

Stonnington City Council

Instrument of Sub-Delegation

by

the Chief Executive Officer

Instrument of Sub-Delegation

By this Instrument of Sub-delegation, in exercise of the power conferred by section 47(2) of the *Local Government Act 2020* I, Jacqui Weatherill as Chief Executive Officer of Stonnington City Council:

1. delegate each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff or contractor holding, acting in or performing the duties of the office or position described in Column 3 of the Schedule each corresponding duty and/or function and/or power in column 4 of the Schedule;
2. records that a reference in the Schedule to:

Acronym	means	Title
AAM	means	Assistant Accountant (Management)
AMC	means	Animal Management Coordinator
AMO	means	Animal Management Officer(s)
AOB	means	Administration Officer Building
ASC	means	Assessment Services Coordinator
BCC	means	Building Compliance Coordinator
BI	means	Building Inspector
CCI	means	Coordinator Corporate Information
CEO	means	Chief Executive Officer
CFE	means	Coordinator Festivals & Events
CFO	means	Chief Financial Officer
CivSO	means	Civic Support Officer
CompOffr	means	Compliance Officer
CoordCSD	means	Coordinator Community Support & Diversity
CoordInf	means	Coordinator Infrastructure
CoordPI	means	Coordinator Planning Investigations
CoordR&I	means	Coordinator Risk & Integrity
CoordParks	means	Parks Coordinator
CoordPWA	means	Coordinator Payroll and Workforce Analytics
CoordRecS	means	Coordinator Recreation Services

CoordStatP	means	Coordinator Statutory Planning
Acronym		Title
CoordStrP	means	Coordinator Strategic Planning
CoordTP	means	Coordinator Transport & Parking
CPO	means	Chief People Officer
CSC	means	Customer Service Coordinator
CSO	means	Customer Service Officer
CSP	means	Customer Service Planner
DEI	means	Director Environment & Infrastructure
DCW	means	Director Community Wellbeing
Directors	means	Second level appointees reporting to the CEO
DPP	means	Director Planning & Place
EHC	means	Environmental Health Coordinator
EHO	means	Environmental Health Officer
EMCE	means	Executive Manager Communications & Governance
EMLG	means	Executive Manager Legal & Governance
FAC	means	Financial Accounting Coordinator
FinAcct	means	Financial Accountant
FOI&SCO	means	Freedom of Information and Statutory Compliance Officer
GenCounsel	means	General Counsel
LLCC	means	Local Laws Compliance Coordinator
MADCP	means	Manager Aged, Diversity & Community Planning
MAMP		Manager Asset Management & Planning
Managers	means	<ul style="list-style-type: none"> • Chief Financial Officer • Executive Manager Communication & Engagement • Executive Manager legal and Governance • Chief People Officer • Third level Managers reporting to Directors
MBS	means	Municipal Building Surveyor
MC&CR	means	Manager Councillor & Civic Relations
MCAE	means	Manager Communications, Advocacy & Engagement
MCH&ISCoord	means	Maternal and Child Health & Immunisation Services Coordinator
MCHNurse	means	Maternal & Child Health Nurse
MCO	means	Manager City Operations
MComms	means	Manager Community Services
MEAC	means	Manager Events, Arts & Culture
MEMO	means	Municipal Emergency Management Officer
MLC	means	Manager Liveability & Compliance

July 2021 update

MOSE	means	Manager Open Space & Environment
MPMD		Manager Project Management & Delivery
MSP	means	Manager Statutory Planning
MSTRAT&P	means	Manager Strategy & Performance
MTP	means	Manager Transport and Parking
PAC	means	Planning Appeals Coordinator
Acronym		Title
PCoord	means	Parks Coordinator
PIO	means	Planning Investigations Officer
PM	means	Place Manager
PP	means	Principal Planner
PropCoord	means	Property Coordinator
PSA	means	Parking Services Administrator
PSC	means	Parking Services Coordinator
PSO	means	Planning Support Officer
PSP	means	Principal Strategic Planner
RevCoord	means	Revenue Coordinator
RRO	means	Rapid Response Officer
WC&RTWO	means	Workers Compensation and Return to Work Officer
SBS	means	Senior Building Surveyor
SO	means	Subdivisions Officer
SP&OO	means	Senior Productions and Operations Officer
SPSA	means	Senior Parking Services Administrator
SPSO	means	Senior Parking Services Officer
SRO	means	Senior Revenue Officer
SStatP	means	Senior Statutory Planner
SStrP	means	Senior Strategic Planner
StatP	means	Statutory Planners
TLPS	means	Team Leader Planning Support
WMCoord	means	Waste Management Coordinator

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;
- 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:

July 2021 update

INDEX

ACTS	Page
<i>ABORIGINAL HERITAGE ACT 2006</i>	6
<i>ASSOCIATIONS INCORPORATION REFORM ACT 2012</i>	6
<i>AUDIT ACT 1994</i>	7
<i>BUILDING ACT 1993</i>	9
<i>CATCHMENT AND LAND PROTECTION ACT 1994</i>	20
<i>CHILD WELLBEING AND SAFETY ACT 2005</i>	21
<i>CHILDREN YOUTH AND FAMILIES ACT 2005</i>	25
<i>CHILDRENS SERVICES ACT 1996</i>	26
<i>CLIMATE CHANGE ACT 2017</i>	27
<i>CONSERVATION, FORESTS AND LAND ACT 1987</i>	30
<i>CULTURAL AND RECREATIONAL LANDS ACT 1963</i>	31
<i>DANGEROUS GOODS ACT 1985</i>	31
<i>DEVELOPMENT VICTORIA ACT 2003</i>	32
<i>DISABILITY ACT 2006</i>	34
<i>DOMESTIC ANIMALS ACT 1994</i>	35
<i>DOMESTIC BUILDING CONTRACTS ACT 1995</i>	59
<i>EDUCATION AND CARE SERVICES NATIONAL LAW ACT 2010</i>	60
<i>EDUCATION AND TRAINING REFORM ACT 2006</i>	61
<i>ELECTORAL ACT 2002</i>	62
<i>ELECTRICITY SAFETY ACT 1998</i>	63
<i>EMERGENCY MANAGEMENT ACT 2013</i>	62
<i>ENVIRONMENT PROTECTION ACT 2017</i>	65
<i>ESTATE AGENTS ACT 1980</i>	73

ACTS	Page
<i>FAMILY VIOLENCE PROTECTION ACT 2008</i>	74
<i>FENCES ACT 1968</i>	78
<i>FILMING APPROVAL ACT 2014</i>	79
<i>FINES REFORM ACT 2014</i>	82
<i>FIRE RESCUE ACT 1958</i>	87
<i>FIRE SERVICES PROPERTY LEVY ACT 2012</i>	88
<i>FLORA AND FAUNA GUARANTEE ACT 1988</i>	102
<i>FOOD ACT 1984</i>	105
<i>FREEDOM OF INFORMATION ACT 1982</i>	112
<i>GAMBLING REGULATION ACT 2003</i>	117
<i>GENDER EQUALITY ACT 2020</i>	121
<i>GRAFFITI PREVENTION ACT 2007</i>	126
<i>HEALTH RECORDS ACT 2001</i>	128
<i>HEAVY VEHICLE NATIONAL LAW ACT 2012</i>	131
<i>HEAVY VEHICLE NATIONAL LAW APPLICATION ACT 2013</i>	136
<i>HERITAGE ACT 2017</i>	137
<i>HOUSING ACT 1983</i>	140
<i>IMPOUNDING OF LIVESTOCK ACT 1994</i>	143
<i>INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION ACT 2011</i>	145
<i>INFRINGEMENTS ACT 2006</i>	146
<i>LAND ACT 1958</i>	163
<i>LAND ACQUISITION AND COMPENSATION ACT 1986</i>	166
<i>LIQUOR CONTROL REFORM ACT 1998</i>	176
<i>LOCAL GOVERNMENT ACT 2020</i>	177
<i>LOCAL GOVERNMENT ACT 1989</i>	185
<i>MAGISTRATES' COURT ACT 1989</i>	199

ACTS	Page
<i>MAJOR TRANSPORT PROJECTS FACILITATION ACT 2009</i>	200
<i>MARINE AND COASTAL ACT 2018</i>	201
<i>PRIVACY AND DATA PROTECTION ACT 2014</i>	202
<i>PROFESSIONAL ENGINEERS REGISTRATION ACT 2019</i>	209
<i>PUBLIC HEALTH AND WELLBEING ACT 2008</i>	210
<i>PUBLIC INTEREST DISCLOSURES ACT 2012</i>	219
<i>PUBLIC RECORDS ACT 1973</i>	220
<i>ROAD MANAGEMENT ACT 2004</i>	221
<i>ROAD SAFETY ACT 1986</i>	223
<i>ROOMING HOUSE OPERATORS ACT 2016</i>	225
<i>SECOND HAND DEALERS AND PAWN BROKERS ACT 1989</i>	226
<i>SERVICE VICTORIA ACT 2018</i>	226
<i>SEX WORK ACT 1994</i>	228
<i>SHERIFF ACT 2009</i>	229
<i>SPORT AND RECREATION ACT 1972</i>	230
<i>SUBDIVISION ACT 1988</i>	231
<i>SUMMARY OFFENCES ACT 1966</i>	239
<i>TAXATION ADMINISTRATION ACT 1997</i>	240
<i>TRANSFER OF LAND ACT 1958</i>	241
<i>TRANSPORT INTEGRATION ACT 2010</i>	243
<i>VALUATION OF LAND ACT 1960</i>	245
<i>VICTORIAN DATA SHARING ACT 2017</i>	252
<i>VICTORIA STATE EMERGENCY SERVICE ACT 2005</i>	251
<i>VICTORIAN ENVIRONMENTAL ASSESSMENT COUNCIL ACT 2001</i>	253
<i>VICTORIAN INSPECTORATE ACT 2011</i>	253

VICTORIAN LOCAL GOVERNMENT GRANTS COMMISSION ACT 1976	254
ACTS	Page
VICTORIAN PLANNING AUTHORITY ACT 2017	254
WATER ACT 1989	255
YARRA RIVER PROTECTION (WILIP-GIN BIRRARUNG MURRON) ACT 2017	260

REGULATIONS	Page
BUILDING REGULATIONS 2018	261
DANGEROUS GOODS (EXPLOSIVES) REGULATIONS 2021	272
DRUGS, POISONS AND CONTROLLED SUBSTANCES REGULATIONS 2017	272
ELECTRICITY SAFETY (ELECTRIC LINES CLEARANCE) REGULATIONS 2020	273
INFRINGEMENTS REGULATIONS 2016	275
LAND ACQUISITION AND COMPENSATION REGULATIONS 2010	278
LOCAL GOVERNMENT (GENERAL) REGULATIONS 2015	279
LOCAL GOVERNMENT (LONG SERVICE LEAVE) REGULATIONS 2021	283
LOCAL GOVERNMENT (PLANNING AND REPORTING) REGULATIONS 2020	284
OCCUPATIONAL HEALTH AND SAFETY REGULATIONS 2017	265
PUBLIC HEALTH AND WELLBEING REGULATIONS 2019	285
PUBLIC HEALTH AND WELLBEING (PRESCRIBED ACCOMMODATION) REGULATIONS 2020	285
ROAD SAFETY (GENERAL) REGULATIONS 2019	286
ROAD SAFETY (TRAFFIC MANAGEMENT) REGULATIONS 2019	287
ROAD SAFETY (VEHICLES) INTERIM REGULATIONS 2020	289
ROAD SAFETY ROAD RULES 2017	290

<i>SUBDIVISION (FEES) REGULATIONS 2016</i>	291
<i>SUBDIVISION (PROCEDURES) REGULATIONS 2011</i>	292
REGULATIONS	Page
<i>SUBDIVISION (REGISTRAR'S REQUIREMENTS) REGULATIONS 2011</i>	294
<i>MISCELLANEOUS AND ADMINISTRATIVE POWERS</i>	295

ABORIGINAL HERITAGE ACT 2006			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Parts 4, 6 and 8	Powers, functions and duties of a sponsor of a cultural heritage management plan under Parts 4, 6 and 8 of the <i>Aboriginal Heritage Act 2006</i> .	Not delegated.	The powers, functions and duties remain with the CEO.
s.74A(1)	Power to enter into an Aboriginal cultural heritage land management agreement with a registered Aboriginal party.	Not delegated.	The power remains with the CEO.
s.74E(1)	Duty to give a copy of an Aboriginal cultural heritage land management agreement to the Secretary of the Department of Premier and Cabinet.	DPP.	

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

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