



Moreland City Council

Moreland City Council

Instrument of Delegation

to

Director City Infrastructure

Instrument of Delegation

In exercise of the power conferred by section 98(2) of the *Local Government Act 1989 (the Act)*, I, Nerina Di Lorenzo, Chief Executive Officer of the Moreland City Council (**Council**) delegates to the member of Council staff holding, acting in or performing the position of Director City Infrastructure (**the delegate**) the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND I declare that

1. all previous delegations to the delegate are revoked.
2. the delegation
 - 2.1 comes into force immediately I sign this Instrument of Delegation;
 - 2.2 remains in force until I vary or revoke it;
 - 2.3 is subject to any conditions and limitations set out in the Schedule; and
 - 2.4 must be exercised in accordance with any guidelines or policies which Council or I from time to time adopt.

Dated: 11 February 2015

SIGNED by NERINA DI LORENZO, }
Chief Executive Officer of the }
Moreland City Council, in the }
exercise of a power conferred }
by an Instrument of Delegation }
dated 11 February 2015 in }
the presence of: }

Witness

SCHEDULE

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under a Relevant Act, including Regulations authorised under a Relevant Act, and relevant to the operational area for which the delegate has organisational responsibility under the organisational structure established by the Chief Executive Officer of Council.

Conditions and Limitations

The delegate must not determine the issue, take the action or do the act or thing

1. if the issue, action, act or thing is an issue, action, act or thing which involves
 - 1.1 awarding a contract exceeding the value of \$250,000;
 - 1.2 making a local law under s.119 of the Act;
 - 1.3 approval of the Council Plan under s.125 of the Act;
 - 1.4 adoption of the Strategic Resource Plan under s.126 of the Act;
 - 1.5 preparation or adoption of the Budget or a Revised Budget under Part 6 of the Act;
 - 1.6 adoption of the Auditor's report and Annual Financial Statements under Part 6 of the Act;
 - 1.7 noting Declarations of Impartiality by Valuers pursuant to section 13DH(2) of the Valuation of Land Act 1960;
 - 1.8 determining pursuant to s.37 of the Act that an extraordinary vacancy on Council not be filled;
 - 1.9 exempting a member of a special committee who is not a Councillor from submitting a return under s.81 of the Act;
 - 1.10 appointment of councillor or community delegates or representatives to external organisations; or
 - 1.11 the return of the general valuation and any supplementary valuations;
2. if the issue, action, act or thing is an issue, action or thing which Council or the delegate has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;

3. 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
 - 3.1 policy;
 - 3.2 strategy; or
 - 3.3 budget
adopted by Council; or
4. 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 section 98(1)(a)-(f) (inclusive) of the Act, section 188 of the *Planning and Environment Act 1987* or section 58A of the *Food Act 1984* or otherwise; or
5. 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.

RELEVANT ACTS AND REGULATIONS

BUILDING ACT 1993
BUILDING REGULATIONS 2006
CATCHMENT AND LAND PROTECTION ACT 1994
CLIMATE CHANGE ACT 2010
CONSERVATION, FORESTS AND LAND ACT 1987
COUNTRY FIRE AUTHORITY ACT 1958
DANGEROUS GOODS (EXPLOSIVES) REGULATIONS 2011
DOMESTIC ANIMALS ACT 1994
ELECTRICITY SAFETY ACT 1998
EMERGENCY MANAGEMENT ACT 1986
ENVIRONMENT PROTECTION ACT 1970
FENCES ACT 1968
FLORA AND FAUNA GUARANTEE ACT 1988
GEOTHERMAL ENERGY RESOURCE REGULATIONS 2006
GRAFFITI PREVENTION ACT 2007
HEAVY VEHICLE NATIONAL LAW 2012
HEAVY VEHICLE NATIONAL LAW APPLICATION ACT 2013
HOUSING ACT 1983
IMPOUNDING OF LIVESTOCK ACT 1994
INFRINGEMENTS (GENERAL) REGULATIONS 2006
INFRINGEMENTS ACT 2006
LAND ACQUISITION AND COMPENSATION ACT 1986
LAND ACQUISITION AND COMPENSATION REGULATIONS 2010
LAND ACT 1958
LOCAL GOVERNMENT ACT 1989
MAJOR TRANSPORT PROJECT FACILITATION ACT 2009
METROPOLITAN FIRE BRIGADE ACT 1958
NATIONAL PARKS ACT 1975
OCCUPATIONAL HEALTH AND SAFETY REGULATIONS 2007
PIPELINES ACT 2005
PLANNING & ENVIRONMENT ACT 1987
PLANNING AND ENVIRONMENT REGULATIONS 2005
RAIL SAFETY ACT 2006
RESIDENTIAL TENANCIES ACT 1997
ROAD MANAGEMENT (GENERAL) REGULATIONS 2005
ROAD MANAGEMENT ACT 2004

ROAD SAFETY (GENERAL) REGULATIONS 2009

ROAD SAFETY (TRAFFIC MANAGEMENT) REGULATIONS 2009

ROAD SAFETY (VEHICLES) REGULATIONS 2009

ROAD SAFETY ROAD RULES 2009

SECOND HAND DEALERS AND PAWNBROKERS ACT 1989

SHERIFF ACT 2009

SPORT AND RECREATION ACT 1972

TRANSFER OF LAND ACT 1958

TRANSPORT (SAFETY SCHEME COMPLIANCE AND ENFORCEMENT) ACT 2014

TRANSPORT INTEGRATION ACT 2010

VICTORIAN STATE EMERGENCY ACT 2005

WATER ACT 1989