings for recovery of unpaid debt in certain circumstances.
- 3.7.4. New s 181AA(3) relates to the duty to comply with guidelines issued by the Minister.
- 3.7.5. Section 163(4) is to be amended.
- 3.7.6. Section 172(1) is to be amended.
- 3.8. Section 34 and Schedule 2 clause 3(1) and (2) of the *Housing Act 1983* have been amended to replace Director with Homes Victoria.
- 3.9. Section 45 of the *Transfer of Land Act 1958 (TLA)* has now been amended. The change has been made in circumstances where s 45(1) refers to Council's power to sign a transfer of land in respect of which a decision to acquire or dispose of land has been made under the *Local Government Act 2020 (LGA 2020)*. Section 45(1) of the TLA works in conjunction with ss 112, 114 or 116 of the LGA 2020, depending on whether Council is acquiring or disposing of an interest in land (including an easement interest) and whether the counterparty is a private or public body.
- 3.10. Section 59B(1) of the *Emergency Management Act 2013* has been amended to correctly refer to subsection (b).
- 3.11. Section 84Y of the *Domestic Animals Act 1994* has been amended to insert 'receive'. Section 84DD(2) is also now in force as foreshadowed in the previous update.
- 3.12. Sections 49A, 49B and 49C of the *Great Ocean Road and Environs Protection Act 2020* are now in force.

4. Changes to the S11 Instrument of Appointment and Authorisation (S11)

The following changes have been made to the S11:

- 4.1. Footnote 7 has been amended relating to s 171 of the EPA 2017, which now provides that a residential noise enforcement officer can be a member of Council staff or a specified person, that is a skilled contractor.
- 4.2. Section 242(2) of the EPA 2017 has been inserted under Part B, for the appointment of authorised officers for the purposes of the power or function delegated to Council under s 437(1) of the EPA Act. A footnote has also been inserted.
- 4.3. Section 347(7) of the EPA 2017 has been inserted under Part C, where Council has been delegated powers or functions in relation to any offences against ss 25, 27, 286, 287 or 288 of the Act. A footnote has also been inserted.

Local Laws

While this has been mentioned in our previous updates, we again remind councils of the importance of delegating not only the powers, duties and functions existing under legislation, but also any council powers, duties and functions existing in any local laws made by their council.

Our Delegations and Authorisations Service covers only the former and so it is up to each council to ensure that it reviews all of its local laws and, where appropriate, delegates relevant powers, duties and functions.



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Updating your instruments

As always, we recommend that you re-make all of your council delegations regularly to ensure that they remain up to date and cover all relevant provisions. This includes the S5 Instrument.

If you have any questions about this Update, please direct your queries to Maryam Popal (maryam.popal@maddocks.com.au) or myself (melanie.olynyk@maddocks.com.au).

Yours sincerely
Maddocks

Transmission authorised by:
Melanie Olynyk
Partner



GLENELG SHIRE COUNCIL

INSTRUMENT OF DELEGATION

S5 INSTRUMENT OF DELEGATION TO THE CHIEF EXECUTIVE OFFICER

28 FEBRUARY 2023

Glenelg Shire Council

Preamble

Instrument of Delegation

In exercise of the power conferred by s 11(1) of the *Local Government Act 2020 (the Act)* and all other powers enabling it, the Glenelg Shire] Council (Council) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on [##date];

2. the delegation

2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;

2.2 is subject to any conditions and limitations set out in the Schedule;

2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

2.4 remains in force until Council resolves to vary or revoke it.

.....
Signed by the Chief Executive Officer of Council

in the presence of:

.....

Witness:.....

Date:

.....
Signed by the Mayor in the presence of:

.....

Witness:.....

Date:

Glenelg Shire Council

Delegation Sources

- Local Government Act 2020

Positions

Abbreviation	Position	Name
CEO	Chief Executive Officer	Paul Phelan

Glenelg Shire Council

S5 Instrument of Delegation to The Chief Executive Officer

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
11(1)	<p>SCHEDULE</p> <p>The power to</p> <ol style="list-style-type: none"> 1. determine any issue; 2. take any action; or 3. do any act or thing <p>arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.</p>	CEO	<p>The delegate must not determine the issue, take the action or do the act or thing</p> <ol style="list-style-type: none"> 1. if the issue, action, act or thing is an issue, action, act or thing which involves <ol style="list-style-type: none"> 1.1 entering into a contract exceeding the value of \$500,000; 1.2 making any expenditure that exceeds \$500,000 1.3 this does not include any situations where expenditure exceeds the above amount that has been approved by Council through the Budget process (e.g. for certain insurances, fire services property levy, etc); 1.4 appointing an Acting Chief Executive Officer for a period exceeding 28 days; 1.5 electing a Mayor or Deputy Mayor; 1.6 granting a reasonable request for leave under s 35 of the Act; 1.7 making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;

Glenelg Shire Council

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			<p>1.8 approving or amending the Council Plan;</p> <p>1.9 adopting or amending any policy that Council is required to adopt under the Act;</p> <p>1.10 adopting or amending the Governance Rules;</p> <p>1.11 appointing the chair or the members to a delegated committee;</p> <p>1.12 making, amending or revoking a local law;</p> <p>1.13 approving the Budget or Revised Budget;</p> <p>1.14 approving the borrowing of money;</p> <p>1.15 subject to section 181H(1)(b) of the Local Government Act 1989, declaring general rates, municipal charges, service rates and charges and specified rates and charges;</p> <p>2. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;</p> <p>3. if 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;</p> <p>4. 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</p>

Glenelg Shire Council

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			<p>4.1 policy; or</p> <p>4.2 strategy</p> <p>adopted by Council;</p> <p>5. 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 s 11(2)(a)-(n) (inclusive) of the Act or otherwise; or</p> <p>6. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.</p>



GLENELG SHIRE COUNCIL

INSTRUMENT OF DELEGATION

S7 INSTRUMENT OF SUB-DELEGATION FROM CEO TO COUNCIL STAFF

28 FEBRUARY 2023

Glenelg Shire Council

Preamble

Instrument of Sub-Delegation

By this Instrument of Sub-Delegation, in exercise of the power conferred by s 47(1) of the *Local Government Act 2020*, I, as Chief Executive Officer of 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 below:
3. record that on the coming into force of this Instrument of Sub-Delegation each delegation under the Instrument of Sub-Delegation dated 28 September 2022 and executed by Greg Burgoyne is revoked;
4. declare that this Instrument of Sub-Delegation -
 - 4.1 comes into force immediately upon its execution;
 - 4.2 remains in force until varied or revoked;
 - 4.3 is subject to any conditions and limitations set out in paragraph 5, and in the Schedule; and
 - 4.4 must be read in accordance with any guidelines or policies which Council from time to time adopts; and
5. declare that the delegate must not determine the issue, take the action or do the act or thing if:
 - 5.1 the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 5.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategyadopted by Council; or
 - 5.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of ss 11(2)(a) – (n) and 47(2) (inclusive) of the Act or otherwise.

This Instrument of Sub-Delegation is dated Wednesday 1 March 2023 and is made by the Chief Executive Officer under authority of an instrument of delegation authorised by Resolution of Council made on Tuesday 28 February 2023.

in the presence of: _____)

Date:

Glenelg Shire Council

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
- Circular Economy (Waste Reduction and Recycling) Act 2021
- 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
- Electoral Act 2002
- Electricity Safety Act 1998
- Emergency Management Act 2013
- Environment Protection Act 2017
- Environment Protection Regulations 2021
- Estate Agents Act 1980
- Family Violence Protection Act 2008
- Fences Act 1968
- Filming Approval Act 2014
- Fines Reform Act 2014
- Fire Rescue Victoria Act 1958
- 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
- Great Ocean Road and Environs Protection Act 2020
- Health Records Act 2001
- Heavy Vehicle National Law 2012
- Heavy Vehicle National Law Application Act 2013
- Heritage Act 2017
- Housing Act 1983
- Impounding of Livestock Act 1994
- Independent Broad-Based Anti-Corruption Commission Act 2011
- Infringements Act 2006
- Land Act 1958
- Land Acquisition and Compensation Act 1986
- Livestock Disease Control Act 1994

Glenelg Shire Council

- Liquor Control Reform Act 1998
- Local Government Act 2020
- Local Government Act 1989
- Magistrates' Court Act 1989
- Major Transport Projects Facilitation Act 2009
- Marine and Coastal Act 2018
- Mineral Resources (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
- Residential Tenancies Act 1997
- Road Management Act 2004
- Road Safety Act 1986
- Rooming House Operators Act 2016
- Second Hand Dealers and Pawnbrokers Act 1989
- Service Victoria Act 2018
- Sex Work Act 1994
- Sheriff Act 2009
- Sport and Recreation Act 1972
- Subdivision Act 1988
- Summary Offences Act 1966
- Suburban Rail Loop Act 2021
- Taxation Administration Act 1997
- Transfer of Land Act 1958
- Transport Integration Act 2010
- Valuation of Land Act 1960
- Victorian Environmental Assessment Council Act 2001
- Victorian Local Government Grants Commission Act 1976
- Victoria State Emergency Service Act 2005
- Victorian Data Sharing Act 2017
- Victorian Inspectorate Act 2011
- Victorian Planning Authority Act 2017
- Water Act 1989
- Building Regulations 2018
- Country Fire Authority Regulations 2014
- Dangerous Goods (Explosives) Regulations 2022
- Drugs, Poisons and Controlled Substances Regulations 2017
- Electricity Safety (Electric Line Clearance) 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

Glenelg Shire Council

- Road Safety (General) Regulations 2019
- Road Safety (Traffic Management) Regulations 2019
- Road Safety (Vehicles) Regulations 2021
- Subdivision (Fees) Regulations 2016
- Subdivision (Procedures) Regulations 2021
- Subdivision (Registrar's Requirements) Regulations 2011
- Miscellaneous and Administrative Powers

Positions

Abbreviation	Position	Name
ADSM	Aged and Disability Services Manager	
AllPo	All Positions	
AWCTL	Animal Welfare Centre Team Leader	
Build AO	Building Administration Officer	
BI	Building Inspector	
BS	Building Surveyor	
CFO	Chief Finance Officer	
CIO	Chief Information Officer	
CSM	Children's Services Manager	
CWM	Community Wellbeing Manager	
CPC	Contract and Procurement Coordinator	
CGC	Corporate Governance Coordinator	
CPO	Corporate Planning Officer	

Glenelg Shire Council

Abbreviation	Position	Name
CSC	Council Support Coordinator	
CSO	Customer Service Officer	
DRA	Director Assets	
DRC	Director Community Services	
DRCS	Director Corporate Services	
EMC	Emergency Management Coordinator	
ESC	Environmental Sustainability Coordinator	
EACEO	Executive Assistant CEO	
EACS	Executive Assistant Corporate Services	
EMOD	Executive Manager Organisational Development	
FCo	Finance Coordinator	
GradEHO	Graduate Environmental Health Officer	
IDE	Infrastructure Development Engineer	
IO	Inspections Officer	
IRO	Insurance & Risk Officer	
LaLO	Lease and Licenses Officer	
LLO	Local Laws Officer	

Glenelg Shire Council

Abbreviation	Position	Name
LLTL	Local Laws Team Leader	
LPPBM	Local Port of Portland Bay Manager	
MEH	Manager Environmental Health	
MLL	Manager Local Laws	
MCM	Media & Communication Manager (Economic Development)	
MCO	Media and Communications Officer	
MBS	Municipal Building Surveyor	
MEMO	Municipal Emergency Management Officer	
Not Delegated	Not Delegated	
OM	Operations Manager	
PayO	Payroll Officer	
PlanAO	Planning Administration Officer	
PPFM	Project Planning and Facilities Manager	
RUSO	Rate Unit Support Officer	
RVC	Rates and Valuations Coordinator	
RMO	Records Management Officer	
RUS	Records Unit Supervisor	

Glenelg Shire Council

Abbreviation	Position	Name
RSM	Regulatory Services Manager	
RiskSM	Risk and Safety Manager	
SCSO	Senior Customer Service Officer	
StP	Statutory Planner	
SP	Strategic Planner	
TLDA	Team Leader Design/Assets	
WIMO	Workcover and Injury Management Officer	
WM	Works Manager	

Glenelg Shire Council

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.	DRA, DRC, DRCS	
s 74A(1)	Power to enter into an Aboriginal cultural heritage land management agreement with a registered Aboriginal party	Not Delegated	
s 74E(1)	Duty to give copy of Aboriginal cultural heritage land management agreement to Secretary of the Department of Premier and Cabinet	Not Delegated	

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	Not Delegated	Where a wound up incorporated association has assets consisting of property supplied by Council (which includes the unexpended portion of a grant)

Glenelg Shire Council

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	CFO, DRCS	
s 13(4)	Power to dispute the reasonableness of an amount to be paid	CFO, DRCS	
s 17(1)	Function of being consulted by the Auditor-General	CFO, DRCS	
s 18(1)	Function of receiving a final specification of a performance audit	CFO, DRCS	
s 18(4)(a)	Function of receiving an amended specification	CFO, DRCS	
s 18(4)(b)	Function of being consulted by the Auditor-General	CFO, DRCS	

Glenelg Shire Council

Audit Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 23(1)	Power to enter into an agreement with the Auditor-General for the provision of other auditing services	CFO, DRCS	
s 44	Function of receiving a written notice and power to give consent to entry	CFO, DRCS	
s 45	Power to consent to earlier entry	CFO, DRCS	
s 46(1)	Power to request that the Auditor-General, or authorised person, produce proof of identity	CFO, DRCS	
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	CFO, DRCS	
s 48	Power to request that the Auditor-General or authorised person serve an information gathering notice	CFO, DRCS	

Glenelg Shire Council

Audit Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	CFO, DRCS	
s 65(2)	Duty to give Council's officer or employee a reasonable opportunity to respond in relation to the adverse material	CFO, DRCS	
s 68(1)	Function of receiving information acquired by the AuditorGeneral	CFO, DRCS	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	Not Delegated	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	Not Delegated	

Glenelg Shire Council

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	Build AO, BI, DRCS, BS	
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	Build AO, BI, DRCS, BS	
s 29A	Function of giving consent to building permit for demolition in its capacity as responsible authority under the Planning and Environment Act 1987	Not Delegated	
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	Not Delegated	
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	Not Delegated	
s 30	Function of receiving copy permit, plans and other documents	Build AO, BI, DRCS	

Glenelg Shire Council

Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 30B	Function of receiving checklist confirming all relevant documents to be provided by building surveyor	Build AO, BI, DRCS, BS	
s 31(1)	Duty to keep register of building permits	Build AO, BI, DRCS, BS	
s 31(2)	Duty to make register available for inspection	Build AO, BI, DRCS, BS	
s 32	Duty to keep documents	Build AO, BI, DRCS, BS	
s 32A(2)	Duty to provide Development Victoria notice setting out information in s 32A(3) and a copy of any relevant planning permit within 14 days after being given a copy of building permit under s 30(1), in certain circumstances where s 32A(1) applies	Build AO, DRCS, BS	
s 66(b)(i)	Function of determining fees	DRCS	

Glenelg Shire Council

Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 73	Function of receiving copy permit, plans and other documents	Build AO, BI, DRCS, BS	
s 74(1)	Duty to keep register of occupancy permits, temporary approvals and amendments	Build AO, BI, DRCS, BS	
s 74(2)	Duty to make register available for inspection	Build AO, BI, DRCS, BS	
s 75	Duty to keep documents	Build AO, BI, DRCS, BS	
s 80	Function of receiving notification of appointment	Build AO, BI, DRCS, BS	
s 80A(3)(a)	Function of receiving written notice of designated building surveyor referred to in s 80A(2)	Build AO, BI, DRCS, BS	
s 80A(4)(a)	Function of receiving notice of the new designated building surveyor	Build AO, BI,	

Glenelg Shire Council

Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		DRCS, BS	
s 80C(4)(c)	Function of receiving a copy of the transfer form	Build AO, BI, DRCS, BS	
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)	Build AO, BI, DRCS, BS	
s 81(2)	Function of receiving notification for work terminated	Build AO, BI, DRCS, BS	
s 83F	Function of receiving notice of appointment of manager for private building surveyor's business from the Authority	Build AO, DRCS, BS	
s 101(2)	Function of receiving copy documents	Build AO, BI, DRCS, BS	
s 120(2)(a)	Function of receiving notification that an order is complied with	Build AO, BI, DRCS, BS	

Glenelg Shire Council

Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	BI, DRCS, BS	
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	DRCS, BS	
s 125(1)	Function of receiving copy notice or order	Build AO, BI, DRCS, BS	
s 125(2)	Function of receiving written notice of the compliance, amendment or cancellation	Build AO, BI, DRCS, BS	
s 126(1)	Duty to keep register of emergency orders, building notices and building orders	Build AO, DRCS, BS	
s 126(2)	Duty to make register available for inspection	Build AO, DRCS, BS	

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Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 138(5)	Power to appeal to the Building Appeals Board	Not Delegated	Where Council is a 'prescribed reporting authority'
s 160(3)(d)	Power to make application to the Building Appeals Board	DRCS, BS	
s 162(1)(a)(i)	Function of being consulted by the Building Appeals Board	DRCS, BS	
s 162(4)(b)	Function of entering into an agreement when directed by Building Appeals Board	DRCS, BS	
s 164(1)	Power to agree to terminate or vary agreement	DRCS, BS	
s 164(2)	Power to terminate or vary agreement	DRCS, BS	
s 164(4)	Power to apply for approval	DRCS, BS	
s 165(1)(a)	Duty to lodge copy or give notice	DRCS, BS	

Glenelg Shire Council

Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 165(1)(b)	Duty to apply to agreement made in the Register	DRCS, BS	
s 192(1)	Function of consulting with Minister regarding Alpine resorts	Not Delegated	
s 192A(7)	Function of receiving a copy of the map prepared by the Minister	Build AO, BI, DRCS, BS	
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	Build AO, BI, DRCS, BS	
s 214(1)	Power to enter into agreement	DRCS	
s 215(1)	Power to enter into agreements with a private building surveyor	DRCS	
s 216A	Power to apply to the Minister for exemption	BS	
s 216C	Power to appoint a municipal building surveyor to carry out certain functions	DRCS, BS	

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Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	outside of the municipal district		
s 216D(2)	Duty to establish and maintain a register of swimming pools located in Council's municipal district	Build AO, BI, DRCS, BS	
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	Build AO, BI, DRCS, BS	
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	Build AO, BI, DRCS, BS	
s 222	Function of receiving order from Minister	DRCS, BS	
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)	Build AO, DRCS, BS	
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	Build AO, DRCS, BS	

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Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	Build AO, DRCS, BS	
s. 230(7)(c)	duty to provide an extract under s 230(6), if requested	Build AO, DRCS, BS	
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	Build AO, DRCS, BS	
s 234A	Duty to consider the complaint and give a written report to the complainant of the person's consideration of the complaint	Build AO, DRCS, BS	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)	DRCS	
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	DRCS, BS	

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Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Council's municipal district pursuant to s 241(1) and 241(4)		
s 242	Function of receiving funds recovered through prosecution	DRCS, BS	
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	DRCS, BS	
s 259AB(1)	Function of entering an information sharing arrangement with the Authority	RSM, DRCS	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	DRCS	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	DRCS	Where Council is a building regulator

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Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	services		
s 259AB(4)(b)	Function of receiving from the Authority any matter of a type described in s 259AB(4)(a)	DRCS	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)	DRCS	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	DRCS	Where Council is a building regulator
sch 2 cl 1(c)(i)	Function of determining fees	DRCS, BS	
sch 2 cl 4(2)	Function of receiving copy application	Build AO, BI, DRCS, BS	
sch 2 cl 4(3)	Function of receiving fees	Build AO, BI, DRCS, BS	

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Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 4(4)	Power to fix fees in accordance with cl 4(5)	DRCS, BS	
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	Not Delegated	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	ESC, DRA, PPFM	
s 22B	Duty to prepare a roadside weed and pest animal management plan	ESC, DRA, PPFM	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

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Catchment and Land Protection Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 22C(3)	Function of determining which additional information to include in a roadside weed and pest animal management plan	ESC, DRA, PPFM	
s 22D	Duty to have regard to matters in s22D(a) - (c) when preparing a roadside weed and pest animal management plan	ESC, DRA, PPFM	
s 22E(1)	Duty to submit proposed roadside weed and pest animal management plan within 120 days of Minister's declaration	ESC, DRA, PPFM	
s 22E(2)	Power to apply in writing to the Minister to request an extension of time to submit the proposed roadside weed and pest animal management plan	ESC, DRA, PPFM	
s 22F	Duty to comply with procedure described in s 22F before preparing roadside weed and pest animal management plan	ESC, DRA, PPFM	
s 22G	Duty to comply with request of Minister to provide a revised roadside weed and pest animal management plan	ESC, DRA, PPFM	
s 22H	Function of receiving notice from the Minister of approval of roadside weed and	ESC, DRA,	

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Catchment and Land Protection Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	pest animal management plan	PPFM	
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	ESC, DRA, PPFM	
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	ESC, DRA, PPFM	
s 22J	Duty to implement measures set out in approved roadside weed and pest animal management plan	ESC, DRA, PPFM	
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	ESC, DRA, PPFM	
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	ESC, DRA, PPFM	
s 22L	Function of receiving Minister's request to vary approved roadside weed and pest animal management plan	ESC, DRA, PPFM	

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Catchment and Land Protection Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	ESC, DRA, PPFM	
s 22M(2)	Duty to ensure that a consolidated version of its approved roadside weed and pest animal management is available for inspection	ESC, DRA, PPFM	
s 22N(2)	Function of receiving notice of Minister's intention to suspend the approval of a roadside weed and pest animal management plan	ESC, DRA, PPFM	
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	ESC, DRA, PPFM	
s 22N(3)	Function of receiving notice of Minister's decision	ESC, DRA, PPFM	
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	ESC, DRA, PPFM	

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Catchment and Land Protection Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	ESC, DRA, PPFM	
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	ESC, DRA, PPFM	
s 22P(1)	Function of receiving request to provide the Minister with specified information or documentation	ESC, DRA, PPFM	
s 22P(2)	Duty to provide Minister with requested information or documentation	ESC, DRA, PPFM	
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	ESC, DRA, PPFM	

Child Wellbeing and Safety Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

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Child Wellbeing and Safety Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
ss 19 & 23A	Duty to comply with the Child Safe Standards	DRA, DRC, DRCS, CIO	Where Council is a Schedule 1 entity
s 25	Function of receiving education, information and advice from the Commission for Children and Young People regarding the Child Safe Standards	DRC, CSM	
s 29A(2)(a)	Function of receiving notice of inspection of the relevant premises by an authorised officer	DRC, CSM	
s 30	Duty to comply with notice to provide documents given under s 30(1A)	DRC, CSM	
s 31	Duty to comply with notice to comply given under s 31(1)	DRC, CSM	
s 34C	Duty to comply with an adverse publicity order	DRC, CSM	
s 36	Duty to ensure that the Commission, a sector regulator or authorised person is given any assistance reasonably required to perform functions	DRC, CSM	

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Child Wellbeing and Safety Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 36A	Function of receiving an official warning from the sector regulator	DRC, CSM	
s 36B	Function of receiving infringement notice	DRC, CSM	
s 36C(1)	Power to make an enforceable undertaking	DRC, CSM	
s 36C(3)	Power to withdraw or vary an enforceable undertaking	DRC, CSM	Must be in writing.
s 41I	Power to seek review by the sector regulator of decision by the Commission to issue a notice to produce or a notice to comply, or to issue an official warning or to publish information	DRC, CSM	
s 41J	Power to apply to VCAT for a review of the sector regulator to issue a notice to comply or to publish information	DRC, CSM	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	DRC, CSM	

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Child Wellbeing and Safety Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 41V	Power to, on Council's own initiative, disclose confidential information, other than excluded information, to another information sharing entity	Not Delegated	Where Council is an 'information sharing entity' and a 'disclosing entity'
s 41V	Function of receiving confidential information, other than excluded information	DRC, CSM	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	DRC, CSM	Where Council is an 'information sharing entity' and a 'requesting entity'
s 41W(1)	Function of receiving confidential information, other than excluded information	DRC, CSM	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	DRC, CSM	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	DRC, CSM	Where Council is an 'information sharing entity' and a 'requesting entity'
s 41W(2)	Function of receiving confidential information from an information sharing	DRC, CSM	Where Council is an 'information sharing entity' and a

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Child Wellbeing and Safety Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	entity		'responding entity'
s 41W(3)	Duty to comply with a request made under s 41W(1)	DRC, CSM	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)	DRC, CSM	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)	DRC, CSM	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)	DRC, CSM	Where Council is an 'information sharing entity'
s 41Z	Power to collect and use any confidential information disclosed to Council under Part 6A	DRC, CSM	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	DRC, CSM	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	CSM, EMOD	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	DRC, CSM	Where Council is an 'information sharing entity'
s 43(1)(a)	Function of receiving notice of the birth of a child	RMO, DRC, CSM	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	RMO, DRC, CSM	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

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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	DRC, CSM	
s 25	Power to use land or property for the purposes of the Department of Health and Human Services	DRC, CSM	Where authorised by the Secretary
s 26	Function of entering into an agreement with the Secretary	Not Delegated	
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	Not Delegated	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	DRC, CSM	
s 196	Function of receiving written direction from an authorised officer in relation to disclosure of information	DRC, CSM	

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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	DRC, CSM	

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)	DRC, CSM	

Circular Economy (Waste Reduction and Recycling) Act 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50(2)	Function and power of sharing information or data with the Head, Recycling Victoria where permitted	DRA	

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Circular Economy (Waste Reduction and Recycling) Act 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 56	Power to enter into an agreement with the Head, Recycling Victoria	DRA	
s 57	Function of receiving advice and support from the Head, Recycling Victoria	DRA	
s 58	Duty to have regard to guidelines issued by the Head, Recycling Victoria	DRA	
s 60	Duty to provide municipal residual waste and municipal recycling services	DRA	

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	Not Delegated	Council must consider factors, and include details prescribed, in s 47
s 48	Duty to give copy of Council pledge to Minister as soon as practicable	ESC, DRA	

Glenelg Shire Council

Climate Change Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	following preparation		
s 49(3)	Duty to have regard to any directions of Minister regarding preparation of an emissions reduction pledge	DRA	
s 82(1)	Function of receiving notice of proposed Carbon Sequestration Agreement	DRA	Where Council is the public land manager

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

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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	DRA, WM	
s 41A	Power to recover costs of serving notice by fire prevention officer	LLTL, DRCS, LLO, MLL	
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	LLTL, DRCS, LLO, MLL	
s 42(2)	Duty to pay for work undertaken	LLTL, DRCS, LLO, MLL	
s 43(1)	Duty to take all practicable steps to prevent occurrence of fires and minimise the danger of spread of fires	LLTL, EMC, DRA, DRCS, LLO, WM, MLL	
s 43(2)	Power to acquire equipment, etc. for purposes of s.43(1) and pay for it out of municipal fund	EMC, DRCS, MLL	
s 50F(1)	Power to prepare Neighbourhood Safer Places Plan	EMC, DRCS	
s 50F(4)	Duty to publish and make the Neighbourhood Safer Places Plan available at Council's office	EMC, DRCS	

Glenelg Shire Council

Country Fire Authority Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	for public inspection during office hours free of charge		
s 50G(1)	Duty to identify and designate places as neighbourhood safer places	EMC, DRCS	
s 50G(4)	Duty to ask the CFA to assess the neighbourhood safer place	EMC, DRCS	
s 50H(1)	Duty to ensure that appropriate signage is provided at neighbourhood safer places	EMC, DRCS	
s 50I	Duty to maintain all designated neighbourhood safer places	EMC, DRCS	
s 50J(1)	Duty to conduct an annual review of designated neighbourhood safer places by 31 August of each year	EMC, DRCS	
s 50J(2)	Duty to ask the CFA to assess each neighbourhood safer place	EMC, DRCS	
s 50J(5)	Power to decommission a neighbourhood safer place if paragraphs (a) or (b) apply	EMC, DRCS	
s 96A(1)(a)	Duty to appoint fire prevention officer	Not Delegated	

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Country Fire Authority Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 96A(1)(b)	Power to appoint assistant fire prevention officers	Not Delegated	
s 109C	Function of receiving funds for penalties recovered under s 41E	DRCS	

Cultural and Recreational Lands Act 1963			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4	Function of receiving rates	RVC, CFO, DRCS, RUSO	

Dangerous Goods Act 1985			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

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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	EMC, MEH, DRA, DRCS, GradEHO	

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	Not Delegated	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	Not Delegated	Duty of 'public statutory body'
s 51I(3)(b)	Function of receiving notice of resolution levying a general charge from Development Victoria	Not Delegated	
s 51Q(3)(b)	Function of receiving notice of resolution levying an infrastructure recovery charge from Development Victoria	Not Delegated	

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Development Victoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	Not Delegated	
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	Not Delegated	Duty of 'nominated agency'
s 56D(4)	Function of complying with request from Treasurer and relevant Minister to amend statement under s 56D(1)	Not Delegated	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	Not Delegated	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	Not Delegated	Duty of 'nominated agency'
s 56E(3)	Duty to keep register of certificates issues under s 56E, and make reasonably available for inspection	Not Delegated	Duty of nominated agency

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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	ADSM, DRC	
s 38(5)	Duty to report on the implementation of the Disability Action plan in Council's annual report	ADSM, DRC	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	ADSM, DRC	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	LLTL, DRCS, MLL	
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	LLTL, DRCS, MLL,	

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Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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	AWCTL	
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	LLTL, DRCS, MLL, AWCTL	
s 10C(5)	Duty to cause to be published a copy of the resolution	LLTL, DRCS, MLL	
s 10C(6)	Duty to not register or renew registration of dangerous dog, menacing dog or restricted breed dog unless the dog has been implanted with permanent identification device	LLTL, DRCS, MLL, AWCTL	

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Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 10D(6)	Duty to cause to be published a copy of the resolution	DRCS, MLL	
s 12(1)	Power to appoint an agent for Council in the registration of cats and dogs	DRCS, MLL	
s 13	Function of receiving notification of sale by domestic animal business or foster carer (including where the animal was not registered)	LLTL, DRCS, MLL, AWCTL	
s 14(b)	Power to approve form of registration or renewal of registration of dogs and cats	DRCS, MLL	
s 15(2)	Power to permit pro-rata fees for dogs or cats registered for part of a year	DRCS, MLL	
s 15(6)	Duty to waive 50% of a registration fee of dogs or cats if paragraphs (a) or (b) apply	DRCS, MLL	
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	LLTL, DRCS, MLL, AWCTL	

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Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 17(1)	Power to register or renew the registration of a dangerous dog and impose conditions upon the registration	LLTL, DRCS, LLO, MLL, AWCTL	
s 17(1A)(a)	Power to register or renew the registration of a restricted breed dog	DRCS, MLL	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	LLTL, DRCS, LLO, MLL, AWCTL	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

Glenelg Shire Council

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	DRCS, MLL	
s 17(3)	Duty to consider submissions in relation to the registration or renewal of registrations of a dangerous dog before making decision	DRCS, MLL	
s 17(4)	Duty to serve written notice of decision not to register or renew registration of dangerous dog or restricted breed dog	DRCS, MLL	
s 18(1)	Duty to keep register and allow inspection of register of all registered dogs and cats	DRCS, MLL	
s 18(2)(b)	Power to fix fee for inspection of registrations of dogs and cats in the municipality	Not Delegated	
s 18(3)	Power to fix fees for making of records or obtaining certificates	Not Delegated	

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19(1)(a)	Duty to allocate a registration number to every dog and cat which is registered	LLTL, DRCS, MLL	
s 19(1)(b)	Duty to give or send the owner a registration certificate	LLTL, DRCS, MLL	
s 19(1)(c)	Duty to issue to the owner an identification marker	LLTL, DRCS, MLL, AWCTL	
s 23(6)	Duty to give owner or occupier of the private property a copy of a notice served under s 23(3)	DRCS, LLO, MLL	
s 25(3)	Duty to cause to be published any orders made by Council under s 25	DRCS, LLO, MLL	
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)	DRCS, MLL	

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 26(3)	Duty to cause to be published any orders made by Council under s 26	DRCS, MLL	
s 33A(1)	Duty to accept any dog or cat kept surrendered to Council by the owner of the animal	LLTL, DRCS, LLO, MLL, AWCTL	
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	LLTL, DRCS, LLO, MLL	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	LLTL, DRCS, LLO, MLL, AWCTL	
s 34(1)	Power to declare a dog dangerous	LLTL, DRCS, MLL	

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 34(2)	Duty not to declare a dog dangerous in certain circumstances	LLTL, DRCS, MLL	
s 35(2)	Duty to notify the owner and receive written and oral submissions from the owner if proposing a dog be declared dangerous	LLTL, DRCS, LLO, MLL	
s 35(3)	Duty to consider materials submitted before making a declaration	LLTL, DRCS, LLO, MLL	
s 36	Duty to give written notice of a declaration to owner	LLTL, DRCS, LLO, MLL	
s 37	Function of receiving notification from owners of certain dogs	LLTL, DRCS, LLO, MLL	
s 41B(1)	Duty to notify the owner and allow it the opportunity to make submissions	LLTL,	

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to the Council	DRCS, LLO, MLL	
s 41C	Duty to give notice of a menacing dog declaration to owner	LLTL, DRCS, LLO, MLL	
s 41D	Function of receiving notification in relation to menacing dog	LLTL, DRCS, LLO, MLL	
s 41F	Function of receiving notification from owners of restricted breed dogs	LLTL, DRCS, MLL	
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	LLTL, DRCS, MLL	
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	LLTL, DRCS, MLL	

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 41J(3)	Power to fix fee for application for permit	DRCS, MLL	
s 44(1)	Power to require restraint of animals	LLTL, DRCS, LPPBM, MLL	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)	LLTL, DRCS, LLO, MLL	
s 44AC(1)(c)	Power to inspect information kept on register of dangerous, menacing and restricted breed dogs, in accordance with the regulations	LLTL, DRCS, LLO, MLL	
s 44AE	Duty to provide details of dangerous, menacing or restricted breed dogs to Secretary	LLTL, DRCS, MLL	
s 44AEA	Duty to provide to the Secretary information relating to a dog destroyed under s 84TA, 84TB, 84TC	LLTL, DRCS, LLO, MLL	

Glenelg Shire Council

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	LLTL, DRCS, MLL	
s 44AG	Duty to provide to the Secretary information about owners of dangerous, menacing or restricted breed dogs	LLTL, DRCS, MLL	
s 44AH	Duty to provide, when requested under s 44H (1) a statement to Secretary confirming that information previously provided by Council is accurate	LLTL, DRCS, MLL	
s 46(1)	Function of receiving applications to register a premises	LLTL, DRCS, MLL	
s 46(2)	Power to approve form of registration of domestic animal businesses and information required	LLTL, DRCS, MLL	
s 46(3)	Function of requiring and receiving any further information relating to an application Council	LLTL, DRCS, MLL	

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	LLTL, DRCS, MLL	
s 48(2)	Power to approve form of renewal of registration	LLTL, DRCS, MLL	
s 48(3)	Power to approve form of renewal of registration and information required	LLTL, DRCS, MLL	
s 48(4)	Function of requiring and receiving any further information relating to the application Council	LLTL, DRCS, MLL	
s 49(1)	Power to fix fees for registration or renewal of registration of domestic animal premises	LLTL, DRCS, MLL	
s 49(2)	Power to refund all or part of application fee	LLTL, DRCS, MLL	

Glenelg Shire Council

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	LLTL, DRCS, MLL	
s 52(2)(a)	Power to approve form of application to transfer registration	LLTL, DRCS, MLL	
s 52(2)(c)	Power to fix fee for transfer of registration and information required	LLTL, DRCS, MLL	
s 52(3)	Function of requiring and receiving any further information relating to the transfer of registration	LLTL, DRCS, MLL	
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	LLTL, DRCS, MLL	
s 54(1)	Power to refuse to register or renew the registration, refuse to transfer registration, suspend registration and revoke registration of premises	LLTL, DRCS, MLL	

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	LLTL, DRCS, MLL	
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	LLTL, DRCS, MLL	
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	LLTL, DRCS, MLL	
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	LLTL, DRCS, MLL	
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	LLTL, DRCS, MLL	
s 54A(2)	Duty to refuse to register the premises in respect of which the application	LLTL,	

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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	DRCS, MLL	
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	LLTL, DRCS, MLL	
s 54B	Duty to refuse to register the premises on which a breeding domestic animal business is proposed to be conducted	LLTL, DRCS, MLL	
s 54C	Duty to refuse to transfer the registration of premises on which a breeding domestic animal business is being conducted to another premises	LLTL, DRCS, MLL	
s 54D	Duty to refuse to renew the registration of a premises on which a breeding domestic animal business is being conducted	LLTL, DRCS, MLL	
s 55	Duty to give notice if it is proposed that the powers under ss 54, 54A, 54B, 54C or 54D will be exercised	LLTL, DRCS, MLL	

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 56	Duty to receive both oral and written submissions and take into account any submissions	LLTL, DRCS, MLL	
s 57(1) & (2)	Duty to serve notice of decision and give reasons for decision	LLTL, DRCS, MLL	
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	LLTL, DRCS, MLL	
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	LLTL, DRCS, MLL	
s 58AI(1)(a)	Power to cancel or not renew a commercial dog breeder approval	LLTL, DRCS, MLL	Where Council is the 'relevant Council'
s 58AI(1)(b)	Power to suspend a commercial dog breeder approval	LLTL, DRCS, MLL	Where Council is the 'relevant Council'

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 58AI(2)	Duty to give the Minister notice of any suspension, cancellation or refusal to renew	LLTL, DRCS, MLL	
s 58AL	Function of receiving notice of the Minister's grant, renewal, refusal to grant or renew, revocation or cancellation of a commercial dog breeder approval as soon as possible after it occurs	LLTL, DRCS, MLL	Where Council is the relevant Council
s 58B	Power to apply to Minister to register premises as premises on which domestic animal business conducted	LLTL, DRCS, MLL	
s 58C(3)	Duty to comply with the terms, conditions, limitations and restrictions on registration of premises under s 58C	LLTL, DRCS, MLL	
s 58D(2)	Power to apply to Minister for renewal of registration of premises	LLTL, DRCS, MLL	
s 58E	Duty to pay fee with application for registration or renewal of registration of premises	LLTL, DRCS, MLL	

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 58F	Power to surrender registration of premises on which domestic animal business conducted by notice to Minister	LLTL, DRCS, MLL	
s 58G	Duty to notify the Minister of transfer of registration	LLTL, DRCS, MLL	
s 58J	Power to make submissions to the Minister regarding Minister's exercise of power under s 58H	LLTL, DRCS, MLL	
s 58K	Function of receiving notice of Minister's decision	LLTL, DRCS, MLL	
s 58P	Function of receiving, from the Minister, a copy of the permit (including any conditions imposed on the permit)	LLTL, DRCS, MLL	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	LLTL, DRCS, MLL	Where Council is the 'relevant Council'
s 58R(3)	Function of receiving, from the Minister, a copy of a report under s 58R	LLTL,	

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	as soon as practicable after receiving the report.	DRCS, MLL	
s 68A(1)	Duty to, in consultation with Secretary, prepare a domestic animal management plan	LLTL, DRCS, MLL	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	LLTL, DRCS, MLL	
s 68A(3)(a)	Duty to review domestic animal management plan annually and, if appropriate, amend the plan	LLTL, DRCS, MLL	
s 68A(3)(b)	Duty to provide the Secretary with a copy of the plan and any amendments to the plan	LLTL, DRCS, MLL	
s 68A(3)(c)	Duty to prepare an evaluation of its implementation of the plan for publication in Council's annual report	LLTL, DRCS, MLL	
s 68B	Power , on application under s 68C, to register a person to provide foster	LLTL,	

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	care on a premises in the municipal district of the Council, if the person provides or intends to provide foster care on that premises	DRCS, MLL, AWCTL	
s 68C	Function of receiving an application for foster carer registration	LLTL, DRCS, MLL, AWCTL	
s 68D(1)	Power to renew registration	LLTL, DRCS, MLL, AWCTL	
s 68D(2)	Function of receiving an application for foster carer registration renewal	LLTL, DRCS, MLL, AWCTL	
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	LLTL, DRCS, MLL, AWCTL	
s 68G(a)	Power to approve form of applications under s 68C or 68D(2)	LLTL, DRCS, MLL,	

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		AWCTL	
s 68G(b)	Power to require information in applications under s 68C or 68D(2)	LLTL, DRCS, MLL, AWCTL	
s 68G(c)	Power to fix fee for applications under s 68C or 68D(2)	LLTL, DRCS, MLL	
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	LLTL, DRCS, MLL	
s 68I(1)(b)	Power to impose conditions on a foster carer registration	LLTL, DRCS, MLL, AWCTL	
s 68J(1)	Power to suspend or cancel a foster carer registration where the criteria in s 68J(1)(a) or (b) apply	LLTL, DRCS, MLL, AWCTL	

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 68J(2)	Duty to notify the registered foster carer of a suspension or cancellation under s 68J(1)	LLTL, DRCS, MLL	
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	LLTL, DRCS, MLL, AWCTL	
s 68K(2)	Function of receiving written submissions from the holder of the registration	LLTL, DRCS, MLL, AWCTL	
s 68K(3)	Duty to consider any submission may under s 68K(2) before deciding to suspend, cancel or not renew the registration	LLTL, DRCS, MLL, AWCTL	
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	LLTL, DRCS, MLL, AWCTL	
s 68O(1)	Duty to give to the Secretary the information set out in s 68Q(1)(a), (c)(ii)	LLTL,	

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	and (iii), (d)(ii), (h), (i) and (j), relating to each registration of a foster carer by the Council under Part 5B	DRCS, MLL, AWCTL	
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	LLTL, DRCS, MLL, AWCTL	
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	LLTL, DRCS, MLL, AWCTL	
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	LLTL, DRCS, MLL, AWCTL	
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	LLTL, DRCS, MLL, AWCTL	
s 68Y(3)	Function of receiving, from the Secretary, the source number issued	LLTL, DRCS, MLL,	

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	under s 68Y	AWCTL	
s 68Z(3)	Function of receiving, from the Secretary, the source number issued under s 68Z	LLTL, DRCS, MLL, AWCTL	
s 69(1)	Duty to make payment to the Treasurer of specified amounts in respect of registration of cats, dogs or registered animal business	DRCS, MLL	
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	LLTL, MLL	
s 72	Power to appoint, by instrument, employees to be authorised officers	LLTL, DRCS, MLL	
s 72A(1)	Power to appoint person who is not employee of Council as authorised officer	DRCS, MLL	Person appointed must have qualifications and experience prescribed by Secretary
s 73(1)	Duty to issue identity card to authorised officers	LLTL,	

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		DRCS, MLL	
s 84DD(2)	Function of receiving report	DRCS, MLL	
s 84J	Power to retain custody of dog or cat until animal recovered under Division 5 or disposed of under Division 6	LLTL, DRCS, LLO, MLL, AWCTL	
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	LLTL, DRCS, LLO, MLL, AWCTL	
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	LLTL, DRCS, LLO, MLL, AWCTL	
s 84M(1)	Power to decide not to retain custody of dog or cat seized under ss 23(1),	LLTL, DRCS, LLO,	

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	82, 82B, 83, 84, 84A, 84B or 84C	MLL, AWCTL	
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	LLTL, DRCS, LLO, MLL, AWCTL	
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	LLTL, DRCS, MLL, AWCTL	
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	LLTL, DRCS, MLL, AWCTL	
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	LLTL, DRCS, MLL, AWCTL	

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	LLTL, DRCS, MLL, AWCTL	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)	LLTL, DRCS, MLL, AWCTL	
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	LLTL, DRCS, LLO, MLL	
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	LLTL, DRC, LLO, MLL	

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	LLTL, DRCS, LLO, MLL, AWCTL	
s 84Q(3)(a)	Duty to serve declaration on owner	LLTL, DRCS, LLO, MLL	
s 84R	Power to require owner to provide his or her current address to Council in certain circumstances	LLTL, DRCS, LLO, MLL, AWCTL	
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,	LLTL, DRCS, MLL, AWCTL	
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	LLTL, DRCS, MLL,	

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	restricted breed dog	AWCTL	
s84T(2)	Duty to notify the Secretary of certain information after destroying a dog under s 84T(1)	LLTL, DRCS, MLL	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)	LLTL, DRCS, MLL, AWCTL	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	LLTL, DRCS, MLL, AWCTL	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	LLTL, DRCS, MLL, AWCTL	
s 84V(2)	Power to give animal to an approved person or body	LLTL, DRCS, MLL, AWCTL	Where Council is authorised under this Act to destroy the animal

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	LLTL, DRCS, MLL, AWCTL	
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	LLTL, DRCS, MLL, AWCTL	
s 84Y	Power to enter written agreement to seize, receive and retain, sell or destroy dogs or cats , as well as the power to give a seized dog or cat to a community foster care network, give a seized dog or cat to an animal shelter and/or charge fees for doing any of the things under the written agreement	LLTL, DRCS, MLL, AWCTL	
s 95	Function of receiving payment of fines	LLTL, DRCS, MLL	
s 98(1A)	Power to apply to VCAT for review of a decision by Minister in relation to registration of domestic animal business	LLTL, DRCS, MLL	

Glenelg Shire Council

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	LLTL, DRCS, MLL	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	LLTL, DRCS, MLL	
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	LLTL, DRCS, MLL	

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	DRCS	

Glenelg Shire Council

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	DRC, CSM	
s 271(2)	Function of receiving information from Regulatory Authority in respect of education and care services	DRC, CSM	
s 271(3)	Power to disclose information to authorities or government departments in respect of education and care services	DRC, CSM	

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	DRCS, CSM	

Glenelg Shire Council

Education and Training Reform Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 2.6.21B(1)	Function of receiving information from the Victorian Institute of Teaching in respect of a registered teacher or former registered teacher, or a provider of a program, unit or course of study, for a purpose specified in subsection (4)	EMOD	
s 2.6.21B(2)	Power to provide information to the Victorian Institute of Teaching in respect of a registered teacher or former registered teacher or a provider of a program, unit or course of study for a purpose specified in subsection (4)	EMOD	
s 4.9.4(1AAA)	Function of responding to requests by Victorian Registration and Qualifications Authority for information under s 4.9.4	DRCS, CSM	
s 4.2.2(1)(g)	Function of receiving education, information and advice on Child Safe Standards	DRC, CSM	
s 5.8.18	Function of receiving notice to comply from the Victorian Registration and Qualifications Authority	DRC	
s 5.8.24	Function of receiving official warning from the Victorian Registration and Qualifications Authority	DRC	
s 5.8.26(1)	Power to make an enforceable undertaking	DRC	

Glenelg Shire Council

Education and Training Reform Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 5.8.26(4)	Power to withdraw or vary an undertaking	DRC	
s 5.8.30	Duty to comply with an adverse publicity order	DRC	

Electoral Act 2002			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 108(1)(d)(ii)	Power to enable identification of a person	Not Delegated	

Electricity Safety Act 1998			
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Glenelg Shire Council

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	DRA	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	EMC, DRCS	

Emergency Management Act 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 59	Duty to establish a Municipal Emergency Management Planning Committee	DRCS	
s 59B(1)	Duty to nominate a chairperson of the Municipal Emergency Management Planning Committee	DRCS	Delegates cannot nominate themselves
s 59B(1)(b)	Power to nominate a member of Council staff to be the chairperson of the Municipal Emergency Management Planning Committee	DRCS	
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,	DRCS	

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Emergency Management Act 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	including mitigation, response and recovery activities		
s 59G(1)	Duty to appoint one or more municipal emergency management officers	DRCS	
s 59H(1)	Duty to appoint one or more municipal recovery managers	DRCS	
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	EMC	
s 69	Duty to comply with an information gathering notice issued by the Inspector-General for Emergency Management	EMC, DRCS	
s 70	Function of receiving draft review or report and providing comment or response to Inspector-General for Emergency Management	EMC, DRCS	

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

Environment Protection Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50(1)(ii)	Function of receiving application for permission	LLTL, MEH, LLO, MLL, GradEHO	
s 50(2)	Duty of advising applicant that application does not comply with s 50	LLTL, MEH, LLO, MLL, GradEHO	

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Environment Protection Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50(3)	Power to require the applicant to provide necessary information relating to the application	LLTL, MEH, LLO, MLL, GradEHO	
s 50(4)(b)	Power to agree time period	LLTL, MEH, LLO, MLL	
s 50A(1)	Power to require an applicant to pay a fee	MEH, GradEHO	Provision commences on 1 June 2023, unless proclaimed earlier
s 50A(3)	Duty to give notice	MEH, GradEHO	Provision commences on 1 June 2023, unless proclaimed earlier
s 51A	Power to require an applicant to provide information	MEH, GradEHO	Provision commences on 1 June 2023, unless proclaimed earlier
s 54(1)	Power to issue a permission subject to conditions specified in the permission	MEH, GradEHO	
s 56(2)(b)	Function of receiving an application for the transfer of permit issued by Council	MEH, GradEHO	

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Environment Protection Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 56(4)	Duty to either refuse or transfer the permit subject any conditions within 20 business days after receiving application	MEH, GradEHO	
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, GradEHO	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, GradEHO	
s 57(2)(b)	Function of receiving application for amendment of permit	MEH, GradEHO	
s 57(4)	Duty to either refuse or amend permit subject to any conditions	MEH, GradEHO	
s 57(8)	Duty to, as soon as practicable after making a decision, give holder of permit written notice	MEH, GradEHO	
s 58(1)	Power to amend a permission issued on own initiative	MEH, GradEHO	
s 58(3)	Duty to, as soon as practicable after making a decision, give the permission holder	MEH, GradEHO	

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Environment Protection Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	written notice		
s 59(2)(b)	Function of receiving application to surrender or revoke a permit	MEH, GradEHO	
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, GradEHO	
s 59(7)	Duty to, as soon as practicable after making a decision, give the permit holder a written notice	MEH, GradEHO	
s 59(9) & (10)	Duty to revoke the permissions if request received in writing and give the permit holder written notice	MEH, GradEHO	
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, GradEHO	

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

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Environment Protection Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, GradEHO	
s 81(4)	Duty to refuse to issue a permit in circumstances specified	MEH	
s 83(1)	Function of receiving application for exemption	MEH, GradEHO	
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, GradEHO	
s 84(1)(b)	Function of receiving renewal application	MEH, GradEHO	
s 84(4)	Duty to renew or refuse to renew the permit	MEH, GradEHO	
s 84(8)	Power to renew permit for (a) a period of not more than 5 years or (b) any shorter period prescribed	MEH, GradEHO	
s 84(9)	Power to renew a permit more than once	MEH, GradEHO	

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Environment Protection Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 114(2)	Power to appoint litter enforcement officer	Not Delegated	Where Council is a litter authority
s 118(1)(b)	Function of receiving a written statement	LLTL, MEH, LLO, MLL, GradEHO	Where Council is a litter authority
s 121(1)	Power to issue a waste abatement notice	LLTL, MEH, LLO, MLL, GradEHO	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	LLTL, MEH, LLO, MLL, GradEHO	Where Council is a litter authority
s 121(8)	Power to vary or revoke a waste abatement notice	LLTL, MEH, LLO, MLL, GradEHO	Where Council is a litter authority
s 122(1)	Power to remove or dispose of waste or object or thing	LLTL, MEH, LLO, MLL, GradEHO	Where Council is a litter authority
s 122(2)	Power to recover any reasonable costs incurred in taking action under this section	LLTL, MEH, LLO, MLL, GradEHO	Where Council is a litter authority

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Environment Protection Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 131(1)	Function of receiving signed written report	LLTL, MEH, LLO, MLL, GradEHO	
s 131(2)	Power to take further action	LLTL, MEH, LLO, MLL, GradEHO	
s 156(1)	Duty to comply with Order of the Governor in Council	Not Delegated	
s 171(1)	Power to appoint a residential noise enforcement officer	Not Delegated	
s 172(1)	Power to issue a residential noise improvement notice	MEH, GradEHO	
s 172(5)(a)	Power to extend time to comply with residential noise improvement notice	LLTL, MEH, LLO, MLL, GradEHO	
s 172(5)(b)	Power to revoke or amend any requirement specified in a residential noise improvement notice	LLTL, MEH, LLO, MLL, GradEHO	
s 174(1)	Power to apply for injunctions relating to residential noise	LLTL, MEH, LLO,	

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Environment Protection Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MLL, GradEHO	
s 242(2)	Power to appoint an employee or class of employee as an authorised officer for the purposes of the power or function delegated to council	MEH, DRCS, MLL	
s 242(2A)	Power to appoint a specified person or each member of a specified class of person as an authorised officer for the purposes of the power or function delegated to council	MEH, DRCS, MLL	
s 242(2B)	Duty to prepare and give to the Authority a written report	DRCS	
s 347(3)	Power to take proceedings for an offence against a provision relating to permits under the Environment Protection Regulations 2021	MEH	
s 347(4)	Power to take proceedings for an offence against a provision of Part 6.3	LLTL, MEH, LLO, MLL	Where Council is a litter authority
s 347(7)	Power to appoint a person who is an employee or an officer of council to take proceedings for offences under ss 25, 27, 286, 287 and 288	MEH, MLL	

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Environment Protection Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 391(1)	Power to nominate a representative to a Local Government Waste Forum in a waste and resource region	Not Delegated	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, GradEHO	
r 25	Power to administer prescribed permit activities	MEH, GradEHO	
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, GradEHO	
r 100(1)	Duty to provide information	PPFM	

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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	PPFM	
r 161	Function of receiving notification	MEH, GradEHO	
r 162(2)	Power to inspect records under subregulation 1	MEH, GradEHO	
r 171	Power to take proceedings for specified offences relating to on-site wastewater management systems	MEH, DRCS	
r 215	Power to (a) waive the fee, in whole or parts; or (b) refund the fee paid, in whole or part	MEH, DRCS	
r 220(2)	Duty to give a person a reasonable opportunity to provide further information in order to decide a new application	MEH, GradEHO	

Estate Agents Act 1980

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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	Not Delegated	Council decision

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	EMOD	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	EMOD	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	EMOD	Where Council is an 'information sharing entity'
s 144KB(2)	Function of receiving confidential information from a risk assessment entity to assist with identifying the confidential information that is relevant to the request and determining whether to disclose confidential information	EMOD	Where Council is an 'information sharing entity' and a 'responding entity'

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Family Violence Protection Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 144KB(3)	Duty to provide to the risk assessment entity written reasons for its failure to comply with the request	EMOD	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	EMOD	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	EMOD	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	EMOD	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	EMOD	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	EMOD	Where Council is an 'information sharing entity' and a 'requesting entity'

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Family Violence Protection Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	EMOD	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	EMOD	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	EMOD	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	EMOD	Where Council is an 'information sharing entity' and a 'responding entity'
s 144LC(1)	Function of receiving a request for confidential information from another information sharing entity where the information is for a family violence protection purpose	EMOD	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	EMOD	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
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	EMOD	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	EMOD	Where Council is an 'information sharing entity'
s 144N	Power to collect, use and disclose confidential information about a relevant person without consent	EMOD	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	EMOD	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	EMOD	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	EMOD	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
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)	EMOD	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	EMOD	Where Council is an 'information sharing entity'
s 144P(5)	Duty to comply with any guidelines issued under s 144P when handling confidential information in accordance with Part 5A	EMOD	Where Council is an 'information sharing entity'
s 144PB	Duty to record the prescribed information in respect of the information sharing entity's collection, use and disclosure of confidential information in accordance with Part 5A, and the Regulations	EMOD	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	EMOD	Where Council is an 'information sharing entity'
s 190	Duty to ensure that Council's relevant policies, procedures, practice guidance	EMOD	Where Council is a 'framework organisation' that

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Family Violence Protection Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	and tools align with the Framework		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	DRA, DRC, DRCS	
s 16(1)	Power to agree with adjoining owner of land on a fence line other than common boundary	DRA, WM, OM	With respect to land owned by or under the control of Council

Filming Approval Act 2014

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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	LLTL, DRCS, MLL	
	Power to consider operational requirements such as commercial agreements and the maintenance of any land or facilities. or to consider public amenity, safety and security, and environmental and heritage impacts when approving a permit application	LLTL, DRCS, MLL	
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	LLTL, DRCS, MLL	
sch 1 Principle 3	Duty to give reasons for refusal of a film permit application.	LLTL, DRCS, MLL	
sch 1 Principle 4	Duty to take reasonable steps to provide a single point of contact to deal with commercial filming on public land	LLTL, DRCS, MLL	
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	LLTL, DRCS, MLL	
sch 1	Duty for fees charged for applications for film permits and issuing film permits not exceed cost	LLTL,	

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Filming Approval Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Principle 6	recovery	DRCS, MLL	
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	LLTL, DRCS, MLL	
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	LLTL, DRCS, MLL	

Fines Reform Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 10F(4)	Function of receiving notice from Director regarding where infringement notice waived	MLL	
s 10S(1)	Function of receiving a direction to suspend any enforcement action	LLTL, DRCS, MLL	

Glenelg Shire Council

Fines Reform Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 10S(4)	Function of receiving notice of family violence scheme (FVS) applications	LLTL, DRCS, MLL	
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	LLTL, DRCS, MLL	
s 10U(2)(a)	Duty to withdraw an infringement notice	LLTL, DRCS, MLL	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	LLTL, DRCS, MLL	
s 10V(4)	Function of receiving a direction to, and a duty to, take no enforcement action during the enforcement suspension period	LLTL, DRCS, MLL	

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Fines Reform Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 10V(6)	Power to take any action referred to in s 38(1)(a) with respect to the FVS eligible offence	LLTL, DRCS, MLL	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	LLTL, DRCS, MLL	
s 10V(9)(a)	Duty to withdraw an infringement notice	LLTL, DRCS, MLL	If directed by the Director of Fines Victoria and within 28 days of the direction By issuing a withdrawal notice that complies with s 19(a) and (b)(iii) of the Infringements Act 2006
s 10V(9)(b)	Duty to notify the Director and the FVS eligible person of the withdrawal of the infringement notice	LLTL, DRCS, MLL	
s 10W(1)	Function of receiving a written notice of the Director of Fines Victoria's determination	LLTL, DRCS, MLL	If the Director of Fines Victoria determines that an FVS applicant is not an FVS eligible person in respect of an FVS

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Fines Reform Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			eligible offence
s 10W(4)	Power to, 21 days after the Director has notified the FVS applicant of their ineligibility, immediately resume enforcement action	LLTL, DRCS, MLL	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	LLTL, DRCS, MLL	
s 10Y(1)(a)	Power to withdraw an infringement notice and take no further action or issue an official warning	LLTL, DRCS, MLL	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	LLTL, DRCS, MLL	

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Fines Reform Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 16	Function of registering infringement fines with Director of Fines Victoria and paying the prescribed fee	Not Delegated	
s 20(4)	Function of being advised by Director of Fines Victoria of determination	Not Delegated	
s 21(1)	Power to withdraw infringement notice, issue official warning or file a charge-sheet upon receipt of notice under s 20	Not Delegated	
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	Not Delegated	
s 22	Power to request Director of Fines Victoria not to issue or serve notice of final demand	Not Delegated	
s 37(2)	Function of receiving written notice of enforcement cancellation from Director of Fines Victoria	Not Delegated	
s 38	Duty, once served notice of an enforcement cancellation notice, to withdraw notice, withdraw notice and issue a written warning or	Not	

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Fines Reform Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	withdraw notice and commence proceeding	Delegated	
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	Not Delegated	
s 43	Power to refer infringement fine to Director of Fines Victoria for management by payment arrangement upon request	Not Delegated	
s 44	Function of receiving notice of notification of refusal of application under s 43	Not Delegated	
s 48(2)	Duty to request Director of Fines Victoria to remove infringement fine if infringement notice withdrawn	Not Delegated	
s 54(1)	Duty to provide Director of Fines Victoria with most up-to-date contact details of persons where referring infringement fine	Not Delegated	
s 54(5)	Function of receiving notice from Director of Fines Victoria where fine recipient makes certain requests or the payment arrangement that applies to that person is cancelled under s 56	Not Delegated	

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Fines Reform Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 174	Function of receiving request from the Director of Fines Victoria or the sheriff	Not Delegated	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	Not Delegated	Where Council is a 'specified body' Unless the CEO of the Council certifies in writing that exceptional circumstances apply

Fire Rescue Victoria Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4J(4)	Function of consulting with Fire District Review Panel	Not Delegated	
s 5	Duty to take all practicable steps to prevent fire and minimise spread of fires	LLTL, DRCS, MLL	

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Fire Rescue Victoria Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 5(2)	Power to acquire equipment and do anything necessary to fulfil duty under s 5(1) and pay for it from municipal fund	DRCS	
s 5A(1)(a)	Duty to appoint fire prevention officer	Not Delegated	
s 5A(1)(b)	Power to appoint assistant fire prevention officer	Not Delegated	
s 72(1)	Power to request the Board to carry out fire prevention works	DRCS	
s 72(2)	Duty to pay for any fire prevention work carried out	DRCS	
s 72(3)	Power to consent to carrying out fire prevention work	DRCS	
s 77(3)	Function of receiving penalties recovered for offences committed against s 91	DRCS	If fire prevention notice was issued by a fire prevention officer

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Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 9(9)	Power to apportion any levy amount	RVC, CFO, DRCS, RUSO	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	RVC, CFO, DRCS, RUSO	
s 9A(2)(b)	Power to specify form and timeframe for making applications under s 9A(1)	RVC, CFO, DRCS	
s 9A(3)	Power to require further particulars or for applicant to verify particulars regarding application	RVC, CFO, DRCS	
s 9A(4)	Function of receiving notice of changes in circumstances	RVC, CFO, DRCS, RUSO	
s 19 and	Duty to pay levy amount in respect of leviable land owned by Council	RVC, CFO,	Note: Council is only liable to pay the relevant fixed

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Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
20		DRCS	charge in respect of land described in s 20(1)
s 21(3)(a)	Function of assessing the amount of levy payable	RVC, CFO, DRCS	
s 21(3)(b)	Function of collecting the levy payable	RVC, CFO, DRCS	
s 21(4)(a)	Function of assessing the amount of levy payable	RVC, CFO, DRCS	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	RVC, CFO, DRCS	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 1989 (land information certificates) and s 313 of the Local Government Act 2020 (institute proceedings)	RVC, CFO, DRCS	

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Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 24	Duty to keep levy records in accordance with s 24	RVC, CFO, DRCS	
s 25(1)	Duty to give a written notice to the owner of leviable land or to another specified person if requested by owner	RVC, CFO, DRCS	
s 25(6)	Duty to transfer the amount of levy collected to the Commissioner	RVC, CFO, DRCS	
s 27(1)	Power to defer payment of levy in respect of rateable leviable land where applicant shows hardship	RVC, CFO, DRCS	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	RVC, CFO, DRCS	s 170 of the Local Government Act 1989 applies, subject to modifications set out in s 27

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Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 27(1)	Power to waive levy in respect of rateable leviable land	RVC, CFO, DRCS, RUSO	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	RVC, CFO, DRCS	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	RVC, CFO, DRCS	s 171 of the Local Government Act 1989 applies, subject to modifications set out in s 27(4)

Glenelg Shire Council

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	RVC, CFO, DRCS	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	RVC, CFO, DRCS	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

Glenelg Shire Council

Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			1989 for that land
s 27(1)	Power to waive levy or levy interest in respect of rateable leviable land	RVC, CFO, DRCS	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	RVC, CFO, DRCS	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	RVC, CFO, DRCS	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	RVC, CFO, DRCS	s 171 of the Local Government Act 1989 applies, subject to modifications set out in s 28(4)

Glenelg Shire Council

Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	RVC, CFO, DRCS	s 171 of the Local Government Act 1989 applies, subject to modifications set out in s 28(4)
s 28(1)	Power to decide to treat a person to whom a waiver is granted as having made a continuing application or waiver in respect of non-rateable leviable land, in accordance with s 171(4)(f) of the Local Government Act 1989	RVC, CFO, DRCS	s 171 of the Local Government Act 1989 applies, subject to modifications set out in s 28(4)
s 28(1)	Function of receiving application for waiver of levy in respect of non-rateable leviable land	RVC, CFO, DRCS, RUSO	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	RVC, CFO, DRCS, RUSO	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	RVC, CFO, DRCS, RUSO	s 171A of the Local Government Act 1989 applies, subject to modifications set out in s 28(4)

Glenelg Shire Council

Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 29(1)	Duty to give concession	RVC, CFO, DRCS, RUSO	
s 30(1)	Duty to require a person to pay levy interest	RVC, CFO, DRCS	
s 30(3)	Power to obtain court order requiring payment of levy	RVC, CFO, DRCS	
s 30(4)	Power to waive levy interest where court order obtained under s 30(3)	RVC, CFO, DRCS	
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)	RVC, CFO, DRCS	
s 30(6)	Power to recover levy interest due in the same way as Council recovers the levy amount	RVC, CFO, DRCS	

Glenelg Shire Council

Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 31(1)	Power to recover the whole of the levy from either all, any or one persons jointly liable to pay levy	RVC, CFO, DRCS	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	RVC, CFO, DRCS	
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	RVC, CFO, DRCS	
s 32(7)	Power to recover amount in arrears, in accordance with s 32(7)	RVC, CFO, DRCS	
s 33(1)	Power to send notice where levy due and unpaid	RVC, CFO, DRCS, RUSO	
s 33(5)	Power to recover unpaid amount due	RVC, CFO, DRCS	

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Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	RVC, CFO, DRCS, RUSO	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	RVC, CFO, DRCS	
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	RVC, CFO, DRCS	
s 36(1)	Function of receiving application for refund of amounts overpaid	RVC, CFO, DRCS, RUSO	
s 36(4)	Duty to refund overpayment, if determined that the payment was in excess of amount owed	RVC, CFO, DRCS, RUSO	

Glenelg Shire Council

Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 36(5)	Power to refund overpayment, if determined that the payment was in excess of amount owed	RVC, CFO, DRCS, RUSO	
s 37(1)	Duty to separately account for levy amounts and levy interest collected	RVC, CFO, DRCS	
s 37(3)	Power to retain any interest earned on levy amounts and levy interest	RVC, CFO, DRCS	
s 37(5)	Duty to refund over payment	RVC, CFO, DRCS, RUSO	
s 38(1)	Power to cancel assessment of person's liability to pay levy if satisfied that an assessment has been made in error	RVC, CFO, DRCS, RUSO	
s 38(2)	Duty to comply with requirements in s 38(2) where Council has made an assessment in error	RVC, CFO, DRCS,	

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Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		RUSO	
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)	RVC, CFO, DRCS, RUSO	
s 39(3)	Duty to refund payment in excess of amount owed and any interest accrued	RVC, CFO, DRCS, RUSO	
s 40	Duty to submit a return to the Commissioner	RVC, CFO, DRCS	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	DRCS	
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	RVC, CFO, DRCS	
s 71(1)	Function of receiving application for alteration of levy records	RVC, CFO,	

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Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		DRCS	
s 71(2)	Power to specify the manner and form of applications under s 71(1)	RVC, CFO, DRCS	
s 72	Duty to comply with any Ministerial directions issued under s 72	RVC, CFO, DRCS	

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	DRA	Where Council is a public authority
s 4C(2)	Duty to comply with a Minister's request for information under s 4C(1)	DRA	Where Council is a public authority
s 7(2)	Function of consulting with the Secretary either before the action starts or, if the	DRA	Where Council is a public authority

Glenelg Shire Council

Flora and Fauna Guarantee Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	action has already started, within 15 days of the request being made		If the Secretary is of the opinion that an action taken or to be taken by Council is likely to threaten the survival of a listed taxon or community of flora or fauna or a critical habitat
s 20B(1)(a)	Function of receiving written notice from the Secretary	DRA	Where Council is a landholder of any land that is within the area of the proposed determination
s 20B(1)(b)	Function of receiving written notice from the Secretary	DRA	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	DRA	Where Council is a landholder
s 25(1)	Function of being party to an agreement for management of flora and fauna	ESC, DRA	
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	DRA	Where Council is a landholder

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Flora and Fauna Guarantee Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 29(1)(b)	Function of receiving notice of the making of a habitat conservation order from the Minister	DRA	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	DRA	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	DRA	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)	MEH, DRCS, GradEHO	

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Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 7E(6)	Duty to publish a copy of a direction given by the Minister under s 7E(1) in the annual report	MEH, DRCS	
s 19(4)(b)	Duty to notify the Department of the making of the order	MEH, DRCS	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, DRCS	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, DRCS	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, DRCS	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, DRCS, GradEHO	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, DRCS	Where Council is the registration authority

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Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19I	Duty to conduct a food safety assessment as required under s 19H	MEH, DRCS, GradEHO	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, DRCS, GradEHO	Where Council is the registration authority
s 19N	Function of receiving information from a food safety auditor	MEH, DRCS, GradEHO	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, DRCS, GradEHO	
s 19UA(4)	Duty to consider proprietor's history of compliance in deciding whether to charge the fee	MEH, DRCS, GradEHO	
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, DRCS, GradEHO	

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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	MEH, DRCS	
s 20(2)	Power to limit or impose conditions on the authority granted to an authorised officer	MEH, DRCS	
s 26(5)	Duty to destroy or dispose of article	MEH, DRCS, GradEHO	
s 32(1)	Duty to submit samples of food for analysis	MEH, DRCS, GradEHO	
s 32(3)	Function of receiving report by analyst	MEH, DRCS, GradEHO	
s 35A(2)	Function of receiving notice of operation from the proprietor of a food premises	MEH, DRCS, GradEHO	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, DRCS, GradEHO	

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Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38(3)	Duty to consult with the Secretary about the proposed exemption under s 38(2)	MEH, DRCS	
s 38AA(2)	Function of being notified of operation	MEH, DRCS, GradEHO	Where Council is the registration authority
s 38AA(4)	Duty to determine whether the food premises are exempt from the requirement of registration	MEH, DRCS	Where Council is the registration authority
s 38A(5) & (6)	Function of receiving a food safety audit certificate from a proprietor	MEH, DRCS, GradEHO	Where Council is the registration authority
s 38B(1)(c)	Duty to inspect premises	MEH, DRCS, GradEHO	Where Council is the registration authority
s 38E(1)(c)	Function of assessing the requirement for a food safety program	MEH, DRCS, GradEHO	Where Council is the registration authority
s 38E(3)(a)	Function of receiving certificates	MEH, DRCS, GradEHO	Where Council is the registration authority

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Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38F(3)(a)	Duty to note the change to the classification of the food premises on the certificate of registration	MEH, DRCS, GradEHO	Where Council is the registration authority
s 39(2)	Duty to inspect within 12 months before renewal of registration	MEH, DRCS, GradEHO	Where Council is the registration authority
s 39(3)	Duty to inspect within 3 months before renewal of registration if circumstances in s 39(3)(a)-(d) apply	MEH, DRCS, GradEHO	Where Council is the registration authority
s 39A(6)	Duty to comply with direction of Secretary.	MEH, DRCS, GradEHO	
s 40(1)	Duty to issue a certificate of registration in the prescribed form	MEH, DRCS, GradEHO	Where Council is the registration authority
s 40D(2)	Duty to specify how long a suspension is to last under s 40D(1)	MEH, DRCS	Where Council is the registration authority
s 40E(4)	Duty to comply with direction of Secretary	MEH, DRCS, GradEHO	

Glenelg Shire Council

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 43(1) and (2)	Duty to maintain records of the prescribed particulars and orders in force under Part III	MEH, DRCS, GradEHO	Where Council is the registration authority
s 43(3)	Duty to make available information held in records, free of charge, on request	MEH, DRCS, GradEHO	Where Council is the registration authority
s 43I	Function of receiving a statement of trade of a proprietor of a food business	MEH, DRCS, GradEHO	
s 45AA	Power to act in proceedings against the Crown	MEH, DRCS	Power of the responsible agency
s 45AC	Power to bring proceedings for an offence under the Act	MEH, DRCS	
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	MEH, DRCS	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	MEH, DRCS	Where Council is the 'relevant Council' under s 53G(6)

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Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	MEH, DRCS	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	MEH, DRCS	Where Council is the 'relevant Council' under s 53G(6)
s 58(1)	Duty to notify the Victorian Liquor Commission where an order is made under s 19 of the Act and a licence/permit under the Liquor Control Reform Act 1998 is in force	MEH, DRCS, GradEHO	Where Council is the registration authority
s 58(2)	Duty to notify the Victorian Liquor Commission when a holder of a permit/licence under the Liquor Control Reform Act 1998 is found guilty or pleads guilty and in respect of which no conviction is recorded	MEH, DRCS, GradEHO	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, DRCS, GradEHO	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, DRCS, GradEHO	Where Council is the registration authority for the temporary or mobile food premises

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Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 59C(2)	Power to take actions necessary to ensure compliance with direction under Part III or Part VII	MEH, DRCS, GradEHO	
s 59C(7)(b)	Power to recover costs incurred under s 59C(2) or (3)	MEH, DRCS	
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, DRCS	

Freedom of Information Act 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 7	Duty to publish information	CGC, DRCS	
s 49D(3)	Power to request a copy of the application from the Information Commissioner	CGC, DRCS	

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Freedom of Information Act 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 49G(3)	Function of receiving notice from the Information Commissioner	CGC, DRCS	
s 49I	Duty to assist the Information Commissioner to undertake a review	CGC, DRCS	
s 49K	Function of consulting with the Information Commissioner	CGC, DRCS	
s 49KA(2)(a)	Function of processing or identifying a reasonable sample of the documents upon notice from the Information Commissioner	CGC, DRCS	If the Information Commissioner reasonably believes that an agency or Minister has failed to undertake an adequate search for documents that relate to a decision that is the subject of a review under Division 1
s 49KA(2)(b)	Function to undertake a further search, or to cause a further search to be undertaken, for documents in the possession, custody or control of the agency or Minister, upon notice from the Information Commissioner	CGC, DRCS	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

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Freedom of Information Act 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	CGC, DRCS	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	CGC, DRCS	
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)	CGC, DRCS	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	CGC, DRCS	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

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Freedom of Information Act 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			under Division 1
s 49L(1A)	Duty to make a fresh decision where a matter is referred back to Council by the Information Commissioner	CGC, DRCS	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)	CGC, DRCS	
s 49L(4)	Duty to notify the Information Commissioner that a fresh decision has been made or has not been made	CGC, DRCS	
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)	CGC, DRCS	
s 49M(1)	Power to exercise a choice to reconsider the subject matter of an application for review and make a fresh decision	CGC, DRCS	Must advise the Information Commissioner and the applicant in writing

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Freedom of Information Act 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Decision must be made within 28 days of referral, unless other time period agreed under s 49M(2) May make a fresh decision only once during a review under this part s 49M(8)
s 49M(2)	Power to agree with Information Commissioner to another time period for making a fresh decision	CGC, DRCS	
s 49M(4)	Duty to notify the Information Commissioner in writing of a whether a fresh decision has or has not been made	CGC, DRCS	
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)	CGC, DRCS	
s 49N	Function of entering into an agreement in relation to a decision that is the subject of a review	CGC, DRCS	

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Freedom of Information Act 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50(3D)	Power to apply to the Tribunal for review of a decision of the Information Commissioner under s 49P	CGC, DRCS	
s 50(3F)	Duty to notify the Information Commissioner of an application for review under s 50(3D)	CGC, DRCS	
s 50(3FA)	Duty to notify the Information Commissioner of an application for review under s 50(3D1) (b), (c), (d) or (g)	CGC, DRCS	
s 53(6)	Power to make an application to the Tribunal for an extension of time	CGC, DRCS	
s 53A(1)	Duty to, if practicable, give written notice in accordance with s 53A(2)	CGC, DRCS	
s 61E	Duty to co-operate with Information Commissioner where a complaint relates to the agency	CGC, DRCS	
s 61G	Function of consulting with the Information Commissioner	CGC,	

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Freedom of Information Act 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		DRCS	
s 61GA(1)(a)	Function of processing or identifying a reasonable sample of the documents upon notice from the Information Commissioner	CGC, DRCS	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	CGC, DRCS	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	CGC, DRCS	
s.61GA(3)	power to apply for extension	CGC, DRCS	

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Freedom of Information Act 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 61H	Power to reach an agreement with a complainant	CGC, DRCS	
s 61I(2)	Power to make submissions to the Information Commissioner in relation to a complaint	CGC, DRCS	
s.61L(5)	Power to comment on, and respond to, a draft recommendation	CGC, DRCS	
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	CGC, DRCS	
s 64B	Duty to provide the Information Commissioner any information referred to in s 64(2)	CGC, DRCS	
s 65AB	Duty to notify the responsible Minister if Council seeks leave to appeal	CGC, DRCS	

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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	DRCS	
s 3.3.5AA	Function of receiving notification from the Commission	DRCS	
s 3.3.5AB(2)	Function of receiving a copy of the amended application	DRCS	
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	DRCS	
s 3.3.6	Power to make submission to Commission on application for approval of premises	DRCS	
s 3.3.8(4)	Function of receiving notification from the Commission of its decision	DRCS	
s 3.3.14	Power to apply to Tribunal for review of Commission's decision granting approval of premises	DRCS	
s 3.4.18(2)	Function of receiving a copy of proposed request	DRCS	
s 3.4.18A	Function of receiving notification from the Commission that it has received a request	DRCS	

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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	DRCS	
s 3.4.18C	Duty to notify Commission as to whether it intends to make a submission under s 3.4.19	DRCS	
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	DRCS	
s 3.4.21(2)	Power to apply to Tribunal for review of Commission's decision relating to amendment increasing number of gaming machines	DRCS	
s 8.5.3(2)	Function of receiving a copy of application for bingo centre	DRCS	
s 8.5.5	Power to submit report to Commission on application received under s 8.5.3(3)(a)	DRCS	

Gender Equality Act 2020

Glenelg Shire Council

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 7(a)	Duty to consider and promote gender equality	CWM, DRA, DRC, DRCS, EMOD, CIO	Where Council is a 'defined entity'
s 7(b)	Duty to take necessary and proportionate action towards achieving gender equality	CWM, DRA, DRC, DRCS, EMOD, CIO	Where Council is a 'defined entity'
s 9(1)	Duty to undertake a gender impact assessment	DRA, DRC, DRCS, EMOD, CIO	Where Council is a 'defined entity'
s 10(1)	Duty to prepare a Gender Equality Action Plan	DRA, DRC, DRCS, EMOD, CIO	Where Council is a 'defined entity'
s 10(2)(a)	Duty to take into account the gender equality principles in preparing a Gender Equality Action Plan	DRA, DRC, DRCS, EMOD, CIO	Where Council is a 'defined entity'
s 10(2)(b)	Duty to consult in preparing a Gender Equality Action Plan	DRA, DRC, DRCS, EMOD,	Where Council is a 'defined entity'

Glenelg Shire Council

Gender Equality Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		CIO	
s 10(3)	Duty to ensure adequate resources are allocated to developing and implementing the Gender Equality Action Plan	DRA, DRC, DRCS, EMOD, CIO	Where Council is a 'defined entity'
s 11(1)	Duty to undertake a workplace gender audit before developing a Gender Equality Action Plan	DRA, DRC, DRCS, EMOD, CIO	Where Council is a 'defined entity'
s 11(2)(d)	Power to determine any other matters that are relevant	DRA, DRC, DRCS, EMOD, CIO	Where Council is a 'defined entity'
s 12(1)	Duty to submit a Gender Equality Action Plan to the Commissioner	DRA, DRC, DRCS, EMOD, CIO	Where Council is a 'defined entity'
s 12(2)	Power to request an extension of time to submit the Gender Equality Action Plan	DRA, DRC, DRCS, EMOD,	Where Council is a 'defined entity'

Glenelg Shire Council

Gender Equality Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		CIO	
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	DRA, DRC, DRCS, EMOD, CIO	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	DRA, DRC, DRCS, EMOD, CIO	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	DRA, DRC, DRCS, EMOD, CIO	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	DRA, DRC, DRCS, EMOD, CIO	Where Council is a 'defined entity'
s 15(1)	Power to amend its Gender Equality Action Plan at any time if considers the amendment is considered necessary	DRA, DRC, DRCS, EMOD,	Where Council is a 'defined entity'

Glenelg Shire Council

Gender Equality Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		CIO	
s 15(2)(a)	Duty to submit the amended Gender Equality Action Plan to the Commissioner	DRA, DRC, DRCS, EMOD, CIO	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	DRA, DRC, DRCS, EMOD, CIO	Where Council is a 'defined entity'
s 16(1)	Duty to make reasonable and material progress in relation to the workplace gender equality indicators	DRA, DRC, DRCS, EMOD, CIO	Where Council is a 'defined entity'
s 18(1)	Duty to make reasonable and material progress towards meeting gender equality targets prescribed	DRA, DRC, DRCS, EMOD, CIO	Where Council is a 'defined entity'
s 18(2)	Duty to make reasonable and material progress towards meeting gender equality quotas prescribed	DRA, DRC, DRCS, EMOD,	Where Council is a 'defined entity'

Glenelg Shire Council

Gender Equality Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		CIO	
s 19(1)	Duty to submit a progress report to the Commissioner	DRA, DRC, DRCS, EMOD, CIO	Where Council is a 'defined entity'
s 19(2)	Power to request an extension of time to submit a progress report	DRA, DRC, DRCS, EMOD, CIO	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)	DRA, DRC, DRCS, EMOD, CIO	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)	DRA, DRC, DRCS, EMOD, CIO	Where Council is a 'defined entity'
s 22(1)	Function of being issued with a compliance notice from the Commissioner	DRA, DRC, DRCS, EMOD,	Where Council is a 'defined entity'

Glenelg Shire Council

Gender Equality Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		CIO	
s 22(2)	Duty to comply with the compliance notice	DRA, DRC, DRCS, EMOD, CIO	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	DRA, DRC, DRCS, EMOD, CIO	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)	DRA, DRC, DRCS, EMOD, CIO	Where Council is a 'defined entity'
s 26(a)	Power to provide the Commissioner with a written undertaking	DRA, DRC, DRCS, EMOD, CIO	Where Council is a 'defined entity'
s 27(2)	Power to, with the consent of the Commissioner, withdraw or vary the undertaking	DRA, DRC, DRCS, EMOD,	Where Council is a 'defined entity'

Glenelg Shire Council

Gender Equality Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		CIO	
s 47(2)	Duty to have regard to any guidelines issued under s 47(1)	CWM, DRA, DRC, DRCS, EMOD, CIO	Where Council is a 'defined entity'
s 48(2)	Duty to have regard to the guidelines	CWM, DRA, DRC, DRCS, EMOD, CIO	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	CWM, DRA, DRC, DRCS, EMOD, CIO	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	DRA, DRC, DRCS, EMOD, CIO	Where Council is a 'defined entity'

Glenelg Shire Council

Gender Equality Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	DRA, DRC, DRCS, EMOD, CIO	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	LLTL, DRA, DRCS, LLO, MLL	
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	LLTL, DRCS, LLO, MLL	
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	LLTL, DRCS, LLO, MLL	

Glenelg Shire Council

Graffiti Prevention Act 2007			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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)	LLTL, DRCS, LLO, MLL	
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	LLTL, DRCS, LLO, MLL	
s 18(3A)	Power to take further action to remove or obliterate graffiti	LLTL, DRCS, LLO, MLL	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	LLTL, DRCS, LLO, MLL	
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)	LLTL, DRCS, LLO, MLL	
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	LLTL, DRCS, LLO, MLL	

Glenelg Shire Council

Graffiti Prevention Act 2007			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19(1)	Power to authorise a person to carry out Council's functions under s 18.	LLTL, DRCS, LLO, MLL	
s 19(2)(c)	Power to determine performance criteria for authorised persons	LLTL, DRCS, LLO, MLL	
s 20(1)	Duty to issue an identity card to an authorised person	LLTL, DRCS, LLO, MLL	

Great Ocean Road and Environs Protection Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 12	Duty to apply the principles set out in ss 13, 14, 15 and 16 in Part 3 when performing a function or duty or exercising a power in relation to the Great Ocean Road coast and parks	Not Delegated	This provision applies to responsible entities including Colac Otway Shire Council, Corangamite Shire Council Moyne Shire Council, Surf Coast Shire Council and Warrnambool City Council

Glenelg Shire Council

Great Ocean Road and Environs Protection Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 22(1)(f)	Duty to comply with parts of the Great Ocean Road strategic framework plan that are binding on Council and duty to have regard to the other parts as required by the plan	Not Delegated	This provision applies to responsible entities including Colac Otway Shire Council, Corangamite Shire Council Moyne Shire Council, Surf Coast Shire Council and Warrnambool City Council
s 41	Duty to make an approved Great Ocean Road strategic framework plan available for public inspection at the Council office and internet site	Not Delegated	This provision applies to responsible entities including Colac Otway Shire Council, Corangamite Shire Council Moyne Shire Council, Surf Coast Shire Council and Warrnambool City Council
s 49A	Function of providing information to the Authority	Not Delegated	This provision applies to a responsible entity

Glenelg Shire Council

Great Ocean Road and Environs Protection Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 49B	Function of consulting with the Authority, if planning the development of visitor facilities or visitor infrastructure	Not Delegated	This provision applies to a responsible entity
s 49C	Duty to comply with guidelines issued by the Authority	Not Delegated	This provision applies to a responsible entity
s 63	Duty to prepare an annual report on the implementation of the approved Great Ocean Road strategic framework plan during the previous year	Not Delegated	This provision applies to responsible entities including Colac Otway Shire Council, Corangamite Shire Council Moyne Shire Council, Surf Coast Shire Council and Warrnambool City Council

Health Records Act 2001

Glenelg Shire Council

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 48	Function of receiving notice of complaint from the Health Complaints Commissioner	MEH, DRCS, GradEHO	
s 51(1)	Function of receiving notice that Health Complaints Commissioner has declined to entertain a complaint	MEH, DRCS, GradEHO	
s 51(3)	Function of receiving notice that Health Complaints Commissioner referred complaint	MEH, DRCS, GradEHO	
s 52(2)	Function of receiving notice that Health Complaints Commissioner referred complaint to registration board	MEH, DRCS, GradEHO	
s 53(2)	Function of receiving notice that Health Complaints Commissioner has dismissed a stale complaint	MEH, DRCS, GradEHO	
s 56(3)	Power to indicate wishes with respect to whether conciliation appropriate	MEH, DRCS, GradEHO	
s 56(4)	Function of receiving notice of Health Complaints Commissioner's decision under s 56(1)	MEH, DRCS, GradEHO	

Glenelg Shire Council

Health Records Act 2001			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57(4)	Function of receiving notice that Health Complaints Commissioner has dismissed the complaint after deciding conciliation is inappropriate	MEH, DRCS, GradEHO	
s 61(1)(b)	Power to sign the record of a conciliation agreement	MEH, DRCS, GradEHO	
s 61(2)	Power to lodge a copy of the record with the Tribunal	MEH, DRCS, GradEHO	
s 63(1)	Function of receiving notice that conciliation has failed	MEH, DRCS, GradEHO	
s 63(8)	Function of receiving notice that Health Complaints Commissioner has dismissed the complaint following a failed conciliation	MEH, DRCS	
s 63(10)	Function of receiving notice that Health Complaints Commissioner is to conduct an investigation of the complaint	MEH, DRCS, GradEHO	
s 64(2)	Function of receiving notice of Health Complaints Commissioner's ruling	MEH, DRCS,	

Glenelg Shire Council

Health Records Act 2001			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		GradEHO	
s 64(7)	Duty to report on action taken following notice of a ruling requiring specified action	MEH, DRCS, GradEHO	
s 65(1)	Power to require the Health Complaints Commissioner to refer the complaint to the Tribunal	MEH, DRCS, GradEHO	
s 72	Power to apply to the Tribunal for review of a decision to serve a compliance notice	MEH, DRCS, GradEHO	
s 73(1)	Power to apply to the Tribunal for an interim order	MEH, DRCS, GradEHO	

Heavy Vehicle National Law 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

Glenelg Shire 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	THC, DRA, WM, TLDA, IO	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	THC, DRA, WM, TLDA, IO	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	THC, DRA, WM, TLDA, IO	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	THC, DRA, WM, TLDA, IO	Where Council is the relevant road manager
s 156(1)	Duty to give or not give consent	THC, DRA, WM, TLDA, IO	Where Council is the relevant road manager
s 156(2)	Power to request a longer period to decide to give or not give consent	THC, DRA,	Where Council is the relevant road manager

Glenelg Shire Council

Heavy Vehicle National Law 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	under s 156(1)	WM, TLDA, IO	
s 156(3)	Function of giving Regulator a written statement explaining its decision not to give consent	THC, DRA, WM, TLDA, IO	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	THC, DRA, WM, TLDA, IO	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	THC, DRA, WM, TLDA, IO	Where Council is the relevant road manager
s 158(4)	Power to decide to give or not give the consent in the circumstances	THC, DRA, WM, TLDA, IO	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	THC, DRA, WM, TLDA, IO	Where Council is the relevant road manager

Glenelg Shire Council

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	THC, DRA, WM, TLDA, IO	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)	THC, DRA, WM, TLDA, IO	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	THC, DRA, WM, TLDA, IO	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	THC, DRA, WM, TLDA, IO	Where Council is the relevant road manager
s 161(2)	Duty to give the Regulator a written statement explaining the decision	THC, DRA,	Where Council is the relevant road manager

Glenelg Shire Council

Heavy Vehicle National Law 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to consent subject to travel conditions	WM, TLDA, IO	Statement must comply with s 172
s 162(1)	Power to request the Regulator to impose a stated vehicle condition on the authority	THC, DRA, WM, TLDA, IO	Where Council is the relevant road manager
s 162(2)(b)	Function of being notified of the decision under s 162(2)(a)	THC, DRA, WM, TLDA, IO	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	THC, DRA, WM, TLDA, IO	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	THC, DRA, WM, TLDA, IO	Where Council is the relevant road manager

Glenelg Shire Council

Heavy Vehicle National Law 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 167(2)(c)	Function of receiving notice that the Regulator withdraws the proposed replacement authority from the expedited procedure	THC, DRA, WM, TLDA, IO	Where Council is the relevant road manager
s 167(3)	Power to give written notice of consent or refusal	THC, DRA, WM, TLDA, IO	Where Council is the relevant road manager
s 169	Power to give consent to the grant of a mass or dimension authority for a trial period	THC, DRA, WM, TLDA, IO	Where Council is the relevant road manager
s 170(1)	Function of being notified by the Regulator of renewal of mass or dimension authority for trial period	THC, DRA, WM, TLDA, IO	Where Council is the relevant road manager
s 170(3)	Power to give written objection	THC, DRA, WM, TLDA, IO	Where Council is the relevant road manager

Glenelg Shire Council

Heavy Vehicle National Law 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 174(2)(a)	Power to request the Regulator to amend the mass or dimension authority, where satisfied of matters in s 174(1)	THC, DRA, WM, TLDA, IO	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)	THC, DRA, WM, TLDA, IO	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	THC, DRA, WM, TLDA, IO	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	THC, DRA, WM, TLDA, IO	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

Glenelg Shire Council

Heavy Vehicle National Law 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178(2)(a)	Power to request the Regulator to amend the mass or dimension authority, where satisfied of matters in s 178(1)	THC, DRA, WM, TLDA, IO	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)	THC, DRA, WM, TLDA, IO	Where Council is the relevant road manager
s 178(4)(c)	Function of receiving notice from the Regulator that the road authority must not comply with the request	THC, DRA, WM, TLDA, IO	Where Council is the relevant road manager
s 180(2)	Function of receiving notice from the Regulator	THC, DRA, WM, TLDA, IO	Where Council is the relevant road manager
s 611(2)	Power to apply for a compensation order	THC, DRA, WM, TLDA, IO	

Glenelg Shire Council

Heavy Vehicle National Law 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 612	Function of preparing certificate	THC, DRA, WM, TLDA, IO	
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	THC, DRA, WM, TLDA, IO	
s 613(3)	Function of receiving notice that defendant intends to challenge the matter	THC, DRA, WM, TLDA, IO	
s 643(2)	Function of receiving referral of review application	THC, DRA, WM, TLDA, IO	
s 644	Duty to conduct internal review of reviewable decision and give applicant a reasonable opportunity to make written or oral representations	THC, DRA, WM, TLDA, IO	Where Council is the relevant road manager

Glenelg Shire Council

Heavy Vehicle National Law 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 645(1)	Duty to either confirm or amend decision or substitute another decision for the reviewable decision	THC, DRA, WM, TLDA, IO	Where Council is the relevant road manager
s 645(5)	Duty to, as soon as practicable, give the Regulator notice of the review	THC, DRA, WM, TLDA, IO	Where Council is the relevant road manager

Heavy Vehicle National Law Application Act 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18(2)	Power to enter into an arrangement to transfer a function	THC, DRA, WM, TLDA, IO	In respect of roads where Council is the relevant road manager

Glenelg Shire Council

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	DRCS	
s 30(9)	Function of receiving written notice from Heritage Council of outcome of application for review	DRCS	
s 34(1)	Function of receiving notice of acceptance of nomination from Executive Director	DRCS	
s 40(1)	Function of receiving statement from Executive Director of recommendation not to include place or object in Heritage Register	DRCS	
s 53(6)	Function of receiving notice of amendment to heritage register from Executive Director	DRCS	
s 63(2)	Function of receiving notice of expedited amendment of Heritage Register	DRCS	
s 96(5)	Function of receiving copy of amended permit application	DRCS	
s 100(1)	Function of receiving copy of permit application from Executive Director	DRCS	

Glenelg Shire Council

Heritage Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 100(2)	Power to make written submission to Executive Director in relation to application received under s 100(1)	DRCS	
s 105(4)	Function of receiving notice of receipt of application to amend a permit from Executive Director	DRCS	
s 106(5)	Function of receiving notice of application for review for permit to carry out works from Heritage Council	DRCS	
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	DRCS	
s 108(5)	Power to appear and be heard or represented at a hearing into review of Executive Director's determination	DRCS	
s 108(9)	Function of receiving written notice from Executive Director of Heritage Council's determination of review	DRCS	
s 110	Function of receiving notice from Minister of referral of a matter to VCAT under s 109(2)(b)	DRCS	
s 112	Function of receiving notice from Executive Director of decision by VCAT under s 111	DRCS	

Glenelg Shire Council

Heritage Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 114(2)	Function of receiving notice from Executive Director of decision by Minister in relation to application for review	DRCS	
s 120	Function of receiving written notice of removal of site from Heritage Inventory	DRCS	
s 131(1)	Function of receiving notice of recommendations made under s 130 by Executive Director	DRCS	
s 133(3)	Function of receiving written notice from Heritage Council of approval of recommendation for a site of archaeological value	DRCS	
s 179	Function of receiving notice of approval of World Heritage Strategy Plan	DRCS	

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	Not	

Glenelg Shire Council

Housing Act 1983			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Delegated	
s 34(1)	Function of entering into arrangements with Homes Victoria whereby Council carries out works	Not Delegated	
s 34(3)	Power to enter into arrangements with Homes Victoria for the purposes of this Act	Not Delegated	
s 67(1)(a)	Power to do all things to make house comply with regulations or to give effect to direction	Not Delegated	
s 67(1)(b)	Power to demolish house (where case so requires)	Not Delegated	
s 67(2)	Power to recover expenses	Not Delegated	
s 67(3)	Power to sell or dispose of material	Not Delegated	

Glenelg 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	Not Delegated	
s 68A	Power to revoke declaration	Not Delegated	
s 71(1)	Power to authorise person for purposes of s 71	Not Delegated	
sch 2 cl 3(1)	Power to sell or give to Homes Victoria any land vested in it, other than Crown land	Not Delegated	
sch 2 cl 3(2)	Power to lease land, enter into agreements with Homes Victoria concerning land, or apply funds for carrying out such agreement	Not Delegated	
sch 6 cl 1	Duty to lodge signed certificate	Not Delegated	

Glenelg Shire Council

Housing Act 1983			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 6 cl 1	Power to authorise staff member to sign certificate	Not Delegated	
sch 6 cl 2	Power to request recording in Register	Not Delegated	
sch 6 cl 6	Duty to lodge notice with the Registrar of Titles that the declaration has ceased to operate	Not Delegated	
sch 6 cl 7(1)	Power to require occupier to pay to Council any money owing	Not Delegated	
sch 6 cl 7(2)	Duty to forward a copy of any notice under cl 7(1) to the owner of the house concerned	Not Delegated	
sch 6 cl 7(5)	Duty to notify occupier if Council receives any payment	Not Delegated	

Glenelg Shire Council

Impounding of Livestock Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 9(3)	Function of receiving notice from owner or occupier of whereabouts of livestock	LLTL, DRCS, LLO, MLL	
s 10	Power to give written permission to owner or occupier of land to impound livestock on their land for longer than 4 days	LLTL, DRCS, LLO, MLL	
s 14	Duty to keep record of impounded livestock	LLTL, DRCS, LLO, MLL	
s 15	Duty to ascertain owner of livestock and serve a notice of seizure on the owner as soon as possible	LLTL, DRCS, LLO, MLL	
s 16	Duty to release livestock	LLTL, DRCS, LLO, MLL	
s 16A(3)	Power to approve form of notice to be served under s 16A(1)	LLTL, DRCS, MLL	
s 16B(3)	Power to approve form of notice to be served under s 16B(1)	LLTL, DRCS,	

Glenelg Shire Council

Impounding of Livestock Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MLL	
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	LLTL, DRCS, LLO, MLL	
s 17A	Duty to hold livestock for 14 days prior to disposal in accordance with Part 2	LLTL, DRCS, LLO, MLL	Where authorised officer of Council has impounded livestock under section 5A of the Act
s 18	Power to offer uncollected livestock for sale	LLTL, DRCS, LLO, MLL	
s 19	Duty to give public notice of intention to sell livestock	LLTL, DRCS, LLO, MLL	
s 20	Duty to apply the proceeds of the sale of livestock in the order set out in s 20(1)	LLTL, DRCS, LLO, MLL	
s 21	Power to dispose of livestock including destroying or re-housing	LLTL, DRCS, LLO, MLL	

Glenelg Shire Council

Impounding of Livestock Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 22	Function of posting written notice of the impounding of livestock at the pound where they are held	LLTL, DRCS, LLO, MLL	
s 27	Function of receiving notice of proceedings	LLTL, DRCS, LLO, MLL	
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)	LLTL, DRCS, LLO, MLL	
s 28(3)	Power to release impounded livestock pending determination of proceedings	LLTL, DRCS, LLO, MLL	
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	LLTL, DRCS, LLO, MLL	
s 30	Power to recover outstanding amount as a debt	LLTL, DRCS, LLO, MLL	

Glenelg Shire Council

Impounding of Livestock Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 33A	Power to appoint an authorised officer for the specific purpose of filing charge-sheets in respect of an alleged offence committed in the municipal district	Not Delegated	

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)	DRCS	Subject to prior consultation with Council's Chief Executive Officer
s 35(2)	Power to enter into agreements or arrangements for use of services with the Independent Broad-based Anti-Corruption Commission (IBAC)	DRCS	Subject to prior consultation with Council's Chief Executive Officer
s 56	Function of providing information to the Independent Broad-based Anti-Corruption	DRCS	

Glenelg Shire Council

Independent Broad-Based Anti-Corruption Commission Act 2011			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Commission (IBAC)		Subject to prior consultation with Council's Chief Executive Officer

Infringements Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 3	Power to appoint an issuing officer	Not Delegated	
s 6	Duty to provide Attorney-General with prescribed information	LLTL, MEH, DRCS, MLL	
s 9	Power to make and publish guidelines and policies in respect of the use of official warnings for infringement offences	LLTL, MEH, DRCS, MLL	
s 11	Duty to withdraw an official warning in certain circumstances	LLTL, MEH, DRCS, LLO, MLL	

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Infringements Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 15	Power to accept late payment of infringement penalty	LLTL, MEH, DRCS, LLO, MLL	
s 17(1)	Power to refer certain matters to the Court	LLTL, MEH, DRCS, LLO, MLL	
s 17(3)	Power to withdraw infringement notice and file a charge and summons in the Children's Court in some circumstances	LLTL, MEH, DRCS, LLO, MLL	
s 18(1) & (2)	Power to withdraw an infringement notice in some circumstances	MEH, DRCS, MLL	
s 22	Function of receiving application for review of decision to serve infringement notice	LLTL, MEH, DRCS, MLL	Note: An internal review conducted under this Division must be conducted by a person employed by Council and who did not issue the infringement notice

Glenelg Shire Council

Infringements Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 23(1)	Power to request additional information required to conduct review	LLTL, MEH, DRCS, MLL, GradEHO	
s 23(2)	Duty to suspend review where request made under s 23(1)	LLTL, MEH, DRCS, MLL	
s 23(4)	Power to refuse or grant request for extension of time made under s 23(3)(b)	LLTL, MEH, DRCS, MLL	
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	LLTL, MEH, DRCS, MLL	
.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	LLTL, MEH, DRCS, MLL	
s 23(6)(b)(i)	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	LLTL, MEH, DRCS, MLL	

Glenelg Shire Council

Infringements Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
& (ii)	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		
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	LLTL, MEH, DRCS, MLL	
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	LLTL, MEH, DRCS, MLL	
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	MEH, DRCS, MLL	
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	LLTL, MEH, DRCS, MLL	
s 24(3)(b)	Duty to serve on the applicant written notice of outcome of review within 21 days of decision	LLTL, MEH, DRCS, MLL	

Glenelg Shire Council

Infringements Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 25(1)	<p>Power, after reviewing a decision, to take the following actions (or any combination of those actions):</p> <p>(a) confirm the decision to serve an infringement notice;</p> <p>(b) withdraw the infringement notice and serve an official warning;</p> <p>(c) withdraw the infringement notice;</p> <p>(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;</p> <p>(e) in the case of an infringement offence involving additional steps, alter or vary those steps;</p> <p>(f) waive all or any penalty reminder notice fees; or</p> <p>(g) approve a payment plan.</p>	LLTL, MEH, DRCS, MLL	
s 25(2)	<p>Power, in the case of application made under s 22(1)(b), to:</p> <p>(a) confirm the decision;</p> <p>(b) withdraw the notice and serve an official warning; or</p>	LLTL, DRCS, MLL	

Glenelg Shire Council

Infringements Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	(c) withdraw the notice.		
s 25(2A)	Power made under s 22(1)(d), to grant or refuse application	LLTL, MEH, DRCS, MLL	
s 25(3)	Function of receiving application for payment plan for infringement notices confirmed under s 25(2)(a)	DRCS, MLL	
s 25(4)	Duty to serve application with written notice of decision made under s 25(2A)(a)	LLTL, MEH, DRCS, MLL	
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	LLTL, MEH, DRCS, MLL	
s 29(1) & (2)	Power to serve a penalty reminder notice	LLTL, MEH, DRCS, MLL	
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	LLTL, MEH,	

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Infringements Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Court	LLO, MLL	
s 40(1)(d)	Duty to serve details on person who was served with infringement notice, at least 14 days prior to hearing date	LLTL, MEH, DRCS, LLO, MLL	
s 46(1)	Function of receiving application for payment plan	LLTL, MEH, DRCS, LLO, MLL	
s 46(1A)	Function of receiving application for payment plan from body corporate	LLTL, MEH, DRCS, MLL	
s.46(3)	duty to offer payment plan in certain circumstances	LLTL, MEH, DRCS, LLO, MLL	
s 46(4)	Power to offer payment plan in certain circumstances	LLTL, MEH, DRCS, LLO, MLL	

Glenelg Shire Council

Infringements Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	LLTL, MEH, DRCS, LLO, MLL	
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	DRCS, MLL	
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	LLTL, MEH, DRCS, LLO, MLL	
s 46(7)	Duty to cease action taken to collect infringement penalty upon receipt of application under s 46(1) or (1A)	LLTL, MEH, DRCS, LLO, MLL	
s 47(1)	Power to arrange a payment plan	LLTL, MEH, DRCS, LLO, MLL	

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Infringements Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 49(3)	Duty, if infringement notice withdrawn, withdraw infringement penalty and penalty reminder notice fee from payment plan	DRCS, MLL	
s 49A(2)	Power to vary terms of a payment arrangement	LLTL, MEH, DRCS, LLO, MLL	
s 49A(4)	Duty to give written notification to applicant of decision regarding payment plan variation	LLTL, MEH, DRCS, LLO, MLL	
s 50(1)	Duty to allocate money received under payment plan in order of priority	DRCS, MLL, GradEHO	
s 50(3)	Duty to advise person to whom payment plan applies of overpayment	LLTL, DRCS, MLL	
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	LLTL, MEH, DRCS, MLL	

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Infringements Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50(3)(b)	Power to refund amount of overpayment by appropriating Consolidated Fund or refunding from another fund or account	LLTL, MEH, DRCS, MLL	
s.52(2)	duty to send written notice advising of default on payment plan	LLTL, MEH, DRCS, MLL	
s 53A(2)	Function of consulting with Secretary	DRCS, MLL	
s. 53B(2)	duty to comply with request by Secretary under s 53B(1)	DRCS, MLL	
s 53C(2)	Duty to respond give report to Secretary in response to any recommendations made under s 53C(1)	DRCS, MLL	

Land Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

Glenelg Shire Council

Land Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 22D(1)	Duty to execute an instrument of transfer and surrender	DRCS	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	DRA, DRCS	
s 138A(3)(a)	Power to be consulted before person grants licence for strata of Crown land	DRCS	
s 140A(3)(c)	Duty to provide report to Minister for grant of licences for jetty landing stages on Crown land	DRCS	
s 172(1)	Power to approve excise of land from certain streets by Governor in Council	DRCS	
s 183A(1)	Power to raise funds by allowing use of common for the purposes of agriculture	DRA, DRCS	Consent of Minister required
s 190	Power to authorise persons to enter onto Crown land and remove materials for the purposes of	DRA, DRCS	Consent of Minister required

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Land Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	forming/maintaining public road		
s 349	Power to agree to closure of road on land vested in the Crown	DRA, DRCS	
s 400	Power to give notice to Secretary that road is an unused road	DRA, DRCS	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	DRA, DRCS	
s 407(3)(b)	Power to cause any building / hedge/ ditch etc to be taken down / filled up / removed etc	DRA, DRCS	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	DRCS	Where the licence is granted in relation to an unused road or water frontage in Council's municipal district

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Land Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	-	DRCS	Certain provisions in this Act apply only to councils in their capacity as acquiring authorities or to councils in their capacity as responsible authority
s 6	Duty of the authority to serve notice of intention to acquire on persons with an interest in the land	DRCS	
s 7(1)(b)	Power to serve statement on person interested in the land in	DRCS	

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Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	accordance with s 7(1)(b)		
s 9(1)	Duty of the authority to serve copy of notice on certain responsible authorities	DRCS	
s 9(2)	Duty of the responsible authority to provide information in writing when required to do so by an authority	DRCS	Prescribed information listed under rr 11 and 12 of the Land, Acquisition and Compensation Regulations 2021
s 9(3)	Duty of the responsible authority to forward a copy of application for planning permit/building approval to an authority	DRCS	
s 10(1)	Duty of the authority to lodge notice and prescribed fee with the Registrar of Titles or Registrar-General	DRCS	
s 10(4)	Duty of the authority to give notice of cancellation/lapse in writing	DRCS	
s 10(7)	Duty of the authority to pay fees where an owner applies for a new s 32(2) certificate	DRCS	

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Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 14(1)	Power of an authority to amend notice upon agreement with persons on whom it was served	DRCS	
s 15(1)	Power of an authority not to proceed with the acquisition	DRCS	
s 15(2)	Duty of the authority to serve a statement cancelling the notice of intention to acquire	DRCS	
s 17	Power of the authority to agree with owner to extend operation of notice	DRCS	
s 18(1)	Power of the authority to acquire interest in land by agreement	DRCS	
s 19	Function of the authority publishing a notice declaring the interest to be acquired	DRCS	
s 22	Duty of the authority to serve copy notice of acquisition and a statement to persons interested in that land	DRCS	

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Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 23	Duty of the authority to publish copy notice of acquisition in local newspaper	DRCS	
s 26(1)	Duty of the authority to endeavour to obtain agreement with the owner / occupier	DRCS	
s 26(5)	Power of the authority to enter into possession of the land	DRCS	
s 26(11)	Duty of the authority to serve copy certificate under s 26(4)(a) on occupier	DRCS	
s 27	Power of the authority to recover any rent due	DRCS	
s 28(1)	Power of the authority to issue a warrant where refusal to give up possession	DRCS	
s 31(1) and supporting provisions	Power of the authority to make an offer, including the Power to determine amount of the offer.	DRCS	

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Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 31(5)	Duty of the authority to have regard to a valuation of the land in making an offer under s 31	DRCS	
s 31(7)	Power of the authority to reduce the offer by an amount equal to outstanding interest, rates, taxes, etc.	DRCS	
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	DRCS	
s 32(2)	Duty of the authority to pay the total amount of compensation offered in court	DRCS	
s 32(4)	Duty of the authority to apply to the court or the Tribunal for determination of the amount payable	DRCS	
s 33(1)	Function of the authority of receiving notice of acceptance or notice of claim	DRCS	

Glenelg Shire Council

Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 36(1)	Duty of the authority to serve a reply to the notice of claim	DRCS	
s 36(2)	Power of the authority to admit/vary/reject the claim under s 36	DRCS	
s 36(3)	Duty of the authority to provide claimant with method and basis of its valuation	DRCS	
s 37(4)	Duty of the authority to serve reply to notice of claim on claimant, where no offer was made	DRCS	
s 43(2)	Power of the authority to give notice of intention	DRCS	
s 43(3)	Duty of the authority to do action specified in notice under s 43(2)	DRCS	
s 45(1)	Power of the authority to grant a loan to claimant	DRCS	
s 48(2)	Duty of the authority to serve reply to notice of claim within 3 months on claimant	DRCS	

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Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 51(8)	Power of the authority to advance compensation to assist a person purchasing another interest in land	DRCS	
s 63(1)	Duty of the authority to prepare all instruments of conveyance	DRCS	
s 65(a)	Function of the authority to receive interest in land despite any restrictions under other laws	DRCS	
s 65(b)	Function of the authority to recover compensation where authority acquires an interest under s 65(a)	DRCS	
s 67(1)	Function of the authority to negotiate with agents	DRCS	
s 68(1)	Power of the authority to purchase or redeem interest in mortgage	DRCS	
s 68(4)	Power of the authority to direct where to convey release of mortgagee's interest upon payment under s 68(3)	DRCS	
s 68(5)	Power of the authority to give notice to the mortgagee that it will pay	DRCS	

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Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	principal and interest upon 6 months of the notice		
s 68(6)	Power of the authority to direct where to convey release of mortgagee interest upon payment under s 68(5)	DRCS	
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	DRCS	
s 69(2)	Power of the authority to execute a deed poll	DRCS	
s 69(3)	Duty to register the deed poll in the office of the Registrar-General	DRCS	
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	DRCS	
s 70(4)	Power of the authority to direct where to convey release of mortgagee interest upon payment under s 70(3)	DRCS	

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Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	DRCS	
s 71(3)	Power of the authority to execute and register a deed poll	DRCS	
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	DRCS	
s 72(4)	Power of the authority to direct where to convey release of mortgagee's interest	DRCS	
s 72(6)	Function of the authority to furnish copy memorandum under s 72(5)	DRCS	
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	DRCS	
s 73(3)	Power of the authority to execute and register a deed poll	DRCS	

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Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 74(1)	Power of the authority to enter land	DRCS	
s 74(2)	Duty of the authority to serve notice of intention to enter and a statement on occupier and owner	DRCS	
s 75(1)	Power of the authority occupy land as long as is necessary for the purposes of the Local Government Act 1989	DRCS	
s 75(2)(a)	Power of the authority or authorised person to dig and take from land any clay, soil, etc.	DRCS	
s 75(2)(b)	Power of the authority to deposit any material on land	DRCS	
s 75(2)(c)	Power of the authority to make cuttings or excavations on land	DRCS	
s 75(2)(d)	Power of the authority to take timber from the land	DRCS	
s 75(2)(e)	Power of the authority to make and use roads on land	DRCS	

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Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 75(2)(f)	Power of the authority to manufacture on the land any materials required	DRCS	
s 75(2)(g)	Power of the authority to erect workshops, sheds, etc on land	DRCS	
s 75(3)	Duty of the authority to serve notice in writing on owner/occupier and Soil Conservation Authority if intends to enter land	DRCS	
s 75(5)	Duty of the authority to give notice in writing of nature and quantity of material taken	DRCS	
s 76	Duty of the authority to comply with obligations under s 76(a)-(e)	DRCS	
s 79(1)	Duty of the authority to fence land when so required by the owner	DRCS	
s 80	Power of the authority to refer a claim to the Court/Tribunal for determination	DRCS	
s 83	Duty of the authority to serve a copy of the referral notice on other	DRCS	

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

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Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		DRCS	
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	DRCS	

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)	DRA, DRCS, PPFM, MLL	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
s 121A	Function of receiving a request from the Secretary for information relating to land in the municipal district	DRCS, MLL	In connection with the administration of, or in carrying out of the Secretary's functions under, the Act or the regulations

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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	MCM	
s 33	Function of receiving copy of application	RSM, DRCS, PlanAO, StP	
s 40(1)	Power to object to grant, variation or relocation of a licence	RSM, DRCS	
s 40(1A)	Power to object to grant, variation or relocation of packaged liquor licence or late night (packaged liquor) licence	RSM, DRCS	
s 91	Power to request the Commission to conduct an inquiry into whether there are grounds to take disciplinary action	RSM, DRCS	
s 94	Power to request the Commission to conduct an inquiry into amenity or disuse	RSM, DRCS	

Local Government Act 2020

Glenelg Shire Council

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	DRCS, EACS	
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	DRCS	
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	DRCS	
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	DRCS	
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	DRCS	
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	EACEO	

Glenelg Shire Council

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50	Duty to implement appropriate long service leave arrangements for members of Council staff in accordance with the regulations	EMOD	
s 73(4)	Duty to publish a notice regarding a proposed local law in accordance with subsection 73(3)(a) to (d)	LLTL, DRCS, MLL	
s 73(5)	Duty to ensure that a copy of the proposed local law is available for inspection	LLTL, DRCS, MLL	
s 74(1)	Duty to obtain a certificate from a qualified person	LLTL, DRCS, MLL	
s 74(5)	Duty to publish a notice after a local law is made in accordance with subsection 74(4)(a) to (d)	LLTL, DRCS, MLL	
s 75	Duty to ensure that a copy of a local law made under section 74 is available for inspection	LLTL, DRCS, MLL	
s 76(3)	Duty to publish a notice of an amendment to a document, code, standard, rule, specification or method which contains matter applied, adopted or incorporated by a local law	LLTL, DRCS, MLL	

Glenelg Shire Council

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	LLTL, DRCS, MLL	
s 82	Function of receiving any penalty recovered for an offence against a local law	LLTL, DRCS, MLL	
s 98	Duty to prepare an annual report in respect of each financial year	DRC	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	CFO, DRC, DRCS	
s 103	Power to invest any money in accordance with subsections (a) to (f)	CFO, DRCS	
s 106	Duty to plan and deliver services to the municipal community in accordance with the service performance principles	DRA, DRC, DRCS, CIO	
s 109(1)	Duty to comply with Council's Procurement Policy before entering into a	DRA, DRC, DRCS,	

Glenelg Shire Council

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	contract for the purchase of goods or services or carrying out of works	CIO	
s 114(2)(a)	Duty to give notice before selling or exchanging land	DRA, DRC, DRCS	
s 114(2)(b)	Duty to undertake a community engagement process in accordance with Council's Community Engagement Policy before selling or exchanging land	CPO, DRA, DRC, DRCS	
s 114(2)(c)	Duty to obtain valuation before selling or exchanging land not more than 6 months prior to the sale or exchange	CPC, DRCS, LaLO	
s 115(1)	Power to lease land	DRA, DRC, DRCS	<p>In relation to leases and licences affecting land owned by or leased to Council the power to review or extend a lease, provided that:</p> <p>1. The previous lease or licence has been approved by</p>

Glenelg Shire Council

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			<p>Council; or</p> <p>2.The lease or licence income has been included in the fees and charges document approved by Council; or</p> <p>3. The lease or licence expenditure has been approved via the adopted or revised Council budget process.</p> <p>All new proposed leases and licences must be referred to Council.</p> <p>This section does not apply to leases or licences of crown land."</p>
s 115(3)	Duty to include proposal to lease in the budget	DRCS	
s 115(4)	Duty to undertake a community engagement process in accordance with Council's Community Engagement Policy before leasing land	CPC, DRCS, LaLO	

Glenelg Shire Council

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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)	CPC, DRCS, LaLO	
s 117(1)(a)	Power to approve another person to carry out the work required under s 117(1)	DRA, DRC, DRCS	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)	DRA, DRC, DRCS	Delegation extends only to area of functional responsibility of delegate
s 117(3)	Power to recover costs of carrying out work	DRA, DRC, DRCS	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	RVC, DRCS	Subject to section 121
s 120(1)	Power to charge interest on unpaid money (other than rates and charges) in accordance with s 120	RVC, DRCS	Note: this provision commences on 1 July 2021

Glenelg Shire Council

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 121	Function of receiving application for land information certificate	RVC, DRCS	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	RVC, DRCS	
s 152	Duty to pay the fees for a Councillor Conduct Panel to the Principal Council Conduct Registrar	DRCS	
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	DRCS	
s 167(8)	Duty to pay any necessary expenses incurred by Councillors in attending mediation, training or counselling directed by a Councillor Conduct Panel	DRCS	
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	DRCS	Subject to subsection (2)

Glenelg Shire Council

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 179(3)	Duty to pay a Municipal Monitor the amounts entitled to be paid and the terms of the appointment	DRCS	
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)	CFO, DRCS	
s 313(1)	Power to institute proceedings in the corporate name of the Council	LLTL, MEH, DRA, DRC, DRCS, EMOD, IRO, RiskSM, CIO	Subject to subsection (a) – (d)
s 313(1)	Power to authorise a person to institute proceedings in the corporate name of the Council	LLTL, EMC, MEH, DRA, DRC, DRCS, EMOD, IRO, RiskSM	Subject to subsection (a) - (d)

Local Government Act 1989

Glenelg Shire Council

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	RVC, CFO, DRCS	
s 157(2)	Duty to publish notice of change in valuation system	DRCS	
s 158(3)	Power to levy rates by sending notice to person liable	RVC, DRCS, RUSO	Garbage charges, Strathdownie Drainage area, various street and drainage schemes
s 158(3A)	Power to send rate notice to a person specified upon request	RVC, DRCS, RUSO	
s 159(5)	Power to determine form & time period	RVC, CFO, DRCS	
s.159(6)	power to require applicant to give further particulars or verify particulars	RVC, CFO, DRCS, RUSO	
s 161(3)	Duty to make available for inspection certain information	RVC, CFO, DRCS	

Glenelg Shire Council

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 163(1C)	Duty to send a copy of the public notice to each person who will be liable to pay the special rate or special charge	CFO, DRCS	
s 163(4)	Power to levy special rate/charge by sending notice to person liable	CFO, DRA, DRCS	
s 164(2)	Duty to notify of decision under s 164(1) to persons liable to pay special rate/charge	CFO, DRA, DRCS	Limited to Director or Executive Manager responsible for works or project.
s 165	Duty to refund excess money	CFO, DRA, DRCS	
s 166(2)	Duty to notify persons liable that special rate/charge varied	CFO, DRA, DRCS	
s 169(2)	Duty to send notice to person who was granted a rebate or concession and not complied with terms	RVC, CFO, DRCS, RUSO	
s 170(1)	Power to defer payment where applicant shows hardship	RVC, CFO,	

Glenelg Shire Council

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		DRCS	
s 170(3)(a)	Power to require payment where no longer hardship/in occupation	RVC, CFO, DRCS	
s 171(1)	Power to waive rate/charge to eligible recipient or in accordance with Council determination	RVC, CFO, DRCS	
s 171(4)(e)	Duty to waive amount which is in accordance with concession order upon receipt of application	RVC, CFO, DRCS	
s171(4)(f)	Power to decide to treat person to whom waiver granted as having made continuing application or waiver	RVC, CFO, DRCS	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)	RVC, CFO, DRCS	
s 171A(1)	Function of receiving application for waiver	RVC, CFO, RUSO	

Glenelg Shire Council

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 171A(2)	Power to require information or verification	RVC, CFO, DRCS	
s 171A(3)	Power to waive rate/charge/interest	RVC, CFO, DRCS	
s 172(1)	Power to raise interest and require payment from person liable	RVC, CFO, DRCS, RUSO	
s 172(3)	Power to exempt a person from paying interest	RVC, CFO, DRCS	
s 172(4)	Power to recover interest due	RVC, CFO, DRCS, RUSO	
s 173(2)(a)	Duty to refund rates/charges where land ceases to be rateable and payment was made	RVC, CFO, DRCS, RUSO	
s 173(2)(b)	Duty to require pro rata payment where land ceases to be rateable	RVC, CFO,	

Glenelg Shire Council

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		DRCS, RUSO	
s 175(2)	Power to require current rates, arrears from person acquiring land	RVC, CFO, DRCS	
s 177(1)	Power to require occupier to pay rent upon notice	RVC, CFO, DRCS, RUSO	
s 177(4)	Power to recover unpaid rent as a debt due	RVC, CFO, DRCS, RUSO	
s 180(1)	Power to recover unpaid rate/charge as a debt due	RVC, CFO, DRCS, RUSO	
s 181(2)	Power to dispose of land where rate/charge unpaid	Not Delegated	
s 181(5)	Power to serve and to give notices before Council sells the land.	DRCS	
s 181(7)	Power to deduct expenses incurred in connection with sale	DRCS	

Glenelg Shire Council

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 181C(2)	Power to send notice to person liable to pay environmental upgrade charge	RVC, DRCS	
s 181E(1)	Duty to use best endeavours to recover environmental upgrade charge	RVC, DRCS	
s 181F	Duty to adjust environmental upgrade charge to reflect lower amount advanced to owner and advise any person liable to pay charge in writing of the adjustment	RVC, DRCS	Council must refund any excess amounts paid to owner or occupier as a result of an adjustment being made to an upgrade charge under 181F(1)
s 185F(1)	Duty to comply with any direction of the Minister under s 185D	Not Delegated	Council decision
s 181H	Power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge	Not Delegated	
s 185I	Power to enter into a cladding rectification agreement in respect of rateable land with an existing building on it	Not Delegated	Subject to ss 185I(4), 185J(4) and 185J(5)

Glenelg Shire Council

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 185J(1)	Function of receiving details in writing of the information set out in s 185J(1)(a)	DRCS	
s 185J(2)	Duty to give written notice to each owner or, in the case of rateable land managed by an owners corporation, each owner of a lot on the rateable land	DRCS	
s 185J(8)	Power to enter into a cladding rectification agreement if all the existing mortgagees of the rateable land agree in writing to the proposed cladding rectification charged	DRCS	If Council is not satisfied of the matters set out in s 185J(4)
s 185J(9)	Power to enter into a cladding rectification agreement if all the existing mortgagees of those lots agree in writing to the cladding rectification charge	DRCS	If Council is not satisfied of the matters set out in s 185J(5)
s 185K(1)(b)	Function of receiving information from the owners corporation	DRCS	
s 185N(1)	Duty to use Council's best endeavours to recover a cladding rectification charge in accordance with any requirements imposed on it by the Building Act 1993 and the cladding rectification	Not Delegated	Subject to s 185N(2) and (3)

Glenelg Shire Council

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	agreement		
s 199	Duty to give notice of proposed drainage works to persons affected	DRA, WM, OM	
s 200(1)	Power to give persons notice that must carry out drainage works	DRA, WM, OM	
s 200(2)	Power to carry out works itself where non-compliance with notice	DRA, WM, OM	
s 201(1)	Duty to construct, manage, etc works under schemes approved under Water Act 1989	DRA, WM, OM	
s 201(2)	Power to carry out any power under the Act for purpose of 201(1)	DRA	
s 203(1)	Power to develop and implement a transport plan	DRA	
s 203(2)	Power to prepare a transport plan jointly with one or more other councils	DRA	
s 203A	Power to procure, provide or enable transport services within the	DRA	

Glenelg Shire Council

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	municipal district		
s 204(1)	Power to publish notice in Government Gazette of road to be declared a public highway	DRA, DRCS	
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)	DRA	Delegation only extends to matters within the functional responsibility of delegate.
s 223(1)(a)	Duty to publish a public notice	DRA, DRC, DRCS, CIO	Delegation only extends to matters within the functional responsibility of delegate
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	DRA, DRC, DRCS, CIO	
s 223(1)(d)(ii)	Duty to notify submitters after made decision	DRA, DRC, DRCS	

Glenelg Shire Council

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 223(3)	Power to authorise members of Council staff to carry out administrative procedures	DRA, DRC, DRCS, CIO	
s 224(1)	Power to appoint authorised officer	Not Delegated	
s 224(1A)	Duty to maintain register of authorised officers	DRCS, EACS	
s 224(2)	Duty to supply authorised officers with identity cards	DRA, DRC, DRCS, EMOD, CIO	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	DRA, DRC, DRCS, EMOD, CIO	
s 224A(2)	Power to publish a notice in the Government Gazette which authorises police officers to enforce provisions of local law	DRCS	
s 237A	Duty to make available to the Secretary to the Department any information requested in accordance with s.121A of the Livestock	DRA, DRCS	

Glenelg Shire Council

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Disease Control Act 1994		
sch 10 cl 1(a)	Power to make, maintain and repair roads	DRA, WM, OM	
sch 10 cl 2	Administrative functions necessary to give effect to power to deviate roads	DRA, WM, OM	
sch 10 cl 3	Administrative functions necessary to give effect to power to discontinue roads	DRA, DRCS	Subject to Council approval
sch 10 cl 4	Power to enter and take any materials necessary from certain land	DRA, WM	
sch 10 cl 5(1)(a)	Power to approve, assign or change the name of a road	RVC, CFO, DRCS	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	DRA, WM, OM, MLL	

Glenelg Shire Council

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 10 cl 5(1)(c)	Power to approve, assign and change the number of a road and any premises next to a road	RVC, CFO, DRCS	
sch 10 cl 5(1)(d)	Power to require people to number their premises and to renew those numbers	RVC, CFO, DRA, DRCS, RUSO	
sch 10 cl 6	Power to cause standard survey marks to be established in roads	DRA, WM, OM	
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	DRA, WM, OM	
sch 10 cl 8(3)	Duty to publish notice in Government Gazette before starting work	DRA, WM, OM	
sch 10 cl 9	Power to provide for temporary roads	DRA, WM, OM	
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-	DRA, WM, OM	

Glenelg Shire Council

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	passes for unfenced roads and to revoke the permission and require the removal of the by-pass		Subject to Notification to Councillors
sch 10 cl 11(a)	Power to require/cause the filling up of holes or excavations	DRA, WM, OM	
sch 10 cl 11(b)	Power to require/cause the removal of a cause of danger/damage	DRA, WM, OM	
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	DRA, WM, OM	
sch 10 cl 12	Power to make, maintain, repair or reconstruct a bridge or crossing	DRA, WM, OM	
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	DRCS, MLL	
sch 11 cl 2	Power to issue special parking permits to disabled persons	SCSO, CSO, DRCS, MLL	
sch 11 cl 3	Power to remove abandoned/unregistered vehicles	LLTL, DRA, DRCS, LLO,	

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Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		WM, MLL	
sch 11 cl 4	Power to tow away and impound vehicles which are causing an unlawful obstruction etc and to charge a fee	LLTL, DRA, DRCS, LLO, WM, MLL	
sch 11 cl 5	Power to require or cause the removal of any encroachment or obstruction	LLTL, DRA, DRCS, LLO, WM, MLL	
sch 11 cl 6	Power to control traffic to enable works to be carried out on, over, or on land next to a road	LLTL, DRA, DRCS, LLO, WM, OM, MLL	
sch 11 cl 7	Power to close a road, or part of a road for a particular period	LLTL, DRA, DRCS, LLO, WM, OM, MLL	
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	LLTL, DRA, DRCS, LLO,	

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Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		WM, OM, MLL	
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	DRA, WM, OM, MLL	Only to be exercised where report from Head, Transport for Victoria has been considered; and if the road is a freeway or arterial road, consent of Head, Transport for Victoria is required
sch 11 cl 10(1)(a) & cl 10(1)(b)	Power to block or restrict the passage or access of vehicles on a road by placing a temporary barrier or obstruction on a road	LLTL, DRA, DRCS, LLO, WM, OM, MLL	If the road is a freeway or arterial road, consent of Head, Transport for Victoria is required
sch 11 cl 11	Administrative functions necessary to give effect to power to declare a road or part of a road a shopping mall and prohibit or restrict the entry of vehicles	Not Delegated	
sch 11 cl 12(1)	Administrative functions necessary to give effect to power to prohibit the use of a road by a vehicle over a certain size or weight	DRA, WM, OM, MLL	
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	DRA, WM, OM, MLL	Only to be exercised where immediate risk of danger to people or damage to property exists and action is

Glenelg Shire Council

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			immediately reported to Council
sch 11 cl 13	Power to determine speed limits	DRA	
sch 11 cl 14	Power to prohibit or restrict traffic on a road if unsafe	DRA	

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	DRA, DRC, DRCS, EMOD, CIO	

Major Transport Projects Facilitation Act 2009			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

Glenelg Shire Council

Major Transport Projects Facilitation Act 2009			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 111C(1)(a)	Power to enter into an agreement with project authority	Not Delegated	Council as specified entity Provision inserted under Suburban Rail Loop Act 2021
s 134(4)	Duty to comply with requirement to surrender public land under subs(1)(a)	DRA, DRCS	
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	DRA, DRCS	
s 134(6)	Function of receiving written notice from the Project Minister	Not Delegated	
s 146(2)	Power to claim compensation for pecuniary loss or expense incurred	DRA, DRCS	
s 147	Function of agreeing to transfer of building or structure	DRA, DRCS	
s 167	Function of receiving written notice from the project authority	Not	For land owned or vested in Council

Glenelg Shire Council

Major Transport Projects Facilitation Act 2009			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Delegated	Provision inserted under Suburban Rail Loop Act 2021
s 189(2)	Duty to obtain consent of project authority for the purposes of carrying out works or discontinue a road within a project area	Not Delegated	Provision inserted under Suburban Rail Loop Act 2021
s 189(5)	Function of receiving written consent	Not Delegated	

Marine and Coastal Act 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 25(3)	Function of being consulted by the Minister when preparing a Marine and Coastal Policy if Council's interests may be affected by the policy	IDE, DRA, LPPBM	

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

Mineral Resources (Sustainable Development) Act 1990			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46(1)	Function of consulting with Minister	DRA, WM	

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

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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	Not Delegated	
s 27(1)	Power to exercise powers in relation to a park with Parks Victoria's consent subject to any conditions it directs	Not Delegated	

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	DRA	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	DRA	Where Council is the 'relevant authority'
s 103	Power to decide construction of the pipeline in relation to electrical apparatus or other pipelines is satisfactory	DRA	Where Council is the 'relevant authority'

Glenelg Shire Council

Pipelines Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 104	Function of being reimbursed by licensee for expense incurred due to the existence of a pipeline	DRA	
s 105(1)	Power to refer a dispute under Division 2 Part 7 of the Act to the Governor in Council for determination	DRA	
s 105(2)	Duty to comply with Governor in Council's determination under s 105(1)	DRA	
s 116	Function of receiving notice from licensee of incident	DRA	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	DRA, DRC, DRCS, CIO	

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Privacy and Data Protection Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 20(2)	Duty to comply with Information Privacy Principles when administering a public register	DRA, DRC, DRCS, CIO	
s 22(1)	Power to seek approval of a code of practice or an amendment to a code of practice	DRCS	
s 22(4)	Function of being consulted by the Information Commissioner in relation to a code of practice	DRCS	
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	DRCS	
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	DRCS	
s 26(4)	Function of being consulted by the Information Commissioner in relation to a code of	DRCS	

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Privacy and Data Protection Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	practice		
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	CGC, DRCS	
s 29(1)	Power to apply to the Commissioner for a public interest determination	CGC, DRCS	
s 29(5)	Function of receiving draft determination	CGC, DRCS	
s 29(6)	Function of attending a conference with the Information Commissioner	DRCS	
s 30(1)	Power to request that application be for a temporary public interest determination	CGC, DRCS	

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Privacy and Data Protection Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 34(1)	Power to apply to the Information Commissioner for approval of an amendment to a public interest determination	DRCS	
s 34(2)	Function of receiving draft determination and attending a conference with the Information Commissioner and Power to make a submission	DRCS	
s 35(2)	Function of receiving written notice from the Information Commissioner regarding revocation of a public interest determination	DRCS	
s 36(1)	Duty to report to the Information Commissioner on an annual basis, or at any other agreed time	DRCS	
s 38(1)	Power to apply to the Information Commissioner for a temporary public interest	DRCS	

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Privacy and Data Protection Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	determination and power to make a submission		
s 41(2)	Function of receiving written notice from the Information Commissioner regarding revocation of temporary public interest determination	DRCS	
s 47(1)	Power to apply for approval of an information usage arrangement	CGC, DRCS	Where Council is a lead party to an information usage arrangement
s 47(2)	Duty to consult where required	CGC, DRCS	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	CGC, DRCS	Where Council is a lead party to an information usage arrangement

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Privacy and Data Protection Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 52(1)	Power to apply for approval of an amendment to an information usage arrangement	CGC, DRCS	Where Council is a lead party to an information usage arrangement
s 52(2)	Duty to consult where required	CGC, DRCS	Where Council is a party to an information usage arrangement
s 53(2)	Power to request revocation of an approval of an information usage arrangement	CGC, DRCS	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	CGC, DRCS	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	CGC, DRCS	Where Council is a party to an information usage arrangement
s 54(1)	Duty to report to the Information Commissioner about the information usage	CGC, DRCS	Where Council is a lead party to an

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Privacy and Data Protection Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	arrangement		information usage arrangement
s 56	Power to apply to VCAT for review of a decision to issue a certificate under s 55	CGC, DRCS	Where Council's interests are affected by the decision
s 61	Function of receiving notice of complaint lodged with the Information Commissioner	CGC, DRCS	
s 62(1)	Function of receiving notice that complaint is to be declined	CGC, DRCS	
s 62(3)	Power to attend before the Information Commissioner and produce documents	CGC, DRCS	
s 62(7)	Function of receiving notice of dismissal	CGC, DRCS	

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Privacy and Data Protection Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 63(2)	Function of receiving notice of complaint being referred by the Information Commissioner	CGC, DRCS	
s 64(2)	Function of receiving notice of complaint being dismissed by the Information Commissioner	CGC, DRCS	
s 66(1)	Function of receiving notice that conciliation is inappropriate	CGC, DRCS	
s 66(6)	Function of receiving notice of complaint being dismissed by the Information Commissioner	CGC, DRCS	
s 67(3)	Power to attend conciliation and settle the matter	CGC, DRCS	
s 68	Power to give information or produce a document	CGC, DRCS	

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Privacy and Data Protection Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 69(1)	Power to prepare and sign conciliation agreement	CGC, DRCS	
s 69(2)	Power to lodge certified conciliation agreement	CGC, DRCS	
s 69(3)	Function of receiving copy of registered record	CGC, DRCS	
s 71(1)	Function of receiving notice of unsuccessful conciliation	CGC, DRCS	
s 71(6)	Function of receiving notice of complaint being dismissed by the Information Commissioner	CGC, DRCS	

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Privacy and Data Protection Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 72	Power to apply to VCAT for an interim order	CGC, DRCS	
s 77(1)	Power to administer/ implement order of VCAT	CGC, DRCS	
s 77(3)	Function of receiving VCAT order relating to a public register administered by Council	CGC, DRCS	
s 78(1)	Duty to comply with compliance notice served by the Information Commissioner	CGC, DRCS	
s 78(3)	Power to apply for extension in relation to compliance notice	CGC, DRCS	
s 79	Power to give information or produce a document	CGC, DRCS	

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Privacy and Data Protection Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 83(1)	Power to apply to VCAT for review of a decision of the Information Commission under s 78(1)	CGC, DRCS	

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)	DRA	Where Council is a specified body

Public Interest Disclosures Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

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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	DRCS	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	DRCS	Where Council is a receiving entity
s 23	Power to provide information in respect of the disclosure	DRCS	
s 24(2)	Duty to advise the person who made the disclosure that the disclosure has been notified to the IBAC, the Victorian Inspectorate or the Integrity and Oversight Committee (as the case may be) for assessment	DRCS	Where Council is a receiving entity
s 24(3)	Duty to advise the person who made the disclosure of the matters in s 24(3)(a) – (c)	DRCS	Where Council is a receiving entity
s 26(6)	Function of being consulted by IBAC	DRCS	Where Council is a notifying entity
s 27	Function of receiving notification of IBAC's determination	DRCS	Where Council is a notifying entry

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Public Interest Disclosures Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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)	DRCS	
s 58(1)	Duty to establish procedures to facilitate the making of disclosures and the handling of those disclosures	DRCS	
s 58(5)	Duty to establish procedures for the protection of persons from detrimental action by the Council, Council officers or Councillors	DRCS	
s 59(4)	Duty to make procedures established under s.58 available to the public and to staff and Councillors	DRCS	
s 61(1)	Function of receiving recommendations from IBAC	DRCS	
s 70(1)	Duty to include certain items in annual report	DRCS	

Glenelg Shire Council

Public Interest Disclosures Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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)	DRCS	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	DRCS	

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	MEH, DRC, DRCS	
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)	CWM, DRC	

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Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 26(4)	Duty to review municipal public health and wellbeing plan annually and amend as appropriate	CWM, DRC	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	CWM, DRC	Unless s 27 applies
s 26(6)	Duty to give a copy of the current municipal public health and wellbeing plan to the Secretary	CWM, DRC	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	DRC	Unless s 27 applies
s 26(7)	Duty to make copy of current municipal public health and wellbeing plan available for public inspection	CWM, DRC	Unless s 27 applies
s 27(3)	Power to apply to the Secretary for an exemption from complying with s 26	DRC	
s 27(6)	Duty to give a copy of the current Council Plan or Strategic Plan to the Secretary	CWM, DRC	If Council has been granted an exception from complying with s 26 and if change relates to matters in

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Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			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	MEH, DRCS, GradEHO	
s29(1)	Duty to appoint environmental health officer	DRCS	Council must appoint at least one environmental health officer Council can only appoint person with the qualifications and experience specified in s 29(2)
s 31(4)	Power to give directions to authorised officers	MEH, DRCS, GradEHO	
s 57(2)	Power to disclose certain information to the Secretary, Chief Health Officer or another Council	MEH, DRCS, GradEHO	
s 57(4)	Power to disclose certain information to a Government Department,	MEH, DRCS,	

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Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	statutory body or other person responsible for administering another Act or regulations	GradEHO	
s 60	Duty to remedy all nuisances in municipal district	MEH, DRCS, GradEHO	
s 62(2)	Duty to investigate any notice of a nuisance	MEH, DRCS, GradEHO	
s 62(3)	Duty to take action in s 62(3)(a) or (b) where nuisance is found to exist after investigation	MEH, DRCS, GradEHO	
s 62(3)(a)	Function of taking action specified in s 62(4) where appropriate	MEH, DRCS, GradEHO	
s 62(3)(b)	Function of determining whether matter is better settled privately and, if so, advising of methods for settling matter privately	MEH, DRCS, GradEHO	
s 62(4)(a)	Power to exercise the powers in section 66 where that section applies, for the purposes of s 62(3)(a)	MEH, DRCS	

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Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 62(4)(b)	Power to issue an improvement notice or a prohibition notice for the purposes of s 62(3)(a)	MEH, DRCS	
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)	MEH, DRCS	
s 64	Power to institute proceedings for an offence under s 61	MEH, DRCS	
s 65	Power to investigate nuisance occurring outside municipal district	MEH, DRCS, GradEHO	
s 66(2)(a)	Power to enter and take steps to abate nuisance and do all things necessary for abatement	MEH, DRCS, GradEHO	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, DRCS,	Where nuisance comes from land for which the

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Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		GradEHO	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)	MEH, DRCS	
s 67A	Function of receiving application for registration of lower risk prescribed accommodation	MEH, DRCS, GradEHO	Provision commences on 15 February 2023
s 71	Function of receiving applications for the issue, renewal or transfer of a registration	MEH, DRCS, GradEHO	
s 73(1)(a)	Power to give the applicant notice requiring specified information before considering the application under s 71	MEH, DRCS, GradEHO	
s 73(1)(b)	Power to inspect prescribed accommodation or premises before considering the application under s 71	MEH, DRCS, GradEHO	

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Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 73(1)(c)	Power to require alterations or improvements to prescribed accommodation or premises before considering the application under s 71	MEH, DRCS, GradEHO	
s 73(2)	Power to issue, transfer or renew a registration subject to s 73(1)(c)	MEH, DRCS, GradEHO	
s 73A	Duty and power to enter information in the Rooming House Register	MEH, DRCS, GradEHO	
s.74	power to decide issue, transfer or renew registration	MEH, DRCS, GradEHO	
s 76(1)(a)	Power to refuse to issue a registration	MEH, DRCS	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, DRCS, GradEHO	Subject to s 74
s 76(1)(c)	Power to vary a registration	MEH, DRCS,	

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Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		GradEHO	
s 76(1)(d)	Power to cancel a registration	MEH, DRCS	
s 76(1)(e)	Power to suspend a registration	MEH, DRCS	
s 76(1)(f)	Power to refuse to transfer a registration	MEH, DRCS, GradEHO	Decision of delegate only valid where Council later ratifies the refusal
s 76(1)(g)	Power to transfer a registration subject to a condition imposed on the registration by the Council under s 73(2)	MEH, DRCS, GradEHO	Subject to s 74
s 76(1)(h)	Power to refuse to renew a registration	MEH, DRCS	Decision of delegate only valid where Council later ratifies the refusal
s 76(1)(i)	Power to renew a registration subject to a condition imposed on the registration by the Council under s 73(2)	MEH, DRCS, GradEHO	Subject to s 74
s 76(3)	Duty to notify applicant or registration holder of decision under s 76 and	MEH, DRCS,	

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Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	ground(s) on which it was based	GradEHO	
s 78	Power to issue a replacement certificate of registration	MEH, DRCS, GradEHO	
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, DRCS, GradEHO	
s 78A(2)	Duty to pay the charge for use of the online portal	MEH, DRCS	
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, DRCS	
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, DRCS	
s 182	Power to destroy or otherwise dispose of forfeited item	MEH, DRCS, GradEHO	

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Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 185(1)	Function of receiving complaints about authorised officers appointed by the Council	MEH, DRCS	Complaint must be in writing or other form approved by Council Complaint must be in writing or other form approved by Council. MEH to action any complaints in regards to GEHO
s 185(2)	Power to approve form in which complaint is made	MEH, DRCS	
s185(4)(a)	Duty to investigate any written complaint provided under s 185(2)	MEH, DRCS	
s185(4)(b)	Duty to provide written report to the complainant on the results of the investigation under s 185(4)(a)	MEH, DRCS	
s 194(2)(a)	Power to issue an improvement notice	MEH, DRCS	In accordance with s 194(3)
s194(2)(b)	Power to issue a prohibition notice	MEH, DRCS	In accordance with s 194(3)
s 196(1)	Power to apply to Magistrates' Court for an injunction (compelling a person	MEH, DRCS	

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Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to comply or restraining a person from contravening an improvement notice or prohibition notice)		
s 197(2)	Power to cause a complaint to be made to the Magistrates' Court (where prohibition notice or improvement notice issued and person does not comply or nuisance likely to recur)	MEH, DRCS	
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, DRCS, GradEHO	
s 197(5)(b)	Power to recover costs and expenses incurred	MEH, DRCS	
s 197(6)	Power to recover costs and expenses in court	MEH, DRCS	
s 205(2)	Function of receiving applications for review of Council decisions	MEH, DRCS, GradEHO	
s 205(3)	Duty to review decision where application received under s 205(2)	MEH, DRCS	The level at which a review is carried out will depend

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Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			on which level the decision was made.
s 205(5)	Power to agree a period greater than 28 days for review of a decision with the applicant	MEH, DRCS	The level at which a review is carried out will depend on which level the decision was made.
s 205(6)(a)	Power to make a decision affirming, varying or revoking a decision	MEH, DRCS	The level at which a review is carried out will depend on which level the decision was made.
s 205(6)(b)	Power to make any other decision where original decision is revoked	DRCS	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	MEH, DRCS	
s 205(8)	Duty to inform applicant for review of right to apply to VCAT for a review under s207	MEH, DRCS	

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Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 209(2)	Power to serve infringement notice	MEH, DRCS, GradEHO	
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)	MEH, DRCS	
s 219(2)(b)	Power to bring proceedings for offence relating to an improvement notice or a prohibition notice	MEH, DRCS	
s 228(1)	Power to seek reimbursement of costs incurred where person is found guilty of an offence	MEH, DRCS	
s 228(2)	Power to seek payment for cost of work conducted by Council where awarded legal costs	MEH, DRCS	'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	MEH, DRCS, GradEHO	Where Council is so authorised by Chief Health Officer under s 229(2)
s	Power to recover, in court, costs incurred under s 229	MEH, DRCS	

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Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
230(2)(b)			

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	RUS, RMO, DRCS, CIO	

Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 91ZU(1)	Power to give a renter a notice to vacate rented premises	Not Delegated	Where Council is a public statutory authority engaged in the provision of housing
s 91ZZC(1)	Power to give a renter a notice to vacate rented premises	Not	Where Council is a public statutory authority authorised to

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Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Delegated	acquire land compulsorily for its purposes
s 91ZZE(1)	Power to give a renter a notice to vacate rented premises	Not Delegated	Where Council is a public statutory authority engaged in the provision of housing
s 91ZZE(3)	Power to publish Council's criteria for eligibility for the provision of housing	Not Delegated	Where Council is a public statutory authority engaged in the provision of housing
s 142D	Function of receiving notice regarding an unregistered rooming house	Not Delegated	
s 142G(1)	Duty to enter required information in Rooming House Register for each rooming house in municipal district	Not Delegated	
s 142G(2)	Power to enter certain information in the Rooming House Register	Not Delegated	
s 142I(2)	Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	Not Delegated	

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Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 206AZA(2)	Function of receiving written notification	Not Delegated	
s 207ZE(2)	Function of receiving written notification	Not Delegated	

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	IDE, DRA, WM, OM, TLDA	
s 48M	Function of consulting with the relevant authority in relation to the development of guidelines for bus stopping points and bus stop infrastructure	IDE, DRA, WM, OM, TLDA	
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	IDE, DRA, WM, OM, TLDA	

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	stopping point		
s 72(1)	Duty to issue an identity card to each authorised officer the entity appoints	DRA, WM, OM	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	DRA	Where Council is the appointing entity
s 87(1)	Function of receiving complaints about the exercise of a power by an authorised officer under the Road Management Act 2004 (Vic)	DRA, WM, OM	Where Council is the appointing entity
s 87(2)(a)	Power to investigate complaint	DRA, WM, OM	Where Council is the appointing entity
s 87(2)(b)	Power to provide written report	DRA, WM, OM	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)	DRA, WM, OM	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	DRA, WM, OM	Where Council is the appointing entity

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	person, whether directly or indirectly		
sch 2 cl 4	Power to make submissions on the Head, Transport for Victoria's proposal to act under s 42 and cl 3	IDE, DRA, WM, OM, TLDA	
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	DRA	
sch 5A cl 26	Duty to surrender land to the Crown following an order of the Governor in Council	DRA	
sch 5A cl 27	Duty to surrender Council's interest in any Crown land to the Crown following an order of the Governor in Council	Not Delegated	
sch 5A cl 51	Power to claim from the Head, Transport for Victoria an amount for loss or expense incurred as a result of an order under Division 2 Part 5 of the Act	IDE, LLTL, DRA, DRCS, WM, OM, TLDA, MLL	Council must have sustained pecuniary loss or incurred an expense

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Road Safety Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 59(1)(a) and (d)	Power to authorise officer or other person to request or signal driver or person in charge of motor vehicle to do certain things, such as stop the motor vehicle	Not Delegated	
s 77(2)(b)	Power to prosecute and authorise staff member to prosecute	DRCS, MLL	
s 77(4)	Power to authorise officer to take proceedings for any offence which relates to the parking or leaving standing of a vehicle if the offence occurs on land or premises which are vested in, or under the control of, Council	DRCS, MLL	
s 84BE(1)	Function of receiving a statement under this section	LLTL, DRCS, LLO, MLL	Where Council is the enforcement official
s 84BE(4), (5) and (5A)	Power to decide to accept statements as effective statements for the purposes of this Part	LLTL, DRCS, LLO, MLL	Where Council is the enforcement official
s 84BE(6)	Duty to cause notice to be served on the statement-giver stating whether the enforcement official accepted the statement as an effective statement	LLTL, DRCS, LLO, MLL	Where Council is the enforcement official
s 84BF	Power to cancel acceptance of a statement	LLTL, DRCS, LLO, MLL	Where Council is the enforcement official

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Road Safety Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MLL	
s 87(1)	Power to serve, or cause to be served, a parking infringement notice	LLTL, DRCS, LLO, MLL	
s 87(1D)	Duty to issue an identity card to authorised person Council appoints	DRCS, MLL	
s 87(1E)	Power to authorise a member of staff to sign identity card	DRCS	
s 87(8)	Power to authorise person for purpose of serving parking infringement notices in accordance with s 87(1C)	LLTL, DRCS, MLL	
s 90D(1)	Power to enter into an agreement with the owner or occupier of land for the provision of parking services	DRA, DRCS, MLL	
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)	LLTL, DRCS, LLO, MLL	

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Road Safety Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 98(1)	Power to request Minister to extend application of Act	DRA, DRCS, MLL	
s 99A(4)	Power to establish requirements for traffic management plan	IDE, LLTL, DRA, DRCS, WM, OM, TLDA, MLL	Where Council is the coordinating road authority under the Road Management Act 2004
s 99B(1)	Power to issue permit to conduct non-road activity (including on conditions specified in s 99B(3))	IDE, LLTL, DRA, DRCS, WM, OM, TLDA, MLL	Where Council is the coordinating road authority under the Road Management Act 2004
s 99B(2)	Power to authorise closure of highway to traffic	IDE, LLTL, DRA, DRCS, WM, OM, TLDA, MLL	Where Council is the coordinating road authority under the Road Management Act 2004

Rooming House Operators Act 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

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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, DRCS	

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	DRCS	

Service Victoria Act 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 7(1)	Function of receiving a previously transferred customer service function	Not Delegated	

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Service Victoria Act 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 7(5)	Power to perform a customer service function in accordance with the enactment that confers the function on the service agency	Not Delegated	
s 12	Function of receiving a previously transferred identity verification function	Not Delegated	
s 12(5)	Power to perform an identity verification function in accordance with the enactment that confers the function on the service agency	Not Delegated	
s 35(3)	Function of receiving a notification from the Service Victoria CEO if the electronic identity credential, which has been issued to an individual, is cancelled under s 38	Not Delegated	
s 47E	Power to make changes to information in database	Not Delegated	
s 54A(2)	Power to disclose regulated information in certain circumstances in (a) – (g)	Not Delegated	
s 58(3)	Power to provide agreement to Minister	Not	

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Service Victoria Act 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Delegated	

Sex Work Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 3	Power to appoint an authorised officer	Not Delegated	Note: the Sex Work Act 1994 will be repealed on 1 December 2023
s 35	Function of receiving notice of application for a licence	Not Delegated	
s 73	Duty to consider various factors before deciding on an application for a permit for use or development as a brothel	Not Delegated	
s 74	Duty to refuse to grant a permit for a brothel in certain circumstances	Not Delegated	

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Sex Work Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	Not Delegated	
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	Not Delegated	
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	Not Delegated	
s 81(1)(a)	Duty to publish notice of making of declaration	Not Delegated	
s 81(1)(b)	Duty to serve notice of making of declaration personally on owner/occupier/mortgagee of premises	Not Delegated	
s 81(1)(c)	Duty to post up at or near entrance to premises copy of declaration	Not Delegated	Must be visible and legible to persons entering

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Sex Work Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 89(4)	Function of issuing certificate that an officer is authorised	Not Delegated	

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)	Not Delegated	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	DRCS	

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Sport and Recreation Act 1972			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 14(3)	Function of receiving funds for works for provision of sport and recreation	CWM, DRA, DRC	

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	RSM, DRCS	
s 5(3)(c)	Function of receiving application for certification	RSM, DRCS, PlanAO, SP, StP	
s 5(3)(d)	Power to provide statement of compliance	RSM, DRCS, SP, StP	
s 5(4)	Power to accept and consider plans	RSM, DRCS,	

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Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		SP, StP	
s 5(4A)	Power to consider and certify plans before Transfer of Land Act 1958 application determined	RSM, DRCS	
s 6(1)	Duty to certify plan within prescribed time in specified circumstances	RSM, DRCS, SP, StP	
s 6(2)	Duty to refuse to certify plan where conditions in s 6(1) not met and give reasons in writing	RSM, DRCS, SP, StP	
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	RSM, DRCS, SP, StP	
s 8(1)	Duty to refer plans to referral authority in certain circumstances	RSM, DRCS, PlanAO, SP, StP	Unless sub s 8(2)-(5) apply Form of referral per r 13 and 14 of the

Glenelg Shire Council

Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Subdivision (Procedures) Regulations 2021
s 8(6)	Duty to give referral authority copy of certified plan where not referred to referral authority	RSM, DRCS, SP, StP	
s 10(1)	Power to require applicant to alter plan	RSM, DRCS, SP, StP	
s 10(2)	Power to agree to an alteration at request of applicant	RSM, DRCS, SP, StP	
s 10(5)	Duty to send altered plan to referral authority	RSM, DRCS, PlanAO, SP, StP	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	RSM, DRCS, SP, StP	

Glenelg Shire Council

Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(1)	Function of receiving application to amend certified plan	RSM, DRCS, PlanAO, SP, StP	
s 11(2)	Duty to refer application under s 11(1) to referral authority	RSM, DRCS, PlanAO, SP, StP	
s 11(2A)	Power to amend without referral if minor amendment	RSM, DRCS, SP, StP	
s 11(7)	Duty to re-certify plan or advise of refusal in writing with reasons	RSM, DRCS	
s 11(10)	Duty to notify surveyor of an amendment by acquiring authority where plan prepared by surveyor	RSM, DRCS, SP, StP	
s 11(11)	Duty to give copy of re-certified plans to referral authority	RSM, DRCS, SP, StP	

Glenelg Shire Council

Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11A(1)	Power to require more information	RSM, DRCS, SP, StP	
s 15(1)	Power to require engineering plan	RSM, IDE, DRA, DRCS, OM, SP, StP	Does not apply where s 14 applies
s 15(2)	Duty to approve/refuse approval/require alterations of engineering plan	RSM, IDE, DRA, DRCS, OM, SP, StP	Does not apply where s 14 applies
s 15(6)	Power to charge for engineering plans prepared by it	RSM, IDE, DRA, DRCS, OM, SP, StP	Does not apply where s 14 applies
s 17(2)(a)	Power to appoint supervisor of works	RSM, IDE, DRA, DRCS, OM, SP, StP	Does not apply where s 14 applies
s 17(2)(b)	Power to charge for supervision	RSM, IDE,	Does not apply where s 14 applies

Glenelg Shire Council

Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		DRA, DRCS, OM, SP, StP	
s 17(2)(c)	Power to enter into agreement with owner or applicant in anticipation of applicant becoming owner	RSM, IDE, DRA, DRCS, OM, SP, StP	Does not apply where s 14 applies
s 17(2A)	Power to request Minister to nominate authority to consider what works are required	RSM, IDE, DRA, DRCS, OM, SP, StP	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	RSM, IDE, DRA, DRCS, OM, SP, StP	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	RSM, DRCS, SP, StP	Does not apply where ss 14 and 18(8) apply Must have regard to matters in s 18(1A)-2

Glenelg Shire Council

Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18(1B)	Power to vary time of payment by agreement with applicant	RSM, DRCS	
s 18(4)	Power to agree with applicant to set aside/pay different percentage	RSM, DRCS	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	RSM, DRCS	Does not apply where s 14 applies
s 18(8)	Power to consider it unlikely that each lot will be further subdivided.	RSM, DRCS, SP, StP	
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	RSM, DRCS	
s 19(1)	Power to obtain valuation where value is not agreed	RSM, DRCS, SP, StP	Does not apply where s 14 applies
s 19(3)	Duty to give applicant copy of valuation	DRCS, PlanAO, SP, StP	Does not apply where s 14 applies

Glenelg Shire Council

Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	RSM, DRCS, SP, StP	Does not apply where s 14 applies
s 21(1)	Duty to issue statement of compliance, subject to s 21(2C) and (2CA)	RSM, DRCS, SP, StP	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	RSM, DRCS, SP, StP	
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)	RSM, DRCS, SP, StP	
s 21(4)	Power to provide in the statement of compliance that agreement pursuant to	RSM, DRCS,	Does not apply where s 14 applies

Glenelg Shire Council

Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Planning and Environment Act 1987 no longer applies in certain circumstances	SP, StP	
s 21(9)	Duty to give a notice to the Commissioner of State Revenue that a statement of compliance has been issued	RSM, DRCS, SP, StP	
s 21(10)(a)	Duty to, within 7 days after issuing a statement of compliance for a plan of subdivision relating to land in respect of which there is a levy recording (within the meaning of the Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020 (Vic)), give the Secretary to the Department of Environment, Land, Water and Planning written notice that the statement has been issued	Not Delegated	
s 21(10)(b)	Duty to, within 7 days after issuing a statement of compliance for a plan of subdivision relating to land in respect of which there is a levy recording (within the meaning of the Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020 (Vic)), give the Secretary to the Department of Environment, Land, Water and Planning a copy of the statement	Not Delegated	
s 21(10)(c)	Duty to, within 7 days after issuing a statement of compliance for a plan of subdivision relating to land in respect of which there is a levy recording (within the meaning of the Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020 (Vic)), give the Secretary to the Department of Environment,	Not Delegated	

Glenelg Shire Council

Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Land, Water and Planning a copy of the plan of subdivision		
s 24A(1)	Duty to do any of the things listed in the table in this s 24A where so required by planning scheme with respect to reserves, etc	RSM, DRCS	
s 24A(2)	Power to certify a plan prepared under s 24A(1) where applicant certifies land no longer reserved	RSM, DRCS, SP, StP	
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.	RSM, DRCS	
s 25(2)	Function of being notified by Registrar if plan is withdrawn or refused registration	RSM, DRCS	
s 25(3)	Duty to notify referral authority affected by withdrawal/refusal	RSM, DRCS, PlanAO, SP, StP	
s 34E	Power to apply to VCAT for order compelling an owners corporation to carry out a requirement or perform a duty	RSM, DRCS	

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Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 34H(5)	Function of receiving notice from Registrar of amendment or cancellation of plan on winding up	RSM, DRCS	
s 35(1)	Duty of acquiring authority to submit plan for certification and registration where land subdivided	RSM, DRCS	
s 35(2)	Power to require acquiring authority to submit certification new/amended plan	RSM, DRCS	s 35(3)-(5) apply
s 35(6)	Duty of an acquiring authority to advise Registrar of vesting date	RSM, DRCS	
s 35(8)	Power of acquiring authority to submit for certification and registration of any land vested/registered in its own name	RSM, DRCS	s 35(9) applies
s 36(1)	Function of stating in writing that it considers that subdivision requires removal/acquisition of easement	RSM, DRCS	s 35(1AA) applies
s 38	Power to provide written consent	RSM, DRCS	
s 38A(1)	Power to provide written consent	RSM, DRCS	

Glenelg Shire Council

Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38B	Power to provide written consent	RSM, DRCS	
s 38C	Power to provide written consent	RSM, DRCS	
s 39(1)	Power to refer disputes to VCAT	RSM, DRCS	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	RSM, DRCS	
sch 2 cl 11(1)	Power to apply to a court for an order regarding scheme of development	RSM, DRCS	

Summary Offences Act 1966			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4	Power to give permission or consent to certain things	Not Delegated	

Glenelg Shire Council

Summary Offences Act 1966			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	DRCS, MLL	Subject to s 6A(2)(b)
s 50A(3)(a)	Power to apply to Governor in Council for declaration that municipal district be a 'district' for purposes of s 50A offences	Not Delegated	
s 50A(3)(b)	Power to apply to Governor in Council for revocation/variation of declaration under s 50A(3)(a)	Not Delegated	

Suburban Rail Loop Act 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 12(2)(o)	Function of receiving advice from the Authority	Not Delegated	
s 63	Power to enter into an agreement or arrangement with the Authority concerning the matters	Not	Council as public authority and

Glenelg Shire Council

Suburban Rail Loop Act 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	outlined at s 63(1) and (2)	Delegated	reciprocal entity
s 71(1)	Function of receiving a copy of Suburban Rail Loop planning area declaration and statement containing prescribed information	Not Delegated	
s 90(3)	Duty to comply with requirement under subsection (1)	Not Delegated	

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	CFO, DRCS	

Transfer of Land Act 1958			
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Glenelg Shire Council

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 26X(1)	Function of receiving enquiries, from the Registrar, for personal information that identifies ratepayers and mortgagors of land, for the purpose of comparing that information with information retained by the Registrar or the Registrar-General in relation to land that is to be brought under the Act	RVC, DRCS	
s 26X(2)	Function of disclosing personal information that identifies who is a ratepayer or mortgagor of the land	RVC, DRCS	
s 45(1)	Power to sign a transfer of land in respect of which a decision to acquire or dispose of land has been made under the Local Government Act 2020	DRA, DRCS	Where Council is the landowner Note: Where Council receives a request for consent to the creation or surrender of an easement (right of carriageway) in a s 45 transfer of land that Council is not a party to, see s 73B
s 54	Power to make application to be registered proprietor	Not Delegated	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	Not Delegated	Applies only where the Council is an 'acquiring authority' as defined in s 53

Glenelg Shire Council

Transfer of Land Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57(1)	Duty to lodge notification with the Registrar upon service of notice of intention	Not Delegated	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	Not Delegated	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	Not Delegated	
s 73B	Power to consent to the creation or surrender of the right of carriageway	DRA, DRCS	Where land is located in Council's municipal district
s 88(1B)	Power to consent to the varying or releasing of a restrictive covenant	DRCS	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	Not Delegated	Applies only where the Council is an 'acquiring authority' as defined in s 53
s	Power to consent to the registration of a dealing or plan	Not	

Glenelg Shire Council

Transfer of Land Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
106(1)(b)		Delegated	

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	DRA, WM, OM, TLDA	
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.	DRA, WM, OM, TLDA	
s 25(3)	Duty to have regard to applicable specified policy principles	DRA, WM, OM, TLDA	
s 25(4)	Duty to have regard to applicable specified policy principles	DRA, WM, OM, TLDA	

Glenelg Shire Council

Transport Integration Act 2010			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 26	Power to determine the weight to give to each transport system objective under ss 24 and 25	DRA, WM, OM, TLDA	
s 27	Power to determine the weight to give to each decision making principle under ss 24 and 25	DRA, WM, OM, TLDA	
s 115F(3)	Function of collaborating with the Commercial Passenger Vehicle Commission	DRA, WM, OM, TLDA	
s 197B(2)	Function of receiving notice from regulated bodies	DRA, WM, OM, TLDA	Where Council is the responsible authority and s 197 applies
s 197B(3)	Duty to meet with representatives from Director of Transport Safety	DRA, WM, OM, TLDA	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	DRA, WM, OM, TLDA	

Glenelg Shire Council

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	RVC, CFO, DRCS, RUSO	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)	RVC, DRCS, RUSO	Where Council is a rating authority
s 6(3)	Duty to give notice to valuer-general	Not Delegated	Where Council is the rating authority
s 6(4)	Duty to ensure the valuer-general's request is given effect to	CFO, DRCS	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	RVC, CFO, DRCS	
s 7A(1)	Power to pay valuer subject to the requirements of this section	RVC, CFO, DRCS	
s 7AE(2)	Duty to comply with an Order in Council requiring the making of a new valuation	RVC, CFO,	

Glenelg Shire Council

Valuation of Land Act 1960			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		DRCS	
s 7A(2)	Power to make a payment, irrespective of s 7A(1), if Council satisfies paragraphs (a) and (b)	Not Delegated	
s 7B(1)	Duty to provide valuation to valuer-general within 2 months of date on which the valuation was returned to Council	RVC, CFO, DRCS	
s 8AA(1B)	Duty to pay the valuer-general in accordance with section where Council has requested a supplementary valuation	RVC, CFO, DRCS, RUSO	
s 8AA(2)(a)	Power to agree the fees in respect of servicing of a valuation	CFO, DRCS	In consultation with RVC
s 10(1)	Power to make a nomination to have the power to cause a valuation of all land in its municipal district for a specified year	Not Delegated	
s 10(6)	Power to revoke nomination made under s 10(1)	Not	

Glenelg Shire Council

Valuation of Land Act 1960			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Delegated	
s 11	Duty to cause a general valuation	RVC, CFO, DRCS	Where Council is the valuation authority
s 12	Function of causing a valuation of rateable land at the direction of the Minister	RVC, CFO, DRCS, RUSO	Where Council is the valuation authority
s 13DA(1)	Power to appoint people to carry out valuations	DRCS	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	RVC, CFO, DRCS, RUSO	

Glenelg Shire Council

Valuation of Land Act 1960			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 13DF(3A)	Power to use supplementary valuation before it is certified to levy or adjust municipal rate or fire services property levy	RVC, CFO, DRCS, RUSO	
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)	RVC, CFO, DRCS, RUSO	
s 13DFA(2)	Function of receiving written certification of supplementary valuation from valuer-general	RVC, CFO, DRCS, RUSO	
s 13DFB(1)	Power to request valuer-general to carry out a supplementary valuation	RVC, CFO, DRCS, RUSO	
s 13DFB(3)	Function of receiving the supplementary valuation within 10 business days after the supplementary valuation is returned to the valuer-general	CFO, DRCS, Not Delegated	

Glenelg Shire Council

Valuation of Land Act 1960			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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.	RVC, CFO, DRCS	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	RVC, CFO, DRCS	Where Council is the collection agency
s 13G(7)	Power to revoke nomination made under s 13G(1)	RVC, CFO, DRCS	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	RVC, CFO, DRCS	Where Council is the valuation authority
s 13I	Duty to comply with a Ministerial Direction given under s 13I	RVC, CFO, DRCS	Where Council is the collection agency and also the valuation authority
s 13J	Power to appoint people to carry out valuation	RVC, CFO, DRCS	The person(s) to be appointed must hold qualifications or experience specified by Minister

Glenelg Shire Council

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	RVC, CFO, DRCS, RUSO	Where Council is the collection agency
s 13L(6)	Power to adjust the fire services property levy payable retrospectively for any period considered just	RVC, CFO, DRCS, RUSO	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	RVC, CFO, DRCS, RUSO	Where Council is the collection agency
s 13N(1)	Power to request the Valuer-General to make a supplementary valuation	RVC, CFO, DRCS, RUSO	Where Council is the collection agency

Glenelg Shire Council

Valuation of Land Act 1960			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 13N(3)	Function of receiving the supplementary valuation within 10 business days after the supplementary valuation is returned to the valuer-general	RVC, CFO, DRCS, RUSO	Where Council is the collection agency
13Q(4)	Power to adjust a rate or fire services property levy	DRCS	Provision commences on 1 July 2023, unless proclaimed earlier
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	RVC, CFO, DRCS, RUSO	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	RVC, CFO, DRCS, RUSO	Where Council is the valuation authority
s 21(2)	Duty to refer an objection received to the valuation authority	RVC, CFO, DRCS, RUSO	Where Council is not the valuation authority which made the valuation
s 21(2A)	Duty to refer objection to valuer	RVC, CFO,	Where Council is the valuation authority

Glenelg Shire Council

Valuation of Land Act 1960			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		DRCS, RUSO	
s 21(5)	Function of receiving written notice from the valuer-general of recommendation	RVC, CFO, DRCS, RUSO	Where Council is the rating authority
s 21(6)	Duty to give effect to the decision of the valuer-general	RVC, CFO, DRCS, RUSO	Where Council is the rating authority
s 22(5)	Function of receiving copy of application to VCAT for review of valuation decision	RVC, CFO, DRCS, RUSO	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)	RVC, CFO, DRCS, RUSO	Where Council is the valuation authority

Glenelg Shire Council

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	Not Delegated	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	Not Delegated	

Victorian Local Government Grants Commission Act 1976			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 10	Duty to supply prescribed information to the commission by certain time	CFO, DRCS	DRCS when CFO is on leave

Victoria State Emergency Service Act 2005			
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Glenelg Shire Council

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

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	DRCS	If the Chief Data Officer gives a notice under s 8
s 10(b)	Power not to respond to the request	DRCS	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	DRCS	If the Chief Data Officer gives a notice under s 11
s 13(b)	Power not to respond to the request	DRCS	If the Chief Data Officer gives a

Glenelg Shire Council

Victorian Data Sharing Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			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	Not Delegated	
s 33(4)	Duty to have regard to policies or guidelines issued under s 33(1)	DRCS	

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	DRCS	Subject to prior consultation with the Council's Chief Executive Officer

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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	DRCS, StP	
s 34(1)	Function of consulting with Authority where exercising its Powers likely to affect Council's functions	DRCS, StP	

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	DRA	
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	DRA	
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	DRA, WM, OM	

Glenelg Shire Council

Water Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 32H	Duty to keep copy of approved management plan available for inspection	DRA	
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	DRA, WM, OM	
s67A	Function of receiving a copy of an application under s 67 in respect of a dam	DRA, WM, OM	
s 67B	Duty to advise the Minister of response to application	DRA	
s 122ZA(2)	Function of consenting to Minister's determination under s 122ZA(1)(b)	DRA	
s.122ZC	Power to contribute money to environmental or recreational area for improving or maintaining the area	DRA	
s144(2)(c)	Function of receiving a declaration by an Authority that land will be a serviced property for the purposes of the Act, if likely to be affected	DRA, WM, OM	

Glenelg Shire Council

Water Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s152	Function of receiving notice of intention to affect works	DRA, WM, OM	
s153	Function of receiving notice to alter or remove works	DRA, WM, OM	
s.165(1)	Power to require an Authority to fix fire plugs to works	DRA, WM	
s165(2)	Duty to meet costs of providing, installing, marking and maintaining all fire plugs that the Council requires	DRA, WM	
s.171D(1)	Power to require Melbourne Water Corporation to fix fire plugs to works	DRA	
s.171D(2)	Duty to meet costs of providing, installing, marking and maintaining fire plug, where plug is in Council's municipal district	DRA, WM	
s.180(1)	Duty to forward copy application for septic tank permit to Authority	MEH, DRCS, GradEHO	

Glenelg Shire Council

Water Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, DRCS, GradEHO	
s180(4)	Duty to comply with any requirement of the Authority in regard to the application	MEH, DRCS, GradEHO	
s180(5)	Duty to not make a decision within 21 days after the copy is forwarded to the Authority	MEH, DRCS, GradEHO	
s188(3)	Function of receiving notice of proposed declaration of a waterway if the Council may have an interest in the waterway	DRA, WM, OM	
s205(3)	Function of receiving notice of proposed declaration that an area of land will be liable to flooding or be a floodway area	DRA, DRCS, WM, OM	
s206(1)(b)	Function of receiving notice that an Order has been published in the Government Gazette	DRA, WM, OM	
s206(3)	Duty to prevent land uses that are inconsistent with any identified flood	DRA, DRCS,	

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Water Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	hazards	WM, OM	
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	DRA	
s214(2)(b)	Duty to be represented on a committee to carry out investigations in relation to water management if the Council is affected	DRA	
s.217	Power to apply for an order for removal or modification of works	DRA, WM, OM	
s218(2)(b)(ii)	Function of receiving notice of proposed declaration that an area of land will be a drainage course	DRA, WM, OM	
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	DRA, WM, OM	
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	DRA, WM, OM	Subject to the limitations set out in 218

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Water Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	course		
s218(10)	Duty to comply with any request by another public statutory body within 1 month	DRA	
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	DRA	
s244(7)	Function of receiving a copy of a community agreement, if land in the area is affected	DRA	
s244(8)(b)	Power to consent to community agreement where it involves the construction of a drain across a road reserve	DRA, WM, OM	
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	DRA	
s263(2)	Function of receiving a request to arrange for a supplementary valuation	RVC, CFO	

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Water Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to be made		
s 281A(1)	Power to enter into agreement with Melbourne Water Corporation to collect money owing to Melbourne Water Corporation under the Act	Not Delegated	
s 281A(3)	Duty to collect money owing to Melbourne Water Corporation under the Act, that relates to Council's municipal district	Not Delegated	On the terms and conditions agreed with Melbourne Water Corporation or, in default of agreement, determined by the Essential Services Commission
s286(1)(a)	Duty to contribute to the revenue of the Authority if requested	DRA	Conditions set out in s285 and s286
s287(1)(a)	Duty to make a special contribution to the revenue of the Authority if requested	DRA	Conditions set out in s285 and s287

Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

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Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 5(2)	Power to designate an area liable to flooding	Not Delegated	Where Council is the relevant council
r 44	Function of receiving documents	RSM, Build AO, BI, BS	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	RSM, Build AO, BI, BS	Where Council is the relevant council
r 50	Duty to make documents available on request	RSM, Build AO, BI, BS	Where Council is the relevant council
r 51	Function of providing information	RSM, Build AO, BI, BS	Where Council is the relevant council
r 73(2)	Power of providing report and consent	BS	Where Council is the relevant council
r 74(4)	Power of providing report and consent	BS	Where Council is the relevant council

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Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 75(4)	Power of providing report and consent	BS	Where Council is the relevant council
r 76(4)	Power of providing report and consent	BS	Where Council is the relevant council
r 77(3)	Power of providing report and consent	BS	Where Council is the relevant council
r 78(6)	Power of providing report and consent	BS	Where Council is the relevant council
r 79(6)	Power of providing report and consent	BS	Where Council is the relevant council
r 80(6)	Power of providing report and consent	BS	Where Council is the relevant council
r 81(6)	Power of providing report and consent	BS	Where Council is the relevant council
r 82(5)	Power of providing report and consent	BS	Where Council is the relevant council
r 83(3)	Power of providing report and consent	BS	Where Council is the relevant council

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Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 84(9)	Power of providing report and consent	BS	Where Council is the relevant council
r 85(3)	Power of providing report and consent	BS	Where Council is the relevant council
r 86(3)	Power of providing report and consent	BS	Where Council is the relevant council
r 87(2)	Power of providing report and consent	BS	Where Council is the relevant council
r 89(3)	Power of providing report and consent	BS	Where Council is the relevant council
r 90(2)	Power of providing report and consent	BS	Where Council is the relevant council
r 91(5)	Power of providing report and consent	BS	Where Council is the relevant council
r 92(2)	Power of providing report and consent	BS	Where Council is the relevant council
r 94(6)	Power of providing report and consent	BS	Where Council is the relevant Council

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Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 95(3)	Power of providing report and consent	BS	Where Council is the relevant council
r 96(3)	Power of providing report and consent	BS	Where Council is the relevant council
r 97(2)	Power of providing report and consent	BS	Where Council is the relevant council
r 109(1)	Power of providing report and consent	BS	Where Council is the relevant council
r 109(2)	Power of providing report and consent	BS	Where Council is the relevant council
r 109(3)	Power to give consent under rr 109(1) or 109(2)	BS	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	BS	Where Council is the relevant council

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Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 130(1)	Power of providing report and consent	BS	Where Council is the relevant service authority
r 132(1)	Power of providing report and consent	MEH, BS, GradEHO	Where Council is the relevant council
r 133(2)	Power of providing report	BS	Where Council is the relevant council
r 134(2)	Power of providing report and consent	BS	Where Council is the relevant council
r 147L(2)	Function of receiving an application for registration	Build AO, BI, BS	Where Council is the relevant council
r 147M(2)	Function of receiving an application for registration	Build AO, BI, BS	Where Council is the relevant council
r 147N(2)	Function of receiving an application for registration	Build AO, BI, BS	Where Council is the relevant council
r 147O(1)	Power to give notice	BS	Where Council is the relevant council

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Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 147Q	Duty to enter information relating to a swimming pool or spa into Council's register	BS	Where Council is the relevant council
r 147R(1)	Duty to give notice of the matters in r 147R(1)(a) – (g)	BS	Where Council is the relevant council
r 147R(4)	Duty to specify a date for the purposes of r 147R(1)(g)	BS	Where Council is the relevant council
r 147R(5)	Power to specify date	BS	Where Council is the relevant council
r 147S(1)	Duty to remove from the register the information about the swimming pool or spa set out in r 147J, as soon as practicable, where satisfied that a registered swimming pool or registered spa no longer exists or is no longer capable of containing water to a depth of greater than 300 mm	BS	Where Council is the relevant council
r 147S(2)	Duty to give a notice in writing after removing the information about the swimming pool or spa from the register	Build AO, BI, BS	Where Council is the relevant council
r 147T(1)	Duty to determine the date of construction	BS	Where Council is the relevant council

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Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 147U(1)	Duty to determine the date of construction	BS	Where Council is the relevant council
r 147V(1)	Duty of receiving a certificate of compliance	BS	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	BS	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	BS	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)	BS	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)	BS	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	BS	Where Council is the relevant council

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Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	practicable after that decision is made		
r 147ZD	Duty to update the applicable barrier standard on the register to include the applicable barrier standard referred to in the certificate	BS	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	BS	Where Council is the relevant council
r 147ZJ(3)	Duty to give a notice, in writing, to the owner of the land on which the swimming pool or spa relating to the barrier is located	BS	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	Build AO, BI, BS	Where Council is the relevant council
r 147ZL(2)	Duty to give a notice, in writing, to the new owner of the land	BS	Where Council is the relevant council
r 147ZM	Duty to submit the requested information to the Authority in the form approved by	Build AO,	Where Council is the relevant council

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Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the Authority	BI, BS	
r 148	Duty to prepare maps	BS	
r 149(1)	Duty to amend or prepare map for the existing or new designated special area	BS	Where Council is the relevant council
r 149(2)	Duty to advise the Authority if a designated special area is altered or created	Not Delegated	
r 149(3)	Duty to lodge copies of designated special area maps with the Authority	Not Delegated	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	Not Delegated	
r 150	Power to designate areas within council's municipal district in which buildings are likely to be subject to attack by termites.	BS	
r 152(1)	Power to designate areas in council's municipal district that are likely to be subject	BS	For the purposes of the BCA

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Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to significant snowfalls		
r 153(2)	Power of providing report and consent	BS	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	Not Delegated	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	BS	Where Council is the relevant council
r 153(6)	Duty to consult with the floodplain management authority for the site and specify a level in line with r 153(6)(b) requirements	BS	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)	BS	Where Council is the relevant council
r 154(1)	Power of providing report and consent	BS	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	BS	Where Council is the relevant council

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Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	designated land or designated work		
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)	BS	
r 166B(c)(ii)	Power to approve floor area size greater than 60m ²	BS	
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	BS	
r 166C(1)(b)	Function of receiving notification from building owner of the proposed commencement date of that occupation	BS	
r 166C(2)	Function of receiving notification from building owner of proposed commencement date of occupation	BS	
r 187(2)	Power of providing report and consent	Build AO,	Where Council is the relevant council

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Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		BI, MEH, BS	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	Build AO, BI, BS	For the purposes of s 75 of the Building Act 1993
r 202(2)	Duty to keep documents relating to a temporary approval for 3 years after the earlier of the two periods set out in rr 202(2)(a) and 202(2)(b)	Build AO, BI, BS	For the purposes of s 75 of the Building Act 1993
r 203	Function of receiving documents	Build AO, BI, BS	
r 205	Function of receiving information	Build AO, BI, BS	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	Build AO, BI, BS	Where Council is the relevant council If the essential safety measure is required under

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Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			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	BS	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)	EMC, DRCS, MLL	
r 105(8)	Duty to give written notice to Authority of names and addresses of persons elected as representatives of Council	LLTL, EMC, DRCS	

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Dangerous Goods (Explosives) Regulations 2022			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 147(3)	Function of receiving written notice of intention to discharge firework, Chinese firecrackers or theatrical fireworks	DRCS	Does not apply if local law requires a person to give Council greater notice of an intention to discharge fireworks
r 147(6)	Function of receiving written notice of intention to discharge fireworks or firecrackers in or near port waters	DRA, DRCS, LPPBM	Where Council administers the relevant area of water

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

Electricity Safety (Electric Line Clearance) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

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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	WM	
sch 1 cl 19	Function of receiving notice after completion of cutting or removal of the trees	WM	
sch 1 cl 20	Power to consult relating to safety of cutting or removal of trees close to an electric line	WM	
sch 1 cl 21(1)	Power to consult relating to assisting to determine an additional distance that allows for conductor sag and sway	WM	
sch 1 cl 21(3)	Duty to keep record of the additional distance for at least 5 years	WM	

Infringements Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 8	Duty to report listed information to Attorney-General	LLTL, DRCS, LLO, MLL	

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Land Acquisition and Compensation Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 11	Function of providing certain information as set out in (a)-(h) as requested by an Authority	Not Delegated	
r 12	Function of providing certain information as set out in (a) - (d) as requested by an Authority	DRA, WM	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	RVC, CFO, DRCS	

Local Government (Long Service Leave) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

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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	CFO, DRA, DRC, DRCS, CIO	
r 7(3)	Duty to pay the member one-tenth of 3 months ordinary pay for each year of completed recognised service	CFO, DRA, DRC, DRCS, CIO	
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)	CFO, DRA, DRC, DRCS, CIO	
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	CFO, DRA, DRC, DRCS, CIO	
r 7(6)(b)	Duty to pay the member one-tenth of 3 months ordinary pay for each year of completed recognised service	CFO, DRA, DRC, DRCS, CIO	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

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Local Government (Long Service Leave) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			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	CFO, DRA, DRC, DRCS, CIO	
r 8(3)	Duty to pay the member one-tenth of 3 months ordinary pay for each year of completed recognised service	CFO, DRA, DRC, DRCS, CIO	
r 8(4)(b)	Duty to pay member one-tenth of 3 months ordinary pay for each year of completed recognised service	CFO, DRA, DRC, DRCS, CIO	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	CFO, DRA, DRC, DRCS, CIO	

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Local Government (Long Service Leave) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 8(7)(b)(i)	Function of approving medical practitioner	CFO, DRA, DRC, DRCS, CIO	
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	CFO, DRA, DRC, DRCS, CIO	
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	CFO, DRA, DRC, DRCS, CIO	
r 14(1)(b)	Duty to grant the member a day off instead of a public holiday	CFO, DRA, DRC, DRCS, CIO	
r 14(2)	Power to agree on a mutually convenient time with the member	CFO, DRA, DRC, DRCS,	

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Local Government (Long Service Leave) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		EMOD, CIO	
r 15	Power to agree on a mutually convenient time with the member to take all or part of long service leave entitlement	CFO, DRA, DRC, DRCS, EMOD, CIO	
r 16	Power to approve long serve leave entitlement at half the salary for twice the period	CFO, DRA, DRC, DRCS, EMOD, CIO	
r 17	Power to approve a member to engage in any employment for hire or reward while the member is on long service leave	Not Delegated	
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	CFO, DRA, DRC, DRCS, EMOD, CIO	
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	CFO, DRA, DRC, DRCS, CIO	Where Council is the member's former employer

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Local Government (Long Service Leave) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	CFO, DRA, DRC, DRCS, CIO	Where Council is the member's former employer
r 19(4)	Duty to refund a payment made to it under subregulation (3)	CFO, DRA, DRC, DRCS, CIO	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	CFO, DRA, DRC, DRCS, CIO	

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	CFO, DRCS	

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Local Government (Planning and Reporting) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 5(2)	Duty to include a statement of capital works in the Financial Plan	CFO, DRCS	
r 6	Duty to include prescribed information in the Financial Plan	CFO, DRCS	
r 7	Duty to include the prescribed information in the financial statements included in the budget	CFO, DRCS	
r 8	Duty to include other prescribed information in the budget or revised budget	CFO, DRCS	
r 9(2)	Duty to include the prescribed information in the report of operations	CPO, CWM, DRC, DRCS	
r 10	Duty to include in the report of operations a description of the operations of Council	DRC, DRCS	
r 11	Duty to include prescribed information relating to performance results in the performance statements	CPO, CWM, DRC, DRCS	
r 14	Duty to include the prescribed information in financial statements contained in the annual	CPO, CWM, DRC,	

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

Occupational Health and Safety Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 375(3)(c)(ii)	Function to assist in the preparation of an emergency management plan for a major hazard facility	Not Delegated	
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	EMC, DRCS	
r 379(4)(b)	Function to review and, if necessary, revise the emergency management plan in relation to the off-site consequences of a major incident occurring	Not Delegated	
r 394(1)	Function to receive information about the safety of a major hazard facility	Not Delegated	

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Occupational Health and Safety Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	EMC, DRCS	
r 433(2)(b)(ii)	Function of assisting in the preparation of an emergency management plan for a prescribed mine	EMC, DRCS	
r 434(b)(ii)	Function to receive a copy of the emergency plan relating to the off-site consequences of a major incident occurring	EMC, DRCS	

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, DRCS, GradEHO	
r 59(4)	Function of being notified of test results	MEH, DRCS, GradEHO	

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Public Health and Wellbeing Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 59(7)	Function of receiving written notice	MEH, DRCS, GradEHO	
r 98	Function of being notified by the Secretary	MEH, DRCS, GradEHO	
r 112(1)	Power to request information	MEH, DRCS, GradEHO	

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	DRCS	

Road Safety Road Rules 2017

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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	LLTL, DRCS, LLO, OM, MLL	
r 244C	Function of consulting with the Head, Transport for Victoria regarding specification of a route or area under r 244C(1)	DRA	
r 289(1)(d)	Power to prohibit drivers riding bicycles or animals on the nature strip	LLTL, DRCS, LLO, MLL	

Road Safety (General) Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
79(1)(b)	Power to authorise staff member to file a charge	LLTL, DRCS, MLL	

Road Safety (Traffic Management) Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

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Road Safety (Traffic Management) Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 5	Power to appoint school crossing supervisor	LLTL, DRCS, MLL	
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	DRA, DRCS, WM	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	DRA, DRCS, WM	
r 11(1)	Power to erect, display, place, remove or alter traffic control devices on roads or road related areas	DRA, DRCS, WM	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	DRA, DRCS,	On a road or road related area forming part of an

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Road Safety (Traffic Management) Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Safety Road Rules 2017 (Vic)	WM	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	DRA, DRCS, WM	
r 11(2)(c)	Power to erect, display, place, remove or alter a traffic control device installed in accordance with r 15	DRA, DRCS, WM	
r 11(2)(d)	Power to erect, display, place, remove or alter any other minor traffic control device or a major traffic control device	DRA, DRCS, WM	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	DRA, DRCS, WM	If a minor traffic control device referred to in r 11(2)(a) is inconsistent with a major traffic control device located on the same length of road

Glenelg Shire Council

Road Safety (Traffic Management) Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	DRA, DRCS, WM	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	DRA, DRCS, WM	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	DRA, DRCS, WM	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	DRA, DRCS, WM	Where Council is the coordinating road authority for that road
r 30(4)	Power to approve, in writing, a police-controlled rolling road closure	DRA,	Where Council is the coordinating road authority

Glenelg Shire Council

Road Safety (Traffic Management) Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		DRCS, WM	
r 32(2)(d)(ii)	Power to approve a highway collection being conducted	DRA, DRCS, WM	
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	DRA, DRCS, WM	Where Council is the coordinating road authority
r 34(4)	Power to reduce, waive or refund the fee for a permit	DRA, DRCS, WM	Where Council is a coordinating road authority If there are special circumstances that justify the reduction, waiver or refund of the fee

Road Safety (Vehicles) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

Glenelg Shire Council

Road Safety (Vehicles) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 122(3)	Power to enter into an agreement with Secretary to provide extracts for fees	DRA, DRCS, WM	

Subdivision (Fees) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 9	Power to fix a fee for considering an engineering plan submitted under s 15 of the Subdivision Act 1988	RSM, DRCS	
r 12	Power to waive or rebate the payment of a fee payable under the Subdivision Act 1988	RSM, DRCS	
r 13	Duty to record reasons for waiving or rebating payment of a fee under r 12 in writing	RSM, DRCS, PlanAO, SP, StP	

Glenelg Shire Council

Subdivision (Procedures) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 11	Duty to give the applicant the street address and lot location of each plot on the plan	RSM, DRCS, PlanAO, SP, StP	
r 14(a)	Duty to provide the referral authority with a copy of the application and certain details	RSM, DRCS, PlanAO, SP, StP	
r 14(b)	Duty to provide the applicant with a copy of the application and certain details	RSM, DRCS, PlanAO, SP, StP	
r 19(1)	Duty to send the referral authority notice of revised time for consideration of the plan, when sending a copy of altered plan under s 10(5) of Subdivision Act 1988	RSM, DRCS, PlanAO, SP, StP	
r 19(3)	Duty to send the applicant notice of revised time for consideration of the plan when altered plan is sent to a referral authority under s 10(5) of Subdivision Act 1988	RSM, DRCS, PlanAO, SP, StP	

Glenelg Shire Council

Subdivision (Procedures) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 23(a)	Duty to provide the referral authority with a copy of the plan and certain details, when referring an application to amend a certified plan under s 11(2) of Subdivision Act 1988	RSM, DRCS, PlanAO, SP, StP	
r 23(b)	Duty to provide the applicant with a copy of the application and certain details, when referring an application to amend a certified plan under s 11(2) of Subdivision Act 1988	RSM, DRCS, PlanAO, SP, StP	
r 29	Duty to provide the applicant with the amended street address and lot location of each lot on amended plan or new plan	RSM, DRCS, PlanAO, SP, StP	In circumstances described in r 29
r 33(1)	Duty to maintain a register of applications	RSM, DRCS, PlanAO, SP, StP	May be kept in conjunction with register of permit applications kept under s 49(1) of the Planning and Environment Act 1987
r 33(4)	Duty to make the register available for inspection	RSM, DRCS, PlanAO, SP, StP	

Glenelg Shire Council

Subdivision (Procedures) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 36(4)	Duty to send notice of refusal where Council refuses to issue a statement of compliance under s 21 of Subdivision Act 1988	RSM, DRCS, SP, StP	

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	DRCS, SP, StP	

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	DRA, DRC, DRCS,	Power to authorise requisitions and purchase orders is set

Glenelg Shire Council

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	provision of goods, services and works to the Council	EMOD, CIO	<p>out in Procurement Policy.</p> <p>CEO may approve payments in accordance with level of authority, or a requisition or purchase order approved by Council. CEO may delegate payment approvals within level of authorisation to a Director or Manager in writing.</p> <p>Directors may approve payments in accordance with level of authority, or a delegation by CEO or Council. Directors may delegate payment approvals within level of authorisation to a Manager in writing, but cannot sub-delegate other payment approvals.</p> <p>Managers may approve payments in accordance with level of authority, or a delegation by Director, CEO, Council.</p> <p>Coordinators and Supervisors may approve payments in accordance with level of authority in accordance with Procurement Policy</p>

Glenelg Shire Council

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section A - Finance Issues	Power to authorise payment of wages, salaries, related payments.	FCo, CFO, DRCS	
Section A - Finance Issues	Power to authorise payment of Councillor and Mayoral allowances	FCo, CFO, DRCS	<p>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</p> <p>In accordance with s 39(6) of the Local Government Act 2020, s 74 of the Local Government Act 1989 continues to apply in respect of allowances payable to Mayors, Deputy Mayors and Councillors until the first Determination made by the Victorian Independent Remuneration Tribunal in accordance with s 39(6) of the Local Government Act 2020</p>
Section A - Finance Issues	Power to open bank accounts in Council's name	CFO, DRCS	

Glenelg Shire Council

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section A - Finance Issues	Power to approve invoices and accounts for payment. Budget items - e.g. super.	DRA, DRC, DRCS, EMOD, CIO	
Section A - Finance Issues	Power to authorise enforcement of overdue debts	RVC, CFO, DRCS	
Section A - Finance Issues	Power to appoint collection agency	RVC, CFO, DRCS	
Section A - Finance Issues	Power to approve contract variations	DRA, DRC, DRCS, CIO	Authorised to approve contract variations (additions and deductions) that do not exceed \$15,000 for contracts with a total value less than \$150,000 or ten percent for contracts with a total value of \$150,000 or greater subject to compliance with approved budget
Section A - Finance Issues	Power to amend or vary agreements	DRA, DRC, DRCS, CIO	

Glenelg Shire Council

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section A - Finance Issues	Power to sign cheques	FCo, CFO, DRA, DRC, DRCS, CIO	
Section A - Finance Issues	Power to authorise Petty Cash	DRA, DRC, DRCS, EMOD, CIO	
Section A - Finance Issues	Power to issue credit cards to staff	DRCS	
Section A - Finance Issues	Power to authorise calling of invitations for expressions of interest or tenders for works, services and equipment.	DRA, DRC, DRCS, EMOD, CIO	
Section A - Finance Issues	Power to authorise to sign contracts of sale and vendor statements for land approved for sale.	DRCS	
Section A - Finance Issues	Power to sign contracts of sale for the approved acquisition of Real Estate (see 2A).	DRCS	

Glenelg Shire Council

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section A - Finance Issues	Power to authorise the order, release, refund, or return of securities, bank guarantees and bonds, relating to property transactions only.	DRA, DRC, DRCS	Subject to the property transaction being within the Director's functional responsibility
Section A - Finance Issues	Power to authorise progress payments.	DRA, DRC, DRCS, CIO	
Section A - Finance Issues	Power to authorise payment of contract variations.	DRA, DRC, DRCS, CIO	Authorised to approve contract variations (additions and deductions) that do not exceed \$15,000 for contracts with a total value less than \$150,000 or ten percent for contracts with a total value of \$150,000 or greater subject to compliance with approved budget
Section A - Finance Issues	Power to determine fees and charges.	DRA, DRC, DRCS, CIO	
Section A -	Power to authorise the sale or disposal of assets other than	DRA, DRC,	

Glenelg Shire Council

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Finance Issues	land.	DRCS, CIO	
Section A - Finance Issues	Power to write off bad debts	CFO, DRCS	
Section A – Finance Issues	Power to approve electronic payments and transfers	FCo, CFO	
Section B - Building Issues	Power to determine fees required under cl 1(c)(i) of sch 2, ss 18, 42 and 54 of the Building Act 1993 for building permit, application for an occupancy permit (building work), application for an occupancy permit (places of public entertainment) and under rr 147P(3), 147X and 147ZJ of the Building Regulations 2018 in relation to swimming pool or spa barriers.	DRCS	
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	DRCS	

Glenelg Shire Council

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		
Section C - Miscellaneous Issues	Power to appoint agent, and enter into agency agreement, for the purposes of s108 of the Local Government Act 2020	CFO, DRA, DRCS	
Section C - Miscellaneous Issues	Power to obtain legal opinions and instruct external legal providers	CGC, RVC, CPC, DRA, DRC, DRCS, EMOD, CIO	
Section C - Miscellaneous Issues	Power to approve legal costs	DRA, DRC, DRCS, CIO	
Section C - Miscellaneous Issues	Power to make "ex gratia" settlement of insurance claims.	DRCS, IRO, RiskSM, WIMO	

Glenelg Shire Council

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section C - Miscellaneous Issues	Power to manage processing of insurance claims.	IRO, RiskSM, WIMO	
Section C - Miscellaneous Issues	Power to execute funding and service agreements with other levels of government.	DRA, DRC, DRCS, CIO	Subject to: The claims, acquittal and service agreements are in accordance with the applications for the government funding or a variation approved by the Council or CEO and prior to the DRCS signing any claim, acquittal or services agreements the approval of the relevant manager must be obtained
Section C - Miscellaneous Issues	Power to execute applications for government grants.	DRA, DRC, DRCS, CIO	Subject to approval from the Executive Team
Section C - Miscellaneous Issues	Power to determine suitability and value of "in kind" local contributions toward \$ for \$ capital works.	DRA, DRC, DRCS, CIO	

Glenelg Shire Council

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section C - Miscellaneous Issues	Power to assess and determine applications for HACC services.	ADSM, DRC	
Section C - Miscellaneous Issues	Power to grant approval for storage or sale of liquor on Council premises.	DRA, DRC, DRCS, CIO	
Section C - Miscellaneous Issues	Power to make seasonal and casual allocation of sporting grounds.	CWM, DRC	
Section C - Miscellaneous Issues	Power to enter into agreements for voluntary or not-for-profit organisation to use Council facilities	DRA, DRC, DRCS, CIO	
Section C - Miscellaneous Issues	Power to make statements to the press	Not Delegated	Subject to compliance with Council's media policy

Glenelg 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 the Victorian Civil and Administrative Tribunal, including a decision to settle the proceeding	DRA, DRC, DRCS, RiskSM	Where Council is a party to a proceeding at the Victorian Civil and Administrative Tribunal
Section C - Miscellaneous Issues	Power to give authority to make statements to the press	Not Delegated	Subject to compliance with Council's media policy
Section C - Miscellaneous Issues	Power to authorise the issue of media releases	DRA, DRC, DRCS, MCO, CIO	
Section C - Miscellaneous Issues	Power to authorise access to Council files and documents	DRA, DRC, DRCS, CIO	
Section C - Miscellaneous Issues	Power to sign correspondence	AIIPo, DRA, DRC, DRCS, CIO	

Glenelg Shire Council

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section C - Miscellaneous Issues	Power to enter into a licence for the occupation or use of property	DRA, DRC, DRCS, CIO	
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	DRA, DRC, DRCS, RiskSM, CIO	
Section C - Miscellaneous Issues	Power to approve litigation settlement amounts	DRA, DRC, DRCS, IRO, RiskSM	up to ## insert amount## Directors up to approved budget allocation as per Procurement Policy IRO for matters involved in Insurance Claims subject to prior consultation with DRCS.
Section C - Miscellaneous Issues	Power to appeal a decision of the Victorian Civil and Administrative Tribunal or Court	Not Delegated	
Section C - Miscellaneous	Duty to administer a competition and consumer protection	DRA, DRC,	

Glenelg Shire Council

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Issues	compliance program	DRCS, CIO	
Section C - Miscellaneous Issues	Duty to administer a privacy compliance program	CGC, DRCS	
Section C - Miscellaneous Issues	Power to authorise entertainment expenses	DRA, DRC, DRCS, CIO	
Section C - Miscellaneous Issues	Power to authorise publication on the internet	DRA, DRC, DRCS, MCO, CIO	
Section C - Miscellaneous Issues	Power to authorise publication on the Intranet	DRA, DRC, DRCS, MCO	
Section C - Miscellaneous	Power to make or authorise the making of submissions to external bodies	DRA, DRC, DRCS, CIO	

Glenelg Shire Council

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Issues			
Section C - Miscellaneous Issues	Power to approve arrangements having important public relations aspect (e.g. opening ceremony for new facilities)	DRA, DRC, DRCS, CIO	
Section C - Miscellaneous Issues	Power to authorise expenditure on advertising and media	DRA, DRC, DRCS, CIO	
Section C - Miscellaneous Issues	Power to give permission to publish any document or publication	DRA, DRC, DRCS, CIO	
Section C - Miscellaneous Issues	Power to authorise allocation or changeover of garbage bins	DRA, PPFM	
Section C - Miscellaneous	Power to serve statements under the Land Acquisition and Compensation Act 1986	DRA, DRCS	

Glenelg Shire Council

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Issues			
Section C - Miscellaneous Issues	Power to sign transfer-related documentation under the Duties Act 2000	DRA, DRCS	
Section C - Miscellaneous Issues	Power to authorise the release of deposit moneys under the Sale of Land Act 1962	DRA, DRCS	
Section C - Miscellaneous Issues	Power to serve statutory notices in relation to land owned or managed by Council	DRA, DRCS	
Section C - Miscellaneous Issues	Power to request a Minister or Secretary to appoint a Council officer to be an authorised officer or authorised for a particular purpose under an Act	Not Delegated	
Section C - Miscellaneous	Function of lodging claims for Natural Disaster Financial Assistance and liaising with the Department of Treasury and	DRA, DRC, DRCS, CIO	

Glenelg Shire Council

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Issues	Finance regarding claims		



GLENELG SHIRE COUNCIL

INSTRUMENT OF DELEGATION

S13 INSTRUMENT OF DELEGATION OF CEO POWERS, DUTIES AND FUNCTIONS

1 MARCH 2023

Glenelg Shire Council

Preamble

By this Instrument of Delegation, in exercise of the power conferred by s 47(2) of the *Local Government Act 2020*, I, as Chief Executive Officer of Glenelg 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 as below follows:
3. record that on the coming into force of this Instrument of Delegation each delegation under the Instrument of Delegation dated 28 September 2022 and executed by Greg Burgoyne is revoked;
4. declare that this Instrument of Delegation -
 - 4.1 comes into force immediately upon its execution;
 - 4.2 remains in force until varied or revoked; and
 - 4.3 is subject to any conditions and limitations set out in paragraph 5, and in the Schedule; and
5. declare that the delegate must not determine the issue, take the action or do the act or thing if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation.

This Instrument of Delegation is dated Wednesday 1 March 2023 and is made by the Chief Executive Officer.

.....

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

.....

Witness:.....

Date:

Glenelg Shire Council

Delegation Sources

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

Positions

Abbreviation	Position	Name
CFO	Chief Finance Officer	
CIO	Chief Information Officer	
CSM	Children's Services Manager	
CGC	Corporate Governance Coordinator	
CSC	Council Support Coordinator	
DRA	Director Assets	
DRC	Director Community Services	

Glenelg Shire Council

Abbreviation	Position	Name
DRCS	Director Corporate Services	
EMC	Emergency Management Coordinator	
EACEO	Executive Assistant CEO	
EACS	Executive Assistant Corporate Services	
EMOD	Executive Manager Organisational Development	
IRO	Insurance & Risk Officer	
LLO	Local Laws Officer	
LLTL	Local Laws Team Leader	
MEH	Manager Environmental Health	
MLL	Manager Local Laws	
Not Delegated	Not Delegated	
PlanAO	Planning Administration Officer	
PPFM	Project Planning and Facilities Manager	
RUSO	Rate Unit Support Officer	
RVC	Rates and Valuations Coordinator	
RSM	Regulatory Services Manager	
RiskSM	Risk and Safety Manager	

Glenelg Shire Council

Abbreviation	Position	Name
StP	Statutory Planner	
SP	Strategic Planner	
WIMO	Workcover and Injury Management Officer	

Glenelg Shire Council

S13 Instrument of Delegation of CEO powers, duties and functions

Child Wellbeing and Safety Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 29(2)	Function of receiving written notice and consenting to inspection of relevant premises by the Commission for Children and Young People	DRC, CSM	
s 29(3)	Power to consent to inspection of relevant premises without written notice by the Commission for Children and Young People	DRC, CSM	
s 36	Duty to ensure that the Commission for Children and Young People is given any assistance reasonably required to perform functions	DRC, CSM	
s 43	Function of receiving birth notice in certain circumstances	DRC, CSM	
s 45	Duty to send a copy of a birth notice to a nurse or the Secretary	DRC, CSM	
s 46K(1)(g)	Power to authorise, in writing, a person employed or engaged by Council, in relation to childhood services implementation or policy, as a Child Link user	DRC, CSM	

Glenelg Shire Council

Child Wellbeing and Safety Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46K(1)(h)	Power to authorise, in writing, a nurse employed or engaged by Council, to provide maternal and child health programs for a Maternal and Child Health service, as a Child Link user	DRC, CSM	

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

Glenelg Shire Council

Fines Reform Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 175(1)(b)	Power to certify that exceptional circumstances apply requiring Council not to provide required information	Not Delegated	Where Council is a 'specified agency'

Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 66	Power to disclose information in capacity as a collection agency unless that information will or is likely to identify a particular person	RVC, CFO, DRCS	s 66 does not apply if the disclosure is permitted by, or is necessary for the administration of, this Act
s 68(1)(b)	Power to authorise the secondary disclosure of information obtained under, or in relation to the administration of, this Act	RVC, CFO, DRCS	

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

Glenelg Shire Council

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50AB	Function of signing a certificate under this Act	MEH, DRCS	

Freedom of Information Act 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 6W(4)	Duty to ensure that all officers and employees are informed about the requirements of the professional standards	CGC, DRCS	
s 8(2)	Duty to make certain documents available for inspection and purchase	CGC, DRCS	
s 8(3)	Duty to cause to be prepared a corresponding document, altered only to the extent necessary to exclude exempt matter	CGC, DRCS	
s 8(5)	Duty to cause the fact of the existence of a document to be published	CGC, DRCS	

Glenelg Shire Council

Freedom of Information Act 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 61E	Duty to co-operate with the Information Commissioner in dealing with a complaint	CGC, DRCS, EACS	
s 61G	Function of consulting with the Information Commissioner	CGC, DRCS	
s 61GA(1)(a)	Function of processing or identifying a reasonable sample of the documents upon notice from the Information Commissioner	CGC, DRCS	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	CGC, DRCS	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	CGC, DRCS	

Glenelg Shire Council

Freedom of Information Act 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 61GA(3)	Power to apply for extension	CGC, DRCS	
s 61H	Power to reach an agreement with a complaint	CGC, DRCS	
s 61I(2)	Power to make submissions in relation to a complaint	CGC, DRCS	
s 61L(5)	Power to comment on and response to a draft recommendation or draft comment	CGC, DRCS	
s 61R(4)	Power to respond to adverse material	CGC, DRCS	
s 63BA(1)	Power to apply to the Supreme Court for a determination	CGC, DRCS	
s	Power to make an application	CGC,	

Glenelg Shire Council

Freedom of Information Act 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
63BA(4)(a)		DRCS	
s 63E(3)(b)	Power to give written consent to a disclosure	CGC, DRCS	
s 64B	Duty to give the Information Commissioner any information referred to in s 64(2)	CGC, DRCS	

Independent Broad-Based Anti-Corruption Commission Act 2011			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 41	Power of receiving information acquired by the Independent Broad-based Anti-corruption Commission (IBAC)	DRCS	
s 57	Duty to notify IBAC of any matter believed to constitute corrupt conduct	DRCS	Subject to any exemption notices issued under s 57B

Glenelg Shire Council

Independent Broad-Based Anti-Corruption Commission Act 2011			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57A(5)	Duty to comply with Directions made by IBAC under s 57A	DRCS	
s 59D(2)	Duty to comply with request by IBAC under s 59D for relevant information	DRCS	
s 73	Power of receiving a complaint pertaining to Council staff, under circumstances in which it would be more appropriate for Council to conduct the investigation	DRCS	
s 159	Power of receiving IBAC recommendations about the action to be taken following an IBAC investigation	DRCS	
s 162(2)	Power of receiving and responding to an IBAC special report that includes matters pertaining to Council	DRCS	
s 163(3)	Power of receiving written information about the commencement, conduct or results of an IBAC investigation pertaining to Council	DRCS	
s 165(2)	Power of receiving and responding to IBAC material that includes matters pertaining to Council,	DRCS	

Glenelg Shire Council

Independent Broad-Based Anti-Corruption Commission Act 2011			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to be published in the IBAC annual report		

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 32(4)(a)	Duty to ensure that the Councillor induction training is available to be taken by a Councillor from the day the Councillor takes the oath or affirmation of office	DRCS, EACEO	
s 32(4)(b)	Duty to provide reasonable assistance to a Councillor to enable them to access the Councillor induction training	DRCS, EACEO	
s 46(1)(a)	Function of supporting the Mayor and the Councillors in the performance of their roles	DRCS, EACEO	
s 46(1)(b)	Function of ensuring the effective and efficient management of the day to	DRA, DRC,	

Glenelg Shire Council

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	day operations of the Council	DRCS, EMOD, CIO	
s 46(3)(a)	Duty of establishing and maintaining an organisational structure for the Council	EMOD	
s 46(3)(b)	Responsibility for appointing, directing, managing and dismissing Council staff and for all other issues relating to Council staff	Not Delegated	Subject to section 48(6) prohibiting appointment of a person who has been a Councillor of the Council within 2 years after the person ceases to hold that office
s 46(3)(b)	Power to approve the filling of vacancies or the creation, reclassification, or abolition of positions within budget	Not Delegated	Subject to section 48(6) prohibiting appointment of a person who has been a Councillor of the Council within 2 years after the person ceases to hold that office

Glenelg Shire Council

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46(3)(b)	Power to fix salaries for vacant positions	Not Delegated	
s 46(3)(b)	Power to approve the appointment, engagement or promotion of full time, part time and casual staff	EMOD	Subject to section 48(6) prohibiting appointment of a person who has been a Councillor of the Council within 2 years after the person ceases to hold that office
s 46(3)(b)	Power to approve position descriptions	DRA, DRC, DRCS, EMOD, CIO	
s 46(3)(b)	Power to create or approve creation of new positions	DRA, DRC, DRCS, EMOD, CIO	
s 46(3)(b)	Power to conduct disciplinary action under relevant awards and policies	DRA, DRC, DRCS, EMOD,	

Glenelg Shire Council

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		CIO	
s 46(3)(b)	Power to terminate or suspend the employment of, or to suspend from duty, a member of Council staff	DRA, DRC, DRCS, EMOD, CIO	
s 46(3)(b)	Power to conduct interviews for staff annual review	DRA, DRC, DRCS, EMOD, CIO	
s 46(3)(b)	Power to authorise sick, annual and family leave	CFO, DRA, DRC, DRCS, EMOD, CIO	
s 46(3)(b)	Power to approve long service leave and compassionate leave	DRA, DRC, DRCS, EMOD, CIO	
s 46(3)(b)	Power to authorise all forms of study and training leave and educational assistance	EMOD	

Glenelg Shire Council

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46(3)(b)	Power to approve leave without pay	DRA, DRC, DRCS, EMOD, CIO	
s 46(3)(b)	Power to authorise time sheets, higher duties, time-in-lieu, overtime and travel expense claims	CFO, DRA, DRC, DRCS, EMOD, CIO	
s 46(3)(b)	Power to approve attendance at conferences and seminars by staff	DRA, DRC, DRCS, EMOD, CIO	
s 46(3)(b)	Power to approve attendance at training programs by staff	DRA, DRC, DRCS, EMOD, CIO	
s 46(3)(b)	Power to give approval for staff to travel	DRA, DRC, DRCS, EMOD, CIO	

Glenelg Shire Council

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46(3)(b)	Power to approve travel accommodation for staff	DRA, DRC, DRCS, EMOD, CIO	
s 46(3)(b)	Power to sign Notice of Injury and Work Injury Form	DRA, DRC, DRCS, EMOD, IRO, RiskSM, WIMO	
s 46(3)(b)	Power to approve claims under WorkCover excess	DRA, DRC, DRCS, EMOD, IRO, RiskSM, WIMO	
s 46(3)(b)	Power to approve expenses relating to an approved course of study for staff	Not Delegated	
s 46(3)(b)	Power to approve staff engaging in other employment	Not Delegated	
s 46(3)(b)	Power to determine acceptance or denial of liability in the event of a WorkCover claim	Not Delegated	

Glenelg Shire Council

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46(3)(b)	Power to sign Letter of Acceptance of Resignation	DRA, DRC, DRCS, EMOD, CIO	
s 46(3)(b)	Power to provide references on Council letterhead	DRA, DRC, DRCS, CIO	
s 46(3)(b)	Power to authorise access to a staff member's personal file	DRA, DRC, DRCS, EMOD, CIO	
s 46(4)(a)	Duty to develop and maintain a workforce plan that describes the organisational structure of the Council and specifies the projected staffing requirements for a period of at least 4 years and sets out measures to seek to ensure gender equality, diversity and inclusiveness	Not Delegated	
s 46(4)(b)	Duty to inform the Council before an organisational restructure that will affect the capacity of the Council to deliver the Council Plan is implemented	Not Delegated	
s 46(4)(c)	Duty to consult members of Council affected by a proposed organisational	Not Delegated	

Glenelg Shire Council

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	restructure, before the organisational restructure is implemented		
s 46(5)	Duty to, in giving effect to gender equality, diversity and inclusiveness, comply with any processes and requirements prescribed by the regulations for the purposes of this section of this Act	DRA, DRC, DRCS, EMOD, CIO	
s 46(6)	Duty to ensure that the Mayor, Deputy Mayor, Councillors and members of Council staff have access to the workforce plan	EMOD	
s 47(6)	Duty to submit an annual report to the Council in relation to the activities and performance of a Community Asset Committee in respect of which the members have been given a delegation under this section	DRA, DRC, DRCS, CIO	
s 47(7)	Duty to keep a register of delegations under section 47 of this Act	DRCS, EACS	
s 48(1)	Power to appoint as many members of Council staff as are required to enable the functions of the Council under this Act or any other Act to be performed	Not Delegated	Subject to section 48(6) prohibiting appointment of a person who has been a Councillor of the Council within 2 years after the person ceases to hold that office

Glenelg Shire Council

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 48(2)	Duty to adopt and maintain a recruitment policy addressing the matters listed in s 48(2)	EMOD	
s 49(1)	Duty to develop and implement a code of conduct for members of Council staff	EMOD	Must develop and implement the first code of conduct within 6 months of commencement of this section
s 49(4)	Duty to ensure that members of Council staff have access to the code of conduct for members of Council staff	EMOD	
s 54(6)	Duty to ensure the preparation and maintenance of agendas, minutes and reports of the Audit and Risk Committee	CGC, DRCS	
s 97(1)	Duty to ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public	CFO, DRCS	

Glenelg Shire Council

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 105	Power to designate a person as a Principal Accounting Officer	Not Delegated	
s 109(2)	Duty to ensure that any report of the Council that recommends entering into a procurement agreement includes information in relation to any opportunities for collaboration with other Councils or public bodies which may be available	DRA, DRC, DRCS, CIO	
s 121	Function of receiving application for land information certificate	RVC, DRCS	
s 122	Function of receiving acquisition notice	RVC, CFO, DRCS	See prescribed information under r 7 of the Local Government (Land Information) Regulations 2021
s 130(7)	Duty to notify the Chief Municipal Inspector as soon as practicable after the Chief Executive Officer becomes aware that a relevant person, who is a member of Council staff, has failed to disclose a conflict of interest	DRCS	
s 130(8)	Duty to notify the Council if a relevant person, who is not a Councillor or member of Council staff, fails to disclose a conflict of interest and make a recommendation to the Council as to the action that is to be taken	DRCS	

Glenelg Shire Council

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 132(1)	Power to nominate a 'nominated officer'	Not Delegated	
s 133	Function of receiving an initial personal interests return	DRCS, EACS	
s 134	Function of receiving a biannual personal interests return	DRCS, EACS	
s 135(1)	Duty to prepare a summary of the personal interests information disclosed in the last personal interests return lodged with the Chief Executive Officer	DRCS, EACS	
s 135(3)	Duty to ensure the summary of personal interests is published on the Council's Internet site and available for inspection at the Council office	DRCS, EACS	
s 136(1)	Duty to ensure that personal interests return are kept in accordance with the Public Records Act 1973	DRCS, EACS	
s 136(2)	Duty to ensure that only the 'specified persons' have access to or can inspect a personal interests return	DRCS, EACS	
s 150(1)	Duty to appoint the Councillor Conduct Officer and notify the Principal	Not Delegated	

Glenelg Shire Council

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Councillor Conduct Registrar of the appointment		
s 230(16)	Duty to summon a Council Meeting within 14 days after the public declaration of the election result	Not Delegated	
s 240(10)	Duty to send notice	DRCS	
s 240(11)	Duty to send notice	DRCS	
s 240(12)	Duty to send notice	DRCS	
s 246(1)	Duty to enrol a person following receipt of a written application for enrolment unless she or he believes the personal is not entitled to be enrolled	RVC, CFO, DRCS	
s 246(2)	Power to refuse enrolment and duty to give written reasons for refusal application for enrolment	RVC, CFO, DRCS	
s 246(3)	Power to request information orally or in writing to enable her or him to determine a person's eligibility for enrolment	RVC, CFO, DRCS	

Glenelg Shire Council

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 246(4)	Power to require information to be given in writing and signed by the person giving the information	RVC, CFO, DRCS	
s 247(3)	Power to decide whether address should be placed on voters' roll and to then take action accordingly	RVC, CFO, DRCS	
s 247(4)	Duty to notify the person in writing of a decision to grant or refuse a request to remove the person's address from Council voters' roll	RVC, CFO, DRCS	
s 248(1)	Duty to supply to the Victorian Electoral Commission list of voters who appear to be entitled to be enrolled as ratepayers or corporation representatives and any information required by the Victorian Electoral Commission to compile or amend the voters' roll	RVC, CFO, DRCS	
s 248(2)	Power to include in the list supplied to the Victorian Electoral Commission people whose address on the rate notice is outside of the municipal district	RVC, CFO, DRCS	For the purposes of section 243
s 254(1)	Power to use the Council voters' roll for communicating or consulting the local community on the performance of the Council's functions	Not Delegated	Subject to section 254(2)(a) and (b)

Glenelg Shire Council

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 254(2)	Duty to obtain undertaking	Not Delegated	
s 254(4)	Power to request the Victorian Electoral Commission to provide a copy of the voters' roll	RVC, CFO	
s 258(8)	Duty to notify the Minister and the Victorian Electoral Commission that an extraordinary vacancy has occurred within 3 days of receiving a written resignation from a Councillor or becoming aware of an extraordinary vacancy	CGC, DRCS	
s 306(1)	Function of receiving election campaign donation return	CGC, DRCS, EACEO	
s 307(1)(a)	Duty to submit a report to the Minister specifying details of the candidates in the election and who submitted an election campaign donation return within 14 days after the period specified in section 360(1)	CGC, DRCS	
s 307(2)	Duty to provide a summary of each election campaign donation return given to the Chief Executive Officer on the Council's Internet site	DRCS, EACEO	

Glenelg Shire Council

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 307(3)	Duty to ensure that a summary of the return is made available on the Council's Internet	DRCS	
s 308(2)	Duty to ensure that a summary of an election campaign donation return is made available on the Council's Internet site until the close of the roll for the next general election	DRCS, EACEO	
s 308(3)	Duty to ensure that a copy of an election campaign donation return is available for inspection at the Council's office for a period of 4 years from the date specified in section 360(1)	DRCS, EACEO	
s 313(2)	Power to represent the Council in all respects as though the person was the party concerned in any proceedings in which the Council is a party or has an interest	DRA, DRC, DRCS, EMOD, CIO	
s 324(2)	Power to sign a certificate certifying any matter relating to the contents of any document kept by a Council	DRA, DRC, DRCS, EMOD, CIO	

Glenelg Shire Council

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 181G	Duty to ensure that quarterly statement prepared under section 138 of Local Government Act 1989 includes relevant details of environmental upgrades and charges	CFO, DRCS	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 140	Power to certify copies of instruments, documents, maps or plans under this Act	RSM, DRCS, PlanAO, SP, StP	Where the Council is the relevant responsible authority
s 141	Power to provide evidentiary statement pertaining to land use and permits under this Act	RSM, DRCS, SP, StP	Where the Council is the relevant responsible authority
s 142	Power to provide evidentiary statement pertaining to s 173 agreements under this Act	RSM, DRCS, PlanAO, SP, StP	Where the Council is the relevant responsible authority

Glenelg Shire Council

Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 226(2)	Power to sign evidentiary certificates under this Act	MEH, DRCS	

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

Rooming House Operators Act 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4	Function of liaising with Business Licensing Authority	Not Delegated	

Glenelg Shire Council

Rooming House Operators Act 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 15(1)	Duty to provide information to Business Licensing Authority on request	Not Delegated	
s 15(2)	Duty to give a report to Business Licensing Authority on inquiries made in response to request under s 15(1)	Not Delegated	
s 24(2)	Duty to give a report to Business Licensing Authority on inquiries made in response to request under s 24(1)	Not Delegated	

Service Victoria Act 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 5(2)	Function of receiving a copy of the agreement made under s 5(1)	Not Delegated	
s 5(4)	Function of receiving a copy of a notice under s 5(3)	Not Delegated	

Glenelg Shire Council

Service Victoria Act 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 6	Duty to use best endeavours to give effect to a notice under s 5(3) which applies to Council	Not Delegated	
s 7(3)	Function of receiving a copy of the agreement made under s 7(1)	Not Delegated	
s 7(4)	Function of receiving a copy of a notice under s 7(3)	Not Delegated	
s 8(2)	Power to delegate the transferred customer service function to any person or class of person employed by, or acting on behalf of, the service agency from which the function is transferred	Not Delegated	Where Council's CEO has been transferred a transferred customer service function
s 9A(1)	Power to agree in writing for the Service Victoria CEO to perform a customer service function	Not Delegated	
s 10(2)	Function of receiving a copy of the agreement made under s 10(1)	Not Delegated	

Glenelg Shire Council

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

Glenelg Shire Council

Service Victoria Act 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 24A(2)(a)	Function of agreeing on form of delivery	Not Delegated	
s 47A(1)	Power to enter into an agreement with Service Victoria CEO for Service Victoria CEO to establish and maintain a database for the purpose of recording information for the purpose of recording information	Not Delegated	Note: Minister must approve the establishment and maintenance of a database
s 47G(1)	Power to request the Service Victoria CEO to, in whole or in part: (a) close a database established or maintained under s 47A (b) transfer the database (c) with agreement of another service agency, transfer the database to the other agency or related party	Not Delegated	

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

Glenelg Shire Council

Sheriff Act 2009			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 54	Power to exempt Council from providing information to the Sheriff otherwise authorised by a warrant if exceptional circumstances apply	RVC, MLL	

Tobacco Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 36	Power to nominate a person to be appointed an inspector	Not Delegated	

Valuation of Land Act 1960			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 3(5)(ba)	Power to request valuations of land	RVC, DRCS	

Glenelg Shire Council

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

Victorian Inspectorate Act 2011

Glenelg Shire Council

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

Local Government (Electoral) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 15(1)	Duty to provide details of a person's entitlement to be enrolled as a ratepayer on the voters' roll	RVC, CFO	
r 15(2)	Power to exchange relevant information to enrolment entitlements with the VEC	RVC, CFO, DRCS	
r 18	Duty to maintain a list of silent voters	RVC, CFO, DRCS	

Glenelg Shire Council

Local Government (Electoral) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 19	Duty to ensure that only authorised persons have access to details of silent voters	RVC, CFO, DRCS	
r 33	Duty to cause the Local Government Candidate Training to be conducted	DRCS	
r 34	Function of receiving prescribed information from person undertaking Local Government Candidate Training	DRCS	
r 35	Duty to keep a register of attendance	DRCS	
r 36(2)	Duty to comply with notice under subsection (1)	DRCS	
r 83	Duty to submit report on election received by the VEC to Council	DRCS	

Local Government (Governance and Integrity) Regulations 2020
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Glenelg Shire Council

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 5(b)	Power to approve the taking of the oath or affirmation of office by means of an audio visual link for the purposes of s 30 of the Local Government Act 2020	DRCS	

Local Government (Land Information) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 5(2)	Power to sign a land information certificate	RVC, DRCS	



GLENELG SHIRE COUNCIL

INSTRUMENT OF DELEGATION

S14 INSTRUMENT OF DELEGATION BY CEO FOR VICSMART APPLICATIONS UNDER THE PLANNING AND ENVIRONMENT ACT 1987

1 MARCH 2023

Glenelg Shire Council

Preamble

In exercise of the power conferred by s 47(2) of the *Local Government Act 1989* and s 188 of the *Planning and Environment Act 1987*, I, as Chief Executive Officer of Glenelg Shire] Council and the responsible authority for the administration and enforcement of the [name of planning scheme] as set out in cl 72.01 of that scheme, by this Instrument of Delegation -

1. delegate each duty and/or function and/or power respectively described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position respectively described in column 3 of the Schedule;
2. record that a reference in the Schedule to

Abbreviation	Position	Name
DRCS	Director Corporate Services	
PlanAO	Planning Administration Officer	
RSM	Regulatory Services Manager	
StP	Statutory Planner	
SP	Strategic Planner	

3. declare that this Instrument of Delegation -

- 3.1 comes into force immediately upon its execution;

- 3.2 remains in force until varied or revoked; and

- 3.3 is subject to any conditions and limitations set out in paragraph 4, and in the Schedule;

4. declare that the delegate must not determine the issue, take the action or do the act or thing if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 188 *Planning and Environment Act 1987* or otherwise.

Glenelg Shire Council

This Instrument of Delegation is dated Wednesday 1 March 2023 and is made by the Chief Executive Officer.

.....
Signed by the Chief Executive Officer of Council)
in the presence of)

.....
Witness:
Date:

Glenelg Shire Council

Delegation Sources

- Planning and Environment Act 1987
- Planning and Environment Regulations 2015
- Planning and Environment (Fees) Regulations 2016

Positions

Glenelg Shire Council

S14 Instrument of Delegation by CEO for VicSmart Applications under the Planning and Environment Act 1987

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50(4)	Duty to amend application	RSM, DRCS, SP, StP	
s 50(5)	Power to refuse to amend application	RSM, DRCS, SP, StP	
s 50(6)	Duty to make note of amendment to application in register	RSM, DRCS, SP, StP	
s 50A(1)	Power to make amendment to application	RSM, DRCS, PlanAO, SP, StP	

Glenelg Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	RSM, DRCS, SP, StP	
s 50A(4)	Duty to note amendment to application in register	RSM, DRCS, SP, StP	
s 51	Duty to make a copy of every application and the prescribed information supplied in respect of the application available in accordance with the public availability requirements	RSM, DRCS, SP, StP	
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	RSM, DRCS, SP, StP	Notice requirements under s 52(1)(a), (b), (c) and (d) are exempt. Other notice requirements apply
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	RSM, DRCS, SP, StP	Notice requirements under s 52(1)(a), (b), (c) and (d) are exempt. Other notice requirements apply

Glenelg Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	RSM, DRCS, SP, StP	Notice requirements under s 52(1)(a), (b), (c) and (d) are exempt. Other notice requirements apply
s 52(3)	Power to give any further notice of an application where appropriate	RSM, DRCS, SP, StP	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	RSM, DRCS, SP, StP	Notice requirements under s 52(1)(a), (b), (c) and (d) are exempt. Other notice requirements apply
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	RSM, DRCS, SP, StP	Notice requirements under s 52(1)(a), (b), (c) and (d) are exempt. Other notice requirements apply
s 54(1)	Power to require the applicant to provide more information	RSM, DRCS, SP, StP	Note: delegates cannot require an applicant to provide more information than what is listed in schs 59 - 59.16 of the planning scheme

Glenelg Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	RSM, DRCS, SP, StP	Note: delegates cannot require an applicant to provide more information than what is listed in schs 59 - 59.16 of the planning scheme
s 54(1B)	Duty to specify the lapse date for an application	RSM, DRCS, SP, StP	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	RSM, DRCS	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	RSM, DRCS, SP, StP	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	RSM, DRCS	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	RSM, DRCS,	

Glenelg Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PlanAO, SP, StP	
s 57(5)	Duty to make a copy of every objection available in accordance with the public availability requirements	RSM, DRCS, PlanAO, SP, StP	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	RSM, DRCS, SP, StP	
s 57A(5)	Power to refuse to amend application	RSM, DRCS	
s 57A(6)	Duty to note amendments to application in register	RSM, DRCS, PlanAO, SP, StP	
s 57B(1)	Duty to determine whether and to whom notice should be given	RSM, DRCS, SP,	

Glenelg Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		StP	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	RSM, DRCS, SP, StP	
s 57C(1)	Duty to give copy of amended application to referral authority	RSM, DRCS, PlanAO, SP, StP	
s 58	Duty to consider every application for a permit	RSM, DRCS, SP, StP	
s 58A	Power to request advice from the Planning Application Committee	RSM, DRCS, SP, StP	
s 59(1)	Power to decide an application without delay	RSM, DRCS, SP,	

Glenelg Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		StP	
s 60(1)(a)	Duty to consider the relevant planning scheme	RSM, SP, StP	Note: VicSmart applications are exempt from the requirements of s 60(1)(b), (c), (e) and (f).
s 60(1)(d)	Duty to consider any decision and comments of a referral authority which has been received	RSM, DRCS, SP, StP	Note: VicSmart applications are exempt from the requirements of s 60(1)(b), (c), (e) and (f).
s 60(1A)(i)	Power to consider any agreement made pursuant to s 173	RSM, DRCS, SP, StP	Note: VicSmart applications are exempt from the requirements of s 60(1A)(b) - (h) and (j).
s 60(1B)	Duty to consider the number of objectors in considering whether use or development may have significant social effect	RSM, DRCS, SP, StP	
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a	RSM, DRCS, SP,	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006

Glenelg Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	permit application	StP	
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	RSM, DRCS, SP, StP	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	RSM, DRCS, SP, StP	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	RSM, DRCS	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	RSM, DRCS	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	RSM, DRCS, SP, StP	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	RSM,	

Glenelg Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		DRCS, SP, StP	
s 62(2)	Power to include other conditions	RSM, DRCS, SP, StP	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	RSM, DRCS, SP, StP	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	RSM, DRCS	
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	RSM, DRCS	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	RSM, DRCS	

Glenelg Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with s 46N(1), 46GV(7) or 62(5)	RSM, DRCS	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	RSM, DRCS	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	RSM, DRCS, SP, StP	
s 64(5)	Duty to give each objector a copy of an exempt decision	RSM, DRCS, PlanAO, SP, StP	Note: VicSmart applications are exempt from requirements of s 64(1), (2) and (3) This provision applies also to a decision to grant an amendment to a permit - see s 75

Glenelg Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	RSM, DRCS, SP, StP	This provision applies also to a decision to grant an amendment to a permit - see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	RSM, DRCS, SP, StP	
s 66(1)	Duty to give notice under ss 64 or 65 and copy permit to relevant determining referral authorities	RSM, DRCS, PlanAO, SP, StP	
s 66(2) & (3)	Duty to give a recommending referral authority notice of its decision to grant a permit in the specified circumstances, and include any conditions to which the permit will be subject	RSM, DRCS, PlanAO, SP, StP	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4) &	Duty to give a recommending referral authority notice of its decision to refuse to grant a permit in the circumstances specified, and	RSM, DRCS,	If the recommending referral authority objected to the grant of the permit or the recommending referral authority

Glenelg Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
(5)	include the information required under s 66(5)	PlanAO, SP, StP	recommended that a permit condition be included on the permit
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under ss 64 or 65	RSM, DRCS, PlanAO, StP	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend that a condition be included on the permit
s 69(1)	Function of receiving application for extension of time of permit	RSM, DRCS, SP, StP	
s 69(1A)	Function of receiving application for extension of time to complete development	RSM, DRCS, SP, StP	
s 69(2)	Power to extend time	RSM, DRCS	
s 70	Duty to make a copy of every permit that it issues available in accordance with the public availability requirements	RSM, DRCS, SP, StP	

Glenelg Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 71(1)	Power to correct certain mistakes	RSM, DRCS, SP, StP	
s 71(2)	Duty to note corrections in register	RSM, DRCS, PlanAO, SP, StP	
s 73	Power to decide to grant amendment subject to conditions	RSM, DRCS, SP, StP	
s 74	Duty to issue amended permit to applicant if no objectors	RSM, DRCS, SP, StP	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	RSM, DRCS, PlanAO, SP,	

Glenelg Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		StP	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	RSM, DRCS, PlanAO, SP, StP	
s 76A(2) & (3)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit in the circumstances specified, and include any conditions to which the permit will be subject	RSM, DRCS, PlanAO, SP, StP	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4) & (5)	Duty to give a recommending referral authority notice of its decision to refuse to grant an amendment to a permit in the circumstances specified, and include the information required under s 76A(5)	RSM, DRCS, PlanAO, SP, StP	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under ss 64 or 76	RSM, DRCS, PlanAO, SP, StP	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit

Glenelg Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 76D	Duty to comply with direction of Minister to issue amended permit	RSM, DRCS	
s 83	Function of being respondent to an appeal	RSM, DRCS, SP, StP	
s 83B	Duty to give or publish notice of application for review	RSM, DRCS, PlanAO, SP, StP	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	RSM, DRCS	
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	RSM, DRCS	
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	RSM, DRCS, SP, StP	

Glenelg Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84(6)	Duty to issue permit on receipt of advice	RSM, DRCS, SP, StP	
s 84AB	Power to agree to confining a review by the Tribunal	RSM, DRCS	
s 86	Duty to issue a permit at order of Tribunal	RSM, DRCS, SP, StP	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	RSM, DRCS	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	RSM, DRCS, SP, StP	
s 91(2)	Duty to comply with the directions of VCAT	RSM, DRCS, SP, StP	

Glenelg Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	RSM, DRCS, SP, StP	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	RSM, DRCS, SP, StP	
s 93(2)	Duty to give notice of VCAT order to stop development	RSM, DRCS, SP, StP	

Planning and Environment Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 21	Power of responsible authority to require a permit applicant to verify information in an application for a permit or to amend a permit or any information provided under s 54 of the Act	RSM, DRCS, SP, StP	

Glenelg Shire Council

Planning and Environment (Fees) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	RSM, DRCS	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under rr 19 or 20	RSM, DRCS	

14.3. ABORIGINAL EDUCATION SCHOLARSHIPS 2023

Director: Melanie Bennett, Director Community Services

Executive Summary

The purpose of this report is to brief Council on a recommendation made by the Aboriginal Partnership Group for the Glenelg Shire Council Aboriginal Education Scholarships 2023. The recommendation relates to awarding one Aboriginal Education Scholarship for the amount of \$3,000.

Recommendation

That Council award the Glenelg Shire Council Aboriginal Education Scholarship of \$3,000 to _____ to undertake study in 2023.

Background/Key Information:

The purpose of the Aboriginal Education Scholarships are to assist Aboriginal and or Torres Strait Islander people who reside in the Glenelg Shire to complete their education or undertake further studies.

Applications were publicly advertised over the period Monday 28 November 2022 to Friday 16 December 2022 via Facebook, Radio, Newspaper Advertisement, and flyers which were provided directly to all Aboriginal Partnership organisations, South West TAFE and Secondary Educational providers.

Two applications were received and have been reviewed by the Glenelg Aboriginal Partnership Group of which both applicants were approved. Following the Partnership Group approval, one applicant withdrew their application due to relocating interstate. The eligibility criteria states that applicants must live in the Glenelg Shire but can be studying outside of the Shire i.e., Deakin University, Monivae College.

a. Council Plan and Policy Linkage

Our Education, Employment and Industry - Adapting and growing a diverse economy to embrace employment of the future and educational opportunities.

Our Health and Wellbeing - Supporting the Glenelg community to thrive by being healthy, inclusive and well.

b. Legislative, Legal and Risk Management Considerations

Nil.

c. Consultation and/or communication processes implemented or proposed

Applications for the scholarships were publicly advertised on the Glenelg Shire Council website, Mixx FM radio, the Portland Observer, Casterton Newspaper and social media. Flyers were directly provided to all Aboriginal Partnership organisations, South West TAFE and Secondary Educational providers.

d. Financial Implications and Collaboration

The scholarships are funded from the annual operational Aboriginal Partnership budget.

e. Governance Principles

The transparency of Council decisions, actions and information is to be ensured.

Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Attachment List

Nil

14.4. RESPONSE TO AGED CARE REFORMS - THE FUTURE OF HOME AND COMMUNITY CARE IN THE GLENELG SHIRE

Director: Melanie Bennett, Director Community Services

Executive Summary

The in-principle decision taken by Council in October 2022 regarding its future role as a provider of services under the Commonwealth Home Support Programme (CHSP) and Victorian Home & Community Care for Young People Program (HACC-PYP), triggered transparency, engagement, and consultation with clients, staff, and community.

Council has followed through on its commitment on transparency and engagement and has invested in significant engagement with clients, staff and community and has assured all stakeholders that it will respect all service agreement and industrial obligations.

This report provides an overview of actions taken following the in-principle decision and feedback from these processes, and a final recommendation.

Recommendation

That Council:

- 1. Confirms that it will not accept the service agreement extension for the 2023/24 year and transition out of direct service delivery roles in all funded Commonwealth Home Support Program services, all Victorian Home & Community Care for Young People Program funded services and all Regional Assessment funded services.**
- 2. Approves immediate notification of its final decision to Commonwealth and Victorian Governments, clients and families, staff and union representatives, media, and the broader community.**

Background/Key Information:

Glenelg Shire Council (the Council) has been an important provider of entry-level home and community care services to assist older people to continue to live independently in the community.

In 2022, Council engaged mach2consulting to undertake a review of Councils' provision of home and community services including a financial analysis of the Commonwealth Home Support Programme (CHSP) and Home and Community Care (HACC) funded services and provided pathway options for consideration.

Home support will undergo major changes due to significant aged care reform by the Commonwealth Government, following recommendations from The Royal Commission into Aged Care Quality & Safety.

The changes to the funding and operating environment will result in Council being ill-equipped and not suited to continuing as a provider.

A new program called *Support at Home* will replace current aged care services funded by the Federal Government and will commence 1 July 2024. This program will replace

the CHSP, which Council delivers and Home Care Packages, which Council is currently not a provider of.

Appointment of a successor provider or providers of these services is the responsibility of the Commonwealth and Victorian governments.

Services to the Glenelg community would continue to be funded to the same levels and would be delivered under the same National Quality Framework which applied to Council as a provider. The only change will be that Council will no longer be the provider and a new provider or providers will be appointed.

Council has followed through on its commitment to transparency and engagement and has invested in significant engagement with clients, staff and community and has assured all stakeholders that it will respect all service agreement and industrial obligations. Feedback received has been incorporated into planning for implementation of the Council decision.

In taking this decision Council understands it has responsibilities to clients and families, long service staff, and the broader community to manage the transition effectively and to anticipate and mitigate risk.

Additional Background

The National Aged Care reforms

Australia's integrated national aged care program has been undergoing significant reforms over the past 10 years, this followed a Commonwealth commitment to take full responsibility for aged care in August 2011 and establishment of the National Disability Insurance Scheme at around the same time.

The key drivers for the aged care reforms include:

- The number of people in Australia requiring aged care (in some form) would increase by 350% between 2011 and 2050;
- Significant system weaknesses (difficult navigation, limited services, variable quality, and no consumer choice) and inefficiencies (duplication of effort, no competition, and high-cost structures) that needed to be eradicated, and;
- Real concern that the cost of providing adequate care for older people in future would be unaffordable as a nation.

Attributes of the current aged care model include:

- CHSP – 'entry level' basic home support and community-based services – domestic assistance, personal care, shopping etc., – this program provides services to 839,400 older Australians nationally;
- Home Care – four levels of 'packaged care' funded from basic to high care to maintain independence – services were provided to 175,000 older Australians;
- Residential Care – funded residential aged care (respite and permanent) – 310,000 older Australians nationally.

In 2020/21 governments (not including Local Government) spent \$23.6 billion or around \$5,000 per older person; this comprised Residential Care \$14.3 billion and Home Care and Home Support \$7.8 billion.

Design principles for the aged care reforms have remained very consistent since initiation, these include:

- Consumer Choice and Control – funding is provided directly to the clients based on assessed need to support choice and control – the client purchases services from a range of providers. This has a strong human rights and philosophical basis but introduces competition and signals the end of ‘block funding’ certainty for providers in most circumstances.
- A Simplified Gateway – My Aged Care is the single point of entry for all Australians to access aged care services – the 2017 Legislated Review of Aged Care has recommended merging of the RAS (Home Support) and Aged Care Assessment Teams (ACAT) (Residential Aged Care) into a streamlined national assessment service.
- Demand Driven System – the current ‘block funded’ and supply driven system will progressively move to a ‘demand driven’ funding system to ensure consistent services are delivered to where they are needed rather than what areas funding is allocated.
- Competition Policy – there is a renewed national focus on competition policy to drive economic growth, productivity, and efficiency in service delivery. It is more likely than not that future program design will be based on market and competition principles meaning that local government will face direct market exposure and a continuing ratepayer subsidy will be prohibited or unlawful.
- Monopoly Market – the current protected market arrangements will be dismantled to facilitate regulated competition and improved efficiency. Council is not equipped to effectively operate under market conditions. (Block funding may be retained for some niche programs and regional and remote areas, but most of the program will likely be on a ‘most efficient’ multiple provider basis.)
- Market Efficiencies – the Commonwealth is seeking to reduce transaction costs by having fewer contracts with larger organisations who can operate across large geographic areas – it is unclear whether there will be direct contracts between the Commonwealth and individual Local Governments after June 2023.
- Client Contribution – the Commonwealth expects that all Australians will make a consistent contribution to care depending on their capacity and capability.

Recent reform decisions have reinforced the direction of the Commonwealth, in recent budgets the Commonwealth has announced significant additional investment in creating a consistent national aged care system, this included:

- \$6.5 billion for 80,000 additional aged care packages
- \$3.9 billion for improved front line residential care
- \$630 million improved access for vulnerable Australians
- \$365 million for better transition to residential care
- \$230 million to strengthen aged care quality and compliance
- \$49.4 million for aged care training
- \$21 million for improved sector governance

- \$13.4 million to Primary Health Networks to drive better coordination
- \$2.5 billion for guaranteed 24/7 onsite nursing in aged care settings
- \$48 million for a dedicated aged care complaints system
- Commitment to funding a 15% pay increase for aged care workers (decision handed down in November 2022)

During 2022, a further extension of the CHSP program to 30 June 2024 was announced to enable the design and roll-out of the new 'Support at Home' program. The original reform timing was for completion by 30 June 2018, and this has now been subject to five extensions.

The 'Support at Home' program will be a new integrated program commencing 1 July 2024 that combines CHSP, Home Care Packages, Residential Respite and Short-term Restorative Care. This integrated model will most likely be client-directed, offer a range of providers (i.e., a market-based model) and require that providers offer a suite of services across in-home, personal, nursing, and allied health.

The Regional Assessment Service that undertakes intake and assessment for the CHSP and HACC-PYP programs was on a pathway to a national streamlined model by 1 July 2020. This initial plan was delayed pending the outcomes of the Aged Care Royal Commission. It is understood that a new unified program will have responsibility for all aged care assessments from July 2024.

Reform Update – Support at Home

The Commonwealth has released a Support at Home program overview that provided the first look at the architecture of the future Support at Home programme.

This confirms that the proposed program will be radically different from the existing CHSP program, it will include:

- Individualised support plans for clients linked to funding that is based on assessed need;
- A new integrated assessment tool that controls access to all aged care services, from home-based to residential-care services;
- An increased reliance on technology and digital services for clients, business systems, and payment platforms;
- A service list that will better define the outputs and allow flexibility for clients;
- Clients being allowed choice and control over the time and place services are provided; this assumes multiple providers being available within a geographic area;
- The end of block funding and transition to payment for units of service delivered (payments in arrears) – a completely different business model, and;
- Introduction of regulated competition between providers.

The above information release confirms that Council would not be able to effectively operate under the new 'Support at Home' program without significant investment in changes to its operating model and reduction in operating costs.

The Commonwealth are currently consulting on key design elements of the new system and have indicated informally that the 2023/24 year will be spent working with

providers on transition and preparatory activities for the transition into Support at Home.

a. Council Plan and Policy Linkage

Our Education, Employment and Industry - Adapting and growing a diverse economy to embrace employment of the future and educational opportunities.

The aged care system is much larger than home support services and future providers may bring additional benefits and investment.

Future providers will deliver across aged care planning regions and deliver services to meet entry-level to complex care needs.

Our Health and Wellbeing - Supporting the Glenelg community to thrive by being healthy, inclusive and well.

Council's transition from being a provider of home support services will potentially strengthen its capacity to invest in positive ageing and health and wellbeing initiatives for older citizens.

Council will continue to play a strong advocacy role to ensure older residents have access to quality aged care services and in not being a provider will be able to take a more active planning and coordination role.

Council will have a future focus on adaptation of universal services (recreation, leisure, libraries, open space etc.) to meet the needs of older citizens and people with a disability.

Council will take a strengths-based approach to managing transitions and seek to empower clients, families, and staff in their engagement with the implementation of the decision.

b. Legislative, Legal and Risk Management Considerations

Local Government Act 2020

Aged Care Act 1997 (Commonwealth)

Human Rights

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

Risk Assessment

A comprehensive risk and community impact analysis has been completed for Glenelg Shire Council; the high-level risks associated with this decision have been considered in previous reports to Council.

Key risks previously identified include:

- There is a national shortage of qualified personal care workers, and this has impacted on the capacity of all Councils to sustain service delivery in recent years;
- Due to ongoing financial constraints Council has operated its service model with minimum administrative and management support. This presents as a growing compliance risk due to increasing requirements under national aged care standards;
- Council has previously operated under monopoly conditions with financial and operational certainty provided by block-funding. A move to a demand-led service with client choice and control will introduce unacceptable commercial and financial risk for Council;
- Council would need to invest significant public funds with a very high degree of uncertainty and increased risk to potentially operate in the new Support at Home program. This would also include potentially taking on clinical governance responsibilities that it has never had experience in.

No additional risks have been identified through consultation and engagement.

In making this decision, Council is committed to ensuring that transition related risks are identified on an ongoing basis and addressed in a timely and responsive manner.

c. Consultation and/or communication processes implemented or proposed

Extensive engagement has occurred with staff, clients, families and community since Council made its in-principle decision (Appendix B).

The five week consultation period was undertaken from 9 January 2023 until Friday 10 February 2023. Feedback was received over the phone, in writing, via our online engagement platform *YourSay* Glenelg and in person at staff or community information sessions, held in Heywood, Dartmoor, Merino, Casterton, Nelson and Portland.

Engagement Summary

More than 150 people, including clients, families, carers, other stakeholders and interested parties attended in person at one of the below sessions or connected with Council staff via another method to ask questions and provide feedback. Collectively, Council has received hundreds of comments which have been grouped into themes, as detailed in Appendix B.

Employee Information Session(s) were attended by staff and a representative of Australian Services Union (ASU) at each meeting. Every employee impacted by the in-principle decision was consulted during the period. Additional conversations were held with staff on an individual, group and informal basis throughout the five-week period.

Proposed Consultation and Communication

Council confirming a decision will trigger a comprehensive communications and consultation exercise; this will include:

- Further notification to Victorian and Commonwealth Governments;

- Clients, staff and families will be informed of Council's decision will be provided with information and a priority contact number to raise any questions;
- A proactive media engagement strategy to explain the rationale for Council's decision, the transition process, and long-term benefits for the community;
- A comprehensive 'Frequently Asked Questions' document will be updated and made available via Council's website and customer service centres.

Commits to the values and principles outlined in Appendix A to the report to underpin and support decision making through the transition process.

d. Financial Implications and Collaboration

This report has significant financial implications for Council.

The ongoing ratepayer subsidy (estimated at between \$250,000 and \$350,000 based on recent years) will not be required to deliver Commonwealth policy objectives of an integrated aged care program to support older people to live independently in the Glenelg community.

Council will commit resources to support an effective transition process over the next 6-12 months.

Industrial obligations to staff in the form of redundancy payments have been incorporated into long-term financial planning.

Council will assess its policy direction regarding future investment in age-friendly or positive-ageing initiatives and ensuring that Council's universal services and facilities are designed to meet the needs of a growing population of older residents.

e. Governance Principles

The transparency of Council decisions, actions and information is to be ensured.

Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The municipal community is to be engaged in strategic planning and strategic decision making.

Attachment List

1. APPENDIX A Principles and Values [14.4.1 - 2 pages]
2. APPENDIX B Consultation Process Feedback Themes [14.4.2 - 8 pages]

APPENDIX A – PRINCIPLES AND VALUES**Communication**

- Council will be timely in all communications and will ensure that all people affected by a decision will have information provided including the rationale and drivers for all decisions.
- Council will provide information (i.e., dates and times) on decision processes to all stakeholders to ensure transparency and opportunity to participate.
- Open and transparent communication between all parties will underpin the partnership and build trust and confidence.

For clients

- If Council determines to change its role in relation to aged care services, the needs of clients will be the highest priority for Council through any future transition process.
- The Council and the Council administration understand the profound nature of the decision and will ensure that the highest standards of professional behaviour and ethics are applied to managing the implementation and limiting the negative impact.
- The individual needs of all clients will be understood and considered during the transition process. It is recognised that some clients will need additional support during the transition process and Council will ensure that special attention is paid to protecting the rights of vulnerable clients.
- Council will act as an advocate for the needs of all clients and will ensure that additional resources are provided to hear and respond to individual, or group needs during transition and an appropriate time following the date of transition.
- Council will ensure that clients are provided with high quality information before, during and after transition and individual private consultations if required.

For staff

- Council values the contribution of all staff and recognises the commitment made to deliver high quality home support services to the Glenelg community.
- Council understands the unique relationship that develops between carers and clients and will work towards ensuring the continuity of this relationship where possible.
- Council will identify and implement readiness activities and support that will ensure workers are prepared for the transition process.
- Council will establish a transition working group involving affected staff (and their representatives) to ensure the effective two-way flow of information.

- Council will meet all industrial obligations and will ensure investments are made to provide staff with the support and skills they need to make an effective transition to future work or retirement depending on their individual circumstances.

For the successor provider

- Council will work constructively with the appointed provider to ensure that the service transition occurs in a way that protects the interests of clients, families of clients, staff, and the broader community.
- Council will ensure that quality client and service information will be provided to the appointed provider(s) to inform decisions during the transition process.

For community

- Council will make decisions that are in the best interests of the broader community, this will include understanding the financial, economic, social, health and wellbeing implications of any decision.
- Council will act as an advocate for the needs of the community and will hold accountable Commonwealth and State Governments and the appointed home support providers for the delivery of quality services to the Glenelg community.



APPENDIX B - Aged Care Reforms – The Future of Home and Community Care in the Glenelg Shire

Communication and Consultation Process Outcomes and Themes

EXECUTIVE SUMMARY

The in-principle decision taken by Council that it will not accept an extension to its agreement beyond 1 July 2023 to provide funded community-based services for older people under the Commonwealth Home Support Program (CHSP), the Victorian government funded Home and Community Care for Young People Program (HACC PYP) and Regional Assessment Services, triggered transparency, and consultation and engagement with clients and families, affected staff, community, and other stakeholders.

The five week consultation period was undertaken from **9 January 2023 until Friday 10 February 2023**. Feedback was received over the phone, in writing, via our online engagement platform *YourSay* Glenelg and in person at staff or community information sessions, held in Heywood, Dartmoor, Merino, Casterton, Nelson and Portland.

ENGAGEMENT SUMMARY

Community and Information sessions were undertaken across the municipality. More than 150 people, including clients, families, carers, other stakeholders and interested parties attended in person at one of the below sessions or connected with Council staff via another method to ask questions and provide feedback. Collectively, Council has received hundreds of comments which have been grouped into themes.

Employee Information Session(s) were attended by staff and a representative of Australian Services Union (ASU) at each meeting. Every employee impacted by the in-principle decision was consulted during the period. Additional conversations were held with staff on an individual, group and informal basis throughout the five-week period.

Engagement summary:

Date (2023)	Engagement Location	Attendees
11 January	Visit to Kurrajong (Portland) – Social Support Group	12
11 January	Met with President of Senior Citizens (Portland)	1
11 January	Met with Walking Group (Portland) – Social Support Group	6
12 January	Visit to Riverwood (Heywood) – Social Support Group	12

17 January	Community Session – Portland (first session)	19
17 January	Community Session – Heywood (first session)	13
18 January	Community Session – Dartmoor	3
18 January	Community Session – Merino	5
18 January	Community Session – Casterton	8
3 February	Community Session – Nelson	18
6 February	Community Session – Portland (second session)	4
6 February	Community Session – Heywood (second session)	1

Telephone

The Aged and Disability Management Team responded to 47 telephone enquiries throughout the engagement period. Current clients and their families receiving in home and community care contributed to 83% of the total calls. Other calls were received from families/carers and other agencies.

In-person visits

A total of 8 clients and/or client family members met with the Aged and Disability Management Team one-on-one.

Vulnerable Clients

To assist and support vulnerable clients to understand Council's in-principle decision, the Aged and Disability Management Team contacted all 43 vulnerable clients directly, via telephone, that have been identified as vulnerable or high needs.

Employee Meetings

Date (2023)	Session location
16 January	Employee Information Session - Heywood
18 January	Employee Information Session - Casterton
19 January	Employee Information Session - Portland

One on one appointments were scheduled during the 5-week consultation period, with areas of the Aged and Disability unit including Administration, Assessment and Support staff.

YourSay Glenelg & Written Submissions

Council's online platform *YourSay Glenelg*, which can be accessed through Council's website, received 85 visits, with 2 respondents participating in the survey.

Council received a further 3 written submissions.

FEEDBACK THEMES**Community**

Feedback received has been categorised into seven major themes.

Concern from clients and families that the in-principle decision will mean clients lose Council's high quality service delivery and their current support worker.

The existing trusted relationships developed between care support workers and clients and families was raised at each community listening and information session. Many respondents emphasised the trust they have in Council to deliver high quality services.

Throughout the consultation process many respondents noted that clients and their families value the customer service/administrative function delivered by Council's current Aged and Disability Unit, and the ability to contact a Council officer directly over the phone or in person at the Fawthrop Centre in Portland.

Response:

If Council confirms its decision, there will be no change in the way services are delivered until at least 30 June 2023.

If a new provider(s) is appointed, services to the same standards will continue to be funded by the Commonwealth and Victorian governments and will be delivered by a new appointed provider operating under the same quality and compliance arrangements that have applied to Council. It is recognised that continuity of service is an important principle of ensuring quality of care. Council understands the relationship and trust that clients build with a regular worker.

Questions related to why Council cannot continue providing services until the new Support at Home Program starts in 2024, and why does Council believe it cannot be competitive in the proposed Commonwealth system?**Response:**

Council currently operates under a block-funded program, it is paid in advance and there is predictability and certainty regarding the program, as Council is the largest Commonwealth Home Support Programme (CHSP) provider in the municipality, it operates in a virtual monopoly arrangement. The new Commonwealth model will rely on a regulated market approach and activity based; payment will be made in arrears once services are delivered.

The Commonwealth have advised of a preference that participation in the 2023/24 financial year extension of the CHSP should be based on the organisation wanting to operate in the future Support at Home program with the 2023/24 year to be used for transition activities.

Council is a relatively high-cost provider and sustaining services requires a significant ratepayer subsidy, under the future funding model it will be unlawful for Council to subsidise services when there are other non-government providers who do not require an operating subsidy.

More than 50 per cent of Victorian Councils have made the decision to transition out of some or all funded aged care services.

The Aged Care system can be very complex to navigate; The concept of merging the existing two Commonwealth programs will be a good initiative.

Many respondents provided feedback about the Aged Care system in a general sense, noting the complexities and challenges they experience within the current system. Such as registering family members in the My Aged Care system or choosing a Home Care Package provider (Council is not a Home Care Package Provider).

Respondents from smaller townships close to the South Australian border such as Dartmoor and Nelson remarked that the merging of the two programs and creation of a national system would be beneficial as clients may be able to choose a provider from Mount Gambier South Australia, for example.

Response:

Australia's national aged care program has been undergoing significant reforms over the past 10 years and the Commonwealth has released a Support at Home program overview that is radically different from the existing CHSP program. The merging of the CHSP and Home Care Packages Program into one system is designed to create efficiencies and better outcomes for clients by allowing clients choice and control over the time and place services are being provided.

If Council is not the provider, who will be the new provider, and how will they know what services clients receive? How will the transition be complete by 30 June 2023?

The Aged and Disability Management team received many queries relating to this theme. The below response was communicated to respondents with queries along similar lines.

Response:

If Council determines to transition out of its role delivering home and community-based services for older people, it will advise the Commonwealth and the Commonwealth will make all announcements regarding the identity of the new provider. Council is not involved in determining the new provider.

A comprehensive transition plan will be negotiated between Council and the successor provider and Council is committed to work constructively with the appointed provider(s) and the transition is carefully managed to avoid service disruption to clients and families. If a transition is not able to be made by the 30 June 2023, Council will negotiate with the Commonwealth to continue to support clients until a provider is appointed.

All client information is protected under legislation and all information will be transferred to the new appointed provider securely and with appropriate protections.

All clients will be asked to provide written consent prior to transfer of any service information.

Council will keep clients and all key stakeholders updated with information at each stage of the process.

Council will make every effort to ensure a smooth transition for staff and clients.

Financial and pricing considerations:

Concern that another provider will charge clients much more for services than Council does, and will a new provider travel to remote areas?

Where will the current ratepayer subsidised value for service delivery (approximately \$245k budgeted) in Council's budget be allocated in the future if Council exits?

What will Council do with existing buildings such as the Fawthrop Centre?

Increasing cost of living pressures was a common theme during the information and listening sessions highlighted by many respondents and attendees.

During the information and listening sessions, Council Officers took the opportunity to ask community members what future investments they might like to see from Council to support healthy ageing communities. Feedback received centred around social connectivity opportunities, better pathway connectivity for enhanced mobility around townships and access to services, and any other supports to support people to live independently at home for longer.

Council Officers heard from members of the independent Senior Citizens groups who value their current arrangement(s) with Council to meet and host group activities in the Fawthrop Building, for example, and utilise the rooms available 6 days per week. Some participants of these groups raised concerns that if a new provider were to take over the building it may jeopardise their group programs.

Response:

Council has not increased the contribution cost paid by clients for services since 2020.

All CHSP providers must adhere to the Commonwealth's contribution Framework when determining the cost to clients and must ensure that they are protecting the most vulnerable. The current CHSP program will continue to be funded at the same level, with clients expected to make a contribution towards these costs.

Council understands that the cost of service and access to services for people living in remote areas is of real concern and will ensure that this information is communicated and advocated to the Commonwealth through transition planning.

All decisions relating to Council's distribution of resources will be allocated through the normal budget process.

Council will continue to play an important role in strategic planning and advocacy on behalf of its community. This includes ensuring the community have equitable access to services and clients living in rural parts of the shire will not be disadvantaged.

Council understands that the use of the existing spared community spaces at the Fawthrop Centre are valued by community groups such as the Senior Citizens Group, Walking Group and other user groups.

Questions and concerns from the community about whether Council's staff will find employment with a new potential provider.

Response

If Council does withdraw from aged care services on 30 June 2023, there will be no transmission of business to a new provider. Staff will finish employment with Glenelg Shire Council. A new provider will most likely need a local workforce to meet local demand for services.

Council is not able to guarantee that the same staff will be providing services. Council has a great team of qualified and experienced staff delivering in home community care. Council recognises and values the long-term commitment of its staff who some have worked for decades and understands the community values and their standard of care.

There is a high demand for staff with suitable aged care and disability qualifications and experience. Council's highly skilled and experienced workforce is well placed to take on available employment opportunities.

Council understands the challenges that the aged care sector faces to employ skilled Community Support Workers. Council is continuing its ongoing recruitment process to employ more employees to its care workforce to keep up with the growing demand for services in the Glenelg Shire.

Feedback that Council has already made a final decision to transition services to a new provider.

Council made an in-principle decision, with a final decision to be made at the Council Meeting on 28 February 2023. Council is committed to a transparent consultation and engagement period and has met with community and staff at multiple in-person sessions and is considering all feedback received.

We understand that some of the community would have found it beneficial if Councillors were present at the Information sessions to provide feedback directly.

Genuine effort and thought went into planning a comprehensive and extensive engagement process to meet with community, clients, families, and staff all across the Shire.

FEEDBACK THEMES

Staff

The feedback received from staff can be categorised into three main themes. It is noted that staff also provided feedback and asked questions similar to those raised by the community, which are reflected in the above seven themes.

What provisions and entitlements will be available should a final decision be made to transition the service?

Should a final decision be made to transition the service to a new provider, Council will continue to deliver existing services until at least 30 June 2023.

Council is committed to ensuring that provisions within the current Enterprise Agreement are applied.

Council is committed to job security, and we will seek to identify appropriate positions within Council that might be available for redeployment for current staff. If available, redeployment would be supported by appropriate training and assistance as well as temporary salary maintenance.

Staff are supported by a number of employment conditions and council is committed to working closely with staff through this process.

These include:

- Employee Assistance Program (EAP)
- Possible redeployment opportunities within Council
- Statement of Service
- Training and support including outplacement services, resume review, approved courses and training.
- Redundancy payment in line with the *Glenelg Shire Council Enterprise Agreement No 8 - 2021*

What is the potential for future employment with a new provider?

If Council confirms the in-principle decision there are a range of measure and actions that can be initiated to support staff in transition.

Sector demand for trained and qualified direct care staff is high and it is very likely that there will be employment opportunities for staff if they wish to continue working in this field. Council will engage with staff to identify appropriate transition support that can be provided, this might include support with resume writing, interview skills, or other vocational advice.

As part of its commitment to engagement Council will work with staff representatives and unions to identify support and training needs and ensure these are provided as part of a coordinated package during the transition process.

Any new provider that enters the market will be looking for a localised workforce. There is a high demand for staff with suitable aged care and disability qualifications and experience. Council's highly skilled and experienced workforce is well placed to take on available employment opportunities.

Clarification sought regarding continuity of care for clients

Council will make every effort to ensure a smooth transition for staff and clients.

A comprehensive transition plan will be negotiated between Council and the successor provider and Council is committed to work constructively with the appointed provider(s) and the transition is carefully managed to avoid service disruption to clients and families.

The Commonwealth have committed to all current services continuing should the decision to exit be made. Council will make every effort to ensure a smooth transition for staff and clients, ensuring as little disruption as possible.

CONCLUSION

Council officers and management are appreciative to the Glenelg Shire Community – An open and respectful community engagement process was undertaken during the five-week period.

15. CONFIDENTIAL REPORTS

Nil.

16. URGENT BUSINESS**17. CLOSURE OF COUNCIL MEETING****Victorian State Legislation Copyright Acknowledgement**

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