



Moreland City Council

Instrument of Delegation

by

the Chief Executive Officer

of

Chief Executive Officer powers, duties and functions

Instrument of Delegation of CEO powers, duties and functions

By this Instrument of Delegation, I, as Chief Executive Officer of Moreland City Council –

1. delegate each duty and/or function and/or power respectively described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position respectively described in column 3 of the Schedule;
2. record that references in the Schedule are as follows:
 - Director: A Senior Officer position reporting directly to the Chief Executive Officer, including the Executive Manager Finance
 - Manager: A management position reporting to a Director or the Executive Manager Finance
 - Unit Manager: A position with a title including the words Unit Manager (at the fourth level in the organisation structure)
 - Coordinator: A fourth level position in the organisation that is not a Unit Manager
 - Team Leader: A position with a title including the words Team Leader (at the fifth level in the organisation structure)
 - CFO: Chief Financial Officer
 - CNMCHI: Coordinator North Maternal and Child Health and Immunisation
 - Coordinators: All Coordinators
 - CSMCHI: Coordinator South Maternal and Child Health and Immunisation
 - DBT: Director Business Transformation
 - DCD: Director Community Development
 - DCF: Director City Futures
 - DCI: Director City Infrastructure
 - EMF: Executive Manager Finance
 - GFA: Governance and FOI Advisor
 - UMF: Unit Manager Finance
 - GMCD: Group Manager City Development
 - HRBP: Human Resources Business Partner
 - IAO: Immunisation Administration Officer
 - LDA: Learning and Development Advisor
 - MCE: Manager Community Engagement
 - MCG: Manager Corporate Governance
 - MERO: Municipal Emergency Resource Officer
 - MEYY: Manager Early Years and Youth

- MHRO: Manager Human Resources Operations
 - MIT: Manager Information Technology
 - Not Delegated: Power, duty or function is Not Delegated
 - PRC: Property Coordinator
 - RBP: Recruitment Business Partner
 - SEO: Senior Executive Officer in accordance with *Local Government Act 1989*
 - SO: Senior Officer in accordance with *Local Government Act 1989*
 - SRO: Senior Revenue Officer
 - TLG: Team Leader Governance
 - TLEH: Team Leader Environmental Health
 - TLRS: Team Leader Revenue Services
 - UMBS: Unit Manager Building Services
 - UMBSEH: Unit Manager Building Services and Environmental Health
 - UMEH: Unit Manager Environmental Health
 - UMF: Unit Manager Finance
 - UMGCP: Unit Manager Governance and Civic Protocols
 - UMMCHI: Unit Manager Maternal and Child Health and Immunisation
 - UMPS: Unit Manager People and Safety
3. record that on the coming into force of this Instrument of Delegation each delegation under the Instrument of Delegation dated 20 April 2017 and executed by Nerina Di Lorenzo 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 16 October 2020 and is made by the Chief Executive Officer.

Signed by Cathy Henderson,
Chief Executive Officer of
Moreland City Council
in the presence of:



Naomi Ellis
Witness



Date: 16 October 2020

SCHEDULE

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CHILD WELLBEING AND SAFETY ACT 2005			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	COMMENTS
s 29(2)	function of receiving written notice and consenting to inspection of relevant premises by the Commission for Children and Young People	MEYY	
s 29(3)	Power to consent to inspection of relevant premises without written notice by the Commission for Children and Young People	DCD	
s 36	Duty to ensure that the Commission for Children and Young People is given any assistance reasonably required to perform functions	DCD, MEYY	
s 43	Function of receiving birth notice in certain circumstances	CNMCHI, CSMCHI, IAO, UMMCHI	
s 45	Duty to send a copy of a birth notice to a nurse or the Secretary	CNMCHI, CSMCHI, IAO, UMMCHI	
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	DCD, MEYY, UMMCHI	
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	DCD, MEYY, UMMCHI	

EMERGENCY MANAGEMENT ACT 2013

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	COMMENTS
s 74E(3)	Function of receiving a copy of any Orders made by Governor in Council under this section	MERO	

ENVIRONMENT PROTECTION ACT 1970			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 50AC	Function of consulting with Sustainability Victoria prior to submission of State-wide Waste and Resource Infrastructure Plan to the Minister	DCI	
s 50BC	Function of consulting with Waste and Resource Recovery Group prior to submission of Regional Waste and Resource Recovery Implementation Plan to Sustainability Victoria	DCI	

FINES REFORM ACT 2014

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & 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			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & 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	EMF, CFO, UMF	s 66 does not apply if the disclosure is permitted by, or is necessary for the administration of, this Act
s 68	Power to authorise the secondary disclosure of information obtained under, or in relation to the administration of, this Act	EMF, CFO, UMF	

FOOD ACT 1984

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 50AB	Function of signing a certificate under this Act	UMBSEH, UMEH, TLEH	

FREEDOM OF INFORMATION ACT 1982			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 6W(4)	Duty to ensure that all officers and employees are informed about the requirements of the professional standards	DBT, MCG, UMGCP, TLG	
s 8(2)	Duty to make certain documents available for inspection and purchase	Directors, Managers, Unit Managers, Coordinators	
s 8(3)	Duty to cause to be prepared a corresponding document, altered only to the extent necessary to exclude exempt matter	Directors, Managers, Unit Managers, Coordinators	
s 8(5)	Duty to cause the fact of the existence of a document to be published	Directors, Managers, Unit Managers, Coordinators	
s 38A	Power to determine that a document has been prepared for, or will be used for, consideration of any matter by the Council at a meeting that is likely to be a closed meeting	UMGCP, TLG	A document will not be exempt if it was not brought into existence for the purpose of submission for and consideration by the closed meeting (s 38A(2))
s 61E	Duty to co-operate with the Information Commissioner in dealing with a complaint	UMGCP, TLG	
s 61G	Function of consulting with the Information Commissioner	UMGCP, TLG, GFA	
s 61GA(1)(a)	Function of processing or identifying a reasonable sample of the documents upon notice from the Information Commissioner	UMGCP, TLG, GFA	Where the Information Commissioner believes that an agency, principal officer or Minister has failed to undertake an adequate search for documents that

FREEDOM OF INFORMATION ACT 1982			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			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	UMGCP, TLG, GFA	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	UMGCP, TLG, GFA	In consultation with DBT or MCG
s 61GA(3)	Power to apply for extension	UMGCP, TLG	In consultation with DBT or MCG
s 61H	Power to reach an agreement with a complaint	UMGCP, TLG	In consultation with DBT or MCG
s 61I(2)	Power to make submissions in relation to a complaint	UMGCP, TLG	In consultation with DBT or MCG
s 61L(5)	Power to comment on and response to a draft recommendation or draft comment	UMGCP, TLG	In consultation with DBT or MCG
s 61R(4)	Power to respond to adverse material	UMGCP	In consultation with DBT or MCG
s 63BA(1)	Power to apply to the Supreme Court for a determination	DBT, MCG	Following consultation with the appointed / authorised FOI Officer

FREEDOM OF INFORMATION ACT 1982			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 63BA(4)(a)	Power to make an application	DBT, MCG	Following consultation with the appointed / authorised FOI Officer
s 63E(3)(b)	Power to give written consent to a disclosure	UMGCP, TLG	
s 64B	Duty to give the Information, Commissioner any information referred to in s 64(2)	UMGCP, TLG, GFA	

INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION ACT 2011			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 41	Power of receiving information acquired by the Independent Broad-based Anti-corruption Commission (IBAC)	Not delegated	The power remains with the CEO.
s 57	Duty to notify IBAC of any matter believed to constitute corrupt conduct	Not delegated	Subject to any exemption notices issued under s 57B
s 57A(5)	Duty to comply with Directions made by IBAC under s 57A	Not delegated	The power or duty remains with the CEO.
s 59D(2)	Duty to comply with request by IBAC under s 59D for relevant information	Not delegated	
s 73	Power of receiving a complaint pertaining to Council staff, under circumstances in which it would be more appropriate for Council to conduct the investigation	Not delegated	
s 159	Power of receiving IBAC recommendations about the action to be taken following an IBAC investigation	Not delegated	
s 162	Power of receiving and responding to an IBAC special report that includes matters pertaining to Council	Not delegated	
s 163(3)	Power of receiving written information about the commencement, conduct or results of an IBAC investigation pertaining to Council	Not delegated	

INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION ACT 2011

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 165	Power of receiving and responding to IBAC material that includes matters pertaining to Council, to be published in the IBAC annual report	Not delegated	

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 28(1B)	Function of receiving notice of any change to any entitlement relating to enrolment of a Councillor	MCG, UMGCP	
ss 68A(1) & 69(1)(c)	Function of receiving resignation from a Councillor	Not Delegated	This duty remains with the CEO.
s 68A(4)	Power to commence the holding of an election to fill extraordinary vacancy	Not Delegated	This duty remains with the CEO.
s 72(1)(c)	Function of receiving resignation from the Mayor	Not Delegated	This duty remains with the CEO.
s 77(2)(c)	Power to designate information to be 'confidential information' for the purposes of s 77	DBT	Only in the absence of the CEO
ss 79(2)(a)(ii) & (3)	Function of receiving advice of a conflict of interest of a Councillor or member of a special committee	Directors, GMCD, MCG, UMGCP, TLG	
s 79(5)(a)	Duty to keep written disclosures given to him or her under this section in a secure place for 3 years after the date the Councillor or member of a special committee who made the disclosure ceases to be Councillor or member of a committee	MCG, UMGCP	
s 79(5)(b)	Duty to destroy the written disclosure when the 3 year period referred to in section 79(5)(a) has expired	MCG, UMGCP	
s 79(8)	Duty to record a conflict of interest in the minutes of a meeting	MCG, UMGCP, TLG	

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 80(1)(b)	Power to apply, in writing, to the Minister, after receiving written declarations of conflicts of interest from a majority of Councillors, for an exemption of those Councillors from any or all of the provisions of section 79	Not Delegated	
s 80(1A)	Function of providing additional information regarding an application made under section 80(1)(b)	DBT, MCG	
s 80A(1)	Duty to ensure that at an assembly of Councillors, a written record is kept of the names of all Councillors and members of Council staff attending, the matters considered and any conflict of interest disclosures made by a Councillor attending under section 80A(3) and whether a Councillor who discloses a conflict leaves the assembly	Directors, Managers, GMCD, Unit Managers, Coordinators	
s 80A(2)(a)	Duty to ensure a written record of an assembly of Councillors is reported at an ordinary meeting of the Council as soon as practicable	MCG, UMGCP, TLG	
s 80A(2)(b)	Duty to ensure a written record of an assembly of Councillors is incorporated in the minutes of that Council meeting as soon as practicable	MCG, UMGCP, TLG	
s 80B(2)(b)	Duty to disclose type and nature of conflict of interest to the Mayor or the Council	Not Delegated	

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 80B(2)(c)	Function of receiving written disclosure of conflict of interest from staff member	Directors, Managers, GMCD, Managers, Unit Managers, Coordinators	
s 81(1)	Power to nominate a 'nominated officer'	Not Delegated	This duty remains with the CEO.
s 81(2)	Function of receiving a primary return from a Councillor or a member of a special committee	MCG, UMGCP, TLG	
s 81(4)	Function of receiving a primary return from a nominated person	MCG, UMGCP, TLG	
s 81(5)	Function of receiving an ordinary return from a Councillor, member of a special committee or a nominated officer	MCG, UMGCP, TLG	
s 81(9)	Duty to maintain a register of the interests of Councillors, members of special committees and nominated officers	MCG, UMGCP, TLG	
s 81(10)	Duty to allow a person to inspect the register following a written request to the Chief Executive Officer	MCG, UMGCP, TLG	
s 81(12)	Duty to take all reasonable steps to ensure that only persons who made written applications may inspect the register	MCG, UMGCP, TLG	

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 81(13A)	Duty to maintain a record of the names of persons who have inspected the register of interests under section 81(10)	MCG, UMGCP, TLG	
s 81(16)	Duty to remove all the returns submitted by a Councillor or a member of a special committee or a nominated officer from the register, as soon as practicable after a person ceases to hold that position	MCG, UMGCP, TLG	
s 81Y	Duty to appoint, in writing, a Principal Conduct Officer	Not Delegated	This duty remains with the CEO.
s 94A(2)	Power to appoint members of Council staff to enable the statutory functions of Council or the Chief Executive Officer to be carried-out	Not Delegated	This duty remains with the CEO.
s 94A(3)	Responsibility for appointing, directing, managing and dismissing Council staff and for all other issues relating to Council staff	As below:	
	<ul style="list-style-type: none"> Advertising, selection and appointment for SEO and SO roles 	Not Delegated	Subject to recommendation of the recruitment panel
	<ul style="list-style-type: none"> Advertising, selection and appointment for new unbudgeted roles 	Not Delegated	CEO approved organisational change

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	<ul style="list-style-type: none"> Advertising, selection and appointment for existing roles that have significantly changed 	Not Delegated	CEO approved organisational change
	<ul style="list-style-type: none"> Advertising, selection and appointment for existing roles that are being used to offset new or unbudgeted positions 	Not Delegated	CEO approved organisational change
	<ul style="list-style-type: none"> Advertising, selecting and appointing replacements for existing permanent roles with no changes to positions 	Directors	Director – Banded positions level 8 and below only Subject to recommendation of the recruitment panel
	<ul style="list-style-type: none"> Advertising, selecting and appointing replacements for casual staff within budget 	Directors, Managers	Director – Banded positions level 8 and below only Branch Manager – Casual staff and agency staff only Subject to recommendation following recruitment process
	<ul style="list-style-type: none"> Advertising, selecting and appointing replacements for agency and/or contract staff for periods over 6 months 	Directors	Director – Banded positions level 8 and below only Subject to recommendation of the recruiting manager

LOCAL GOVERNMENT ACT 1989

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	<ul style="list-style-type: none"> Advertising, selecting and appointing replacements for agency and/or contract staff for periods up to 6 months 	Directors	Directors – Banded positions level 8 and below only Subject to recommendation following recruitment (including EOI) process
	<ul style="list-style-type: none"> Engage internal or external resources to assist with an investigation 	MHRO	Subject to consultation with UMPS
	<ul style="list-style-type: none"> Suspending an employee on full pay during a workplace investigation 	Directors	In consultation with MHRO or HRBP
	<ul style="list-style-type: none"> Transferring an employee to alternate duties during a workplace investigation 	Directors	Subject to recommendation of MHRO or HRBP
	<ul style="list-style-type: none"> Commence a disciplinary process for banded role 	Director, Managers, Unit Managers, Coordinators, Team Leaders	In consultation with MHRO, UMPS or HRBP
	<ul style="list-style-type: none"> Commence a disciplinary process for an SEO 	Directors	Subject to recommendation of UMPS Consultation with MHRO
	<ul style="list-style-type: none"> Commence a disciplinary process for a SO 	Directors	Level 3 or below In consultation with MHRO

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	<ul style="list-style-type: none"> Issue a counselling memo 	Directors, Managers, Unit Managers, Coordinators, Team Leaders	In consultation with HRBP Unit Managers and below in consultation with Branch Manager
	<ul style="list-style-type: none"> Issue a Notice of Discussion memo 	Directors, Managers, Unit Managers, Coordinators, Team Leaders (Supervisors)	Managers – banded employees only Directors – level 3 and 4 employees Based on consultation of HRBP and UMPS for banded employees and MHRO for contracted officers
	<ul style="list-style-type: none"> Issue a first warning 	Directors, Managers	Managers – banded employees Directors – level 3 and 4 employees Based on recommendation of HRBP and UMPS for banded employees and MHRO for contracted officers
	<ul style="list-style-type: none"> Issue a second warning 	Directors, Managers	Managers – banded employees Directors – level 3 and 4 employees Based on recommendation of HRBP and UMPS for banded employees and MHRO for contracted officers.
	<ul style="list-style-type: none"> Issue a first and final warning or final warning 	Directors, Managers	Following consultation with Director. Manager – banded employees

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			Director – level 3 and 4 employees
	<ul style="list-style-type: none"> Suspend an employee on pay 	Directors	
	<ul style="list-style-type: none"> Terminate employment due to poor performance or misconduct 	Not delegated	
	<ul style="list-style-type: none"> Approval or termination of home-based work arrangement 	Directors, Managers	Manager – Banded employees Director – level 3 & 4 employees CEO – level 2 employees
	<ul style="list-style-type: none"> Approval for purchased leave arrangement 	Directors, Managers, Unit Managers	All hours in accordance with relevant policy Manager/Unit Managers – banded employees Director – level 3 & 4 employees CEO – level 2 employees
	<ul style="list-style-type: none"> Approval of flexible work arrangement 	Directors, Managers	Managers – banded employees Director – level 3 & 4 employees

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			CEO – level 2 employees
	<ul style="list-style-type: none"> Approval of internal learning program 	Directors, Managers, Unit Managers, Coordinators, Team Leaders	
	<ul style="list-style-type: none"> Approval of work experience placement 	Directors, Managers	In consultation with LDA and in accordance with policy
	<ul style="list-style-type: none"> Approval of study assistance arrangement as per policy 	Directors, Managers	<p>Approval for Directors remains with the CEO</p> <p>All other approvals are subject to recommendation of:</p> <ul style="list-style-type: none"> Managers for banded employees Directors for Level 3 & 4 employees <p>In accordance with policy and budget</p>
	<ul style="list-style-type: none"> Approval of study assistance fee reimbursement 	Directors, Managers, Unit Managers, Coordinators	<p>Approval for Directors remains with the CEO</p> <p>In accordance with Financial Delegations for staff reimbursements:</p> <ul style="list-style-type: none"> - CEO \$20,000 - Directors \$5,000 - Managers \$500

LOCAL GOVERNMENT ACT 1989

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			- Unit Managers/Coordinators \$500
	<ul style="list-style-type: none"> Approval of prepayment of study fees 	Directors	Approval for Directors remains with the CEO All other approvals are subject to recommendation of: <ul style="list-style-type: none"> Managers for banded employees Directors for Level 3 & 4 employees
	<ul style="list-style-type: none"> Accept resignation banded employees 	Supervisor (Manager, Unit Manager or Supervisor)	
	<ul style="list-style-type: none"> Accept resignation of SEO/SO 	Directors, Managers	CEO accepts resignation of Directors
	<ul style="list-style-type: none"> Completion of departure checklist 	Directors, Managers, Unit Managers, Coordinators, Team Leaders	This duty is the responsibility of the immediate supervisor
	<ul style="list-style-type: none"> Remuneration decision SEO/SO 	Not delegated	

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	<ul style="list-style-type: none"> Banded employee classification review 	Managers, Directors	
	<ul style="list-style-type: none"> Withhold increment banded employee 	Managers, Directors	Based on recommendation of relevant HRBP
	<ul style="list-style-type: none"> Appointment of a more senior role (higher duties or secondments) Approval of higher duties or secondments 	Managers – banded positions employees Directors – Level 4 employees and below CEO – Level 2 & 3 employees	In accordance with the recruitment and selection policy
	<ul style="list-style-type: none"> Redeployment to lesser position 	Directors – Level 4 employees and below CEO – Level 2 & 3 employees	In consultation with: - UMPS on recommendation of Managers for banded employees - MHRO on recommendation of Directors for Level 4 employees and below - Decisions relating to Level 2 & 3 employees remain with the CEO
	<ul style="list-style-type: none"> Approval of salary sacrifice – motor vehicle (private use arrangement) 	Directors	

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	<ul style="list-style-type: none"> Approval of salary sacrifice – motor vehicle (novated lease arrangement) 	Directors	
	<ul style="list-style-type: none"> Approval of salary sacrifice – standard salary sacrifice arrangements 	Payroll Coordinator	
	<ul style="list-style-type: none"> Approval of salary sacrifice – non-standard salary sacrifice arrangements 	MHRO	Recommendation of Director
s 94A(3)	Power to approve position descriptions	Directors, GMCD, Managers	
s 94A(3)	Power to create or approve creation of new positions	Not Delegated	This power remains with the CEO.
s 94A(3)	Duty to conduct interviews for staff annual review	Directors, GMCD, Managers, Unit Managers, Coordinators, Team Leaders (Supervisors)	
s 94A(3)	Power to authorise personal and annual leave	Directors, GMCD, Managers, Unit Managers, Coordinators, Team Leaders (Supervisors)	In accordance with section 3.5 of the Employee Code of Conduct: - Annual leave - approved by Supervisor and/or Unit Manager

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			- Personal leave – approved by Supervisor and/or Unit Manager or above
s 94A(3)	Power to approve long service leave and compassionate leave	Directors, GMCD, Managers, Unit Managers, Coordinators, Team Leaders (Supervisors)	Compassionate leave – Supervisor and/or Unit Manager or above Long service leave - less than one week, by exception only, Branch Manager or Director - 1 week-3 months – recommended by supervisor and/or Unit Manager, approved by Unit Manager or Branch Manager - greater than 3 months, recommended by Unit Manager, approved by Branch Manager
s 94A(3)	Power to authorise all forms of study and training leave and educational assistance	Directors, Managers	Recommended by Branch Managers, approved by Directors and MHRO
s 94A(3)	Power to approve leave without pay	Directors, Managers	Unpaid leave up to 5 days, recommended by Unit Manager or Coordinator, approved by Branch Manager Unpaid leave greater than 5 days and less than 12 months, recommended by Branch Manager, approved by Director

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 94A(3)	Power to authorise time sheets, higher duties, time-in-lieu, overtime and travel expense claims	Directors, GMCD, Managers, Unit Managers, Coordinators, Team Leaders (Supervisors)	Supervisors approve time sheets of direct reports Prior approval by Managers is required for overtime or time-in-lieu in line with Policy and Enterprise Agreement Travel expense claims in accordance with Financial Delegations for staff reimbursements: - CEO \$20,000 - Directors \$5,000 - Managers \$500 - Unit Managers/Coordinators \$500
s 94A(3)	Power to approve attendance at conferences and seminars	Directors, GMCD, Managers, Unit Managers, Coordinators, Team Leaders (Supervisors)	Approved by supervisor where no interstate or overseas travel or accommodation is involved.
s 94A(3)	Power to approve attendance at training programs	Directors, GMCD, Managers, Unit Managers, Coordinators, Team Leaders (Supervisors)	Approved by supervisor where no interstate or overseas travel or accommodation is involved.
s 94A(3)	Power to give approval for officers to travel	Directors	Interstate Travel - CEO travel – CEO to inform Council - CEO approves Directors - Directors approve staff and managers Overseas travel - CEO travel – CEO to inform Council

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			- CEO approves all staff
s 94A(3)	Power to approve travel accommodation	Directors, Managers	Travel in Victoria metro/regional: - CEO travel – CEO to inform Council - CEO approves Directors - Directors approve Managers or where expenditure exceeds \$5,000 for business unit - Managers approve staff
s 94A(3)	Power to sign Notice of Injury and Work Injury Form.	MHRO	
s 94A(3)	Power to approve claims under WorkCover excess	MHRO	
s 94A(3)	Power to approve expenses relating to an approved course of study.	Directors, GMCD, Managers	
s 94A(3)	Power to approve staff engaging in other employment	Directors, Managers	Declarations of outside employment must be documented and submitted to MHRO for employee's personnel file. - Managers approve staff declarations - Directors approve Manager declarations
s 94A(3)	Power to determine acceptance or denial of liability in the event of a WorkCover claim	MHRO	

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 94A(3)	Power to provide statement of service on Council letterhead	Directors, GMCD, Managers	
s 94A(3)	Power to authorise access to a staff member's personal personnel file	MHRO, DBT	
s 94A(3A)	Responsibility for managing interactions between Council staff and Councillors, including by ensuring that appropriate policies, practices and protocols are in place defining appropriate arrangements for interaction between Council staff and Councillors	Not Delegated	This duty remains with the CEO
s 94B(3)	Duty to ensure that a person who has filled a senior officer's position on an acting basis for 12 months is not remunerated in any way for anything the person does in respect of that position after that 12 month period (unless subsection (1) applies).	Not Delegated	This duty remains with the CEO.
s 94D	Duty to give Council staff an opportunity to apply for any vacant permanent full-time Council staff position	Not Delegated	This duty remains with the CEO. Pursuant to the Moreland City Council Enterprise Agreement 2018, made under the Fair Work Act 2009, where a position is made redundant, the incumbent (and other redeployees) may be offered another redeployment position in the organisation without the CEO otherwise giving Council staff an opportunity to

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			apply for any vacant permanent full-time Council staff position.
s 95AA(1)	Duty to develop and implement a code of conduct for Council staff in accordance with 'any matters which are prescribed for the purposes of this section' (s 95AA(2))	Not Delegated	This duty remains with the CEO.
s 95AA(3)	Duty to ensure members of Council staff have access to the code of conduct for Council staff	DBT, MHRO	
s 95B(5)	Duty to comply with a notice under s 95B(3)(b)	Not delegated	This duty remains with the CEO.
s 95B(6)	Duty to only employ a person on an acting basis where the Council or the Chief Executive officer is forbidden to fill a vacancy by a notice	Not Delegated	This duty remains with the CEO.
s 97A(2)	Duty to review the performance of every senior officer at least once each year	Directors	The duty remains with the CEO for Directors
s 132(5)(b)	Duty to certify Council performance statement and financial statements	Not Delegated	The CEO must certify: the performance statement pursuant to r 18(1)(a) of the <i>Local Government (Planning and Reporting) Regulations 2014 (Reporting Regulations)</i> , and; the financial statements pursuant to r 21(1)(a) of the <i>Reporting Regulations</i>
s 138	Duty to give quarterly statements at a Council meeting that is open to the public	EMF, CFO	

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 181G	Duty to ensure that quarterly statement prepared under section 138 of <i>Local Government Act 1989</i> includes relevant details of environmental upgrades and charges	EMF, CFO	
s 219(12)	Duty to summon a Council meeting within 14 days after the public declaration of the election result	Not Delegated	This duty remains with the CEO.
s 229(2)(b)	Function of receiving an application for a land information certificate	CRS	
s 230	Function of receiving notice in relation to the disposition of any land	CRS	The CEO is the prescribed person pursuant to r 14(1)(b) of the <i>Local Government (General) Regulations 2015</i>
s 231	Function of receiving notice in relation to the acquisition of any land	CRS	The CEO is the prescribed person pursuant to r 15(1)(b) of the <i>Local Government (General) Regulations 2015</i>

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & 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	Not delegated	[Commencement date NYP 24 October 2020]
s 32(4)(b)	Duty to provide reasonable assistance to a Councillor to enable them to access the Councillor induction training	DBT, MCG, UMGCP, TLCP	[Commencement date NYP 24 October 2020]
s 47(6)	Duty to submit an annual report to the Council in relation to the activities and performance of a Community Asset Committee in respect of which the members have been given a delegation under this section	Not delegated	
s 47(7)	Duty to keep a register of delegations under section 47 of this Act	DBT, MCG, UMGCP, TLG	
s 54(6)	Duty to ensure the preparation and maintenance of agendas, minutes and reports of the Audit and Risk Committee	DBT, MCG	
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	[Commencement date NYP 24 October 2020]

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 130(7)	Duty to notify the Chief Municipal Inspector as soon as practicable after the Chief Executive Officer becomes aware that a relevant person, who is a member of Council staff, has failed to disclose a conflict of interest	Not delegated	[Commencement date NYP 24 October 2020]
s 130(8)	Duty to notify the Council if a relevant person, who is not a Councillor or member of Council staff, fails to disclose a conflict of interest and make a recommendation to the Council as to the action that is to be taken	Not delegated	[Commencement date NYP 24 October 2020]
s 132(1)	Power to nominate a 'nominated officer'	Not delegated	[Commencement date NYP 24 October 2020]
s 133	Function of receiving an initial personal interests return	UMGCP, TLG	[Commencement date NYP 24 October 2020]
s 134	Function of receiving a biannual personal interests return	UMGCP, TLG	[Commencement date NYP 24 October 2020]
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	DBT, MCG, UMGCP, TLG	[Commencement date NYP 24 October 2020]
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	DBT, MCG, UMGCP, TLG	[Commencement date NYP 24 October 2020]

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 136(1)	Duty to ensure that personal interests return are kept in accordance with the Public Records Act 1973	DBT, MCG, UMGCO, TLG	[Commencement date NYP 24 October 2020]
s 136(2)	Duty to ensure that only the 'specified persons' have access to or can inspect a personal interests return	DBT, MCG, UMGCO, TLG	[Commencement date NYP 24 October 2020]
s 150(1)	Duty to appoint the Councillor Conduct Officer and notify the Principal Councillor Conduct Registrar of the appointment	Not delegated	[Commencement date NYP 24 October 2020]
s 240(10)	Duty to send notice	EMF, CFO, UMF, TLRS	
s 240(11)	Duty to send notice	EMF, CFO, UMF, TLRS	
s 240(12)	Duty to send notice	EMF, CFO, UMF, TLRS	
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	EMF, CFO, UMF, TLRS	
s 246(2)	Power to refuse enrolment and duty to give written reasons for refusal application for enrolment	EMF, CFO, UMF, TLRS	
s 246(3)	Power to request information orally or in writing to enable her or him to determine a person's eligibility for enrolment	EMF, CFO, UMF, TLRS	

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 246(4)	Power to require information to be given in writing and signed by the person giving the information	EMF, CFO, UMF, TLRS	
s 247(3)	Power to decide whether address should be placed on voters' roll and to then take action accordingly	EMF, CFO, UMF, TLRS	
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	EMF, CFO, UMF, TLRS	
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	EMF, CFO, UMF, TLRS	
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	EMF, CFO, UMF, TLRS	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	Directors, GMCD, Managers	Subject to section 254(2)(a) and (b)
s 254(2)	Duty to obtain undertaking	EMF, CFO, UMF, TLRS	
s 254(4)	Power to request the Victorian Electoral Commission to provide a copy of the voters' roll	EMF, CFO, MCG, UMGCP	

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DBT, MCG, UMGCP	
s 306(1)	Function of receiving election campaign donation return	DBT, MCG, UMGCP	
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)	DBT, MCG, UMGCP	
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	DBT, MCG, UMGCP	
s 307(3)	Duty to ensure that a summary of the return is made available on the Council's Internet	DBT, MCG, UMGCP	
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	DBT, MCG, UMGCP	

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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)	DBT, MCG, UMGCP	
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	Directors, Managers	For the Magistrates' Court – Group Manager or Manager level; for VCAT planning matters – Group Manager or Director; for VCAT building matters – Group Manager; for other VCAT matters – Director; for the Children's' court – Director; for the County Court – not delegated; for the Supreme Court – not delegated
s 324(2)	Power to sign a certificate certifying any matter relating to the contents of any document kept by a Council	Directors	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 140	Power to certify copies of instruments, documents, maps or plans under this Act	DCF, GMCD, UMUP	Where the Council is the relevant responsible authority
s 141	Power to provide evidentiary statement pertaining to land use and permits under this Act	DCF, GMCD, UMUP	Where the Council is the relevant responsible authority
s 143	Power to provide evidentiary statement pertaining to s 173 agreements under this Act	DCF, GMCD, UMUP	Where the Council is the relevant responsible authority

PUBLIC HEALTH AND WELLBEING ACT 2008

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 226(2)	Power to sign evidentiary certificates under this Act	UMBSEH, UMEH, TLEH	

PUBLIC INTEREST DISCLOSURES ACT 2012

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 12(2)	Function of receiving a disclosure	Directors, Managers, Unit Managers, Team Leaders	

ROOMING HOUSE OPERATORS ACT 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 4	Function of liaising with Business Licensing Authority	DCF, GMCD, UMBSEH, UMEH	
s 15(1)	Duty to provide information to Business Licensing Authority on request	DCF, GMCD, UMBSEH, UMEH	
s 15(2)	Duty to give a report to Business Licensing Authority on inquiries made in response to request under s 15(1)	DCF, GMCD, UMBSEH, UMEH	
s 24(2)	Duty to give a report to Business Licensing Authority on inquiries made in response to request under s 24(1)	DCF, GMCD, UMBSEH, UMEH	

SERVICE VICTORIA ACT 2018			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 5(2)	Function of receiving a copy of the agreement made under s 5(1)	DBT, DEP	
s 5(4)	Function of receiving a copy of a notice under s 5(3)	DBT, DEP	
s 6	Duty to use best endeavours to give effect to a notice under s 5(3) which applies to Council	DBT, DEP	
s 7(3)	Function of receiving a copy of the agreement made under s 7(1)	DBT, DEP	
s 7(4)	Function of receiving a copy of a notice under s 7(3)	DBT, DEP	
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	DBT, DEP	Where Council's CEO has been transferred a transferred customer service function
s 10(2)	Function of receiving a copy of the agreement made under s 10(1)	DBT, DEP	
S 10(4)	Function of receiving a copy of a notice under s 10(3)	DBT, DEP	
s 11	Duty to use best endeavours to give effect to a notice under s 10(3) which applies to Council	DBT, DEP	
s 12(3)	Function of receiving a copy of the agreement made under s 12(1)	DBT, DEP	

SERVICE VICTORIA ACT 2018			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 12(4)	Function of receiving a copy of a notice under s 12(2)	DBT, DEP	
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	DBT, DEP	Where Council's CEO has been transferred a transferred identity verification function

SHERIFF ACT 2009

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54	Power to exempt Council from providing information to the Sheriff otherwise authorised by a warrant if exceptional circumstances apply	DCI	

VALUATION OF LAND ACT 1960 -

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 3(5)(ba)	Power to request valuations of land	EMF, CFO, UMUP, UMF, PRC, TLRS	

VICTORIAN DATA SHARING ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & 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	DBT, MIT	
s 11(1)	Function of receiving a written notice to provide information about Council's data holding	DBT, MIT	
s 15(1)	Power to disclose identifiable data to the Chief Data Officer in response to a request under s 8	DBT, MIT	In accordance with s 5 MIT to inform CEO if any data has secrecy provisions related to it.
s 15(2)	Power to disclose identifiable data to a data analytics body for the purpose of data integration	DBT, MIT	In accordance with s 5
s 21	Duty to inform the Chief Data Officer of the secrecy provisions which apply to the disclosed data	Not Delegated	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			
Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 87(2)	Function of responding to adverse material the Victorian Inspectorate intends to include in a report	Not Delegated	The function remains with the CEO.
s 91(2)	Function of responding to adverse material the Victorian Inspectorate intends to include in annual report	Not Delegated	The function remains with the CEO.

LOCAL GOVERNMENT (ELECTORAL) REGULATIONS 2020			
Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 15(1)	Duty to provide details of a person's entitlement to be enrolled as a ratepayer on the voters' roll	UMF, TLRS	
r 15(2)	Power to exchange relevant information to enrolment entitlements with the VEC	UMF, TLRS	
r 18	Duty to maintain a list of silent voters	UMF, TLRS	
r 19	Duty to ensure that only authorised persons have access to details of silent voters	UMF, TLRS	
r 33	Duty to cause the Local Government Candidate Training to be conducted	MCG, UMGCP	
r 35	Duty to keep a register of attendance	MCG, UMGCP	
r 36(2)	Duty to comply with notice under subsection (1)	MCG, UMGCP	
r 83	Duty to submit report on election received by the VEC to Council	MCG, UMGCP	