



Instrument of Delegation

to

The Chief Executive Officer

Approved by East Gippsland Shire Council

Approval Date to be inserted

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 East Gippsland 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.

The Common Seal of East Gippsland Shire

Council was affixed on the day of

{insert date of approval} in the presence of: -

Councillor:

Cr

Chief Executive Officer:

Mr Anthony Basford

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 any Act.

Conditions and Limitations

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

4. if the issue, action, act or thing is an issue, action, act or thing which involves
 - 4.1 awarding a contract or making an expenditure exceeding the value of \$500,000 (including GST) for goods, services, or carrying out of works (excluding the procurement of insurance):
 - 4.1.1 The exclusion for procurement of insurance is conditional on Councillors being advised of the insurance premium paid;
 - 4.2 appointing an Acting Chief Executive Officer for a period exceeding 28 days;
 - 4.3 election of a Mayor or Deputy Mayor;
 - 4.4 granting of a reasonable request for leave under section 35 of the Act;
 - 4.5 making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
 - 4.6 approval or amendment of the Council Plan;
 - 4.7 adoption or amendment of any policy that the Council is required to adopt under the Act;
 - 4.8 adoption or amendment of the Governance Rules;
 - 4.9 appointment of the chair or the members to a delegated committee;
 - 4.10 making, amending or revoking a local law;
 - 4.11 approval of the Budget or Revised Budget;
 - 4.12 borrowing money;

- 4.13 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; or
5. 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;
6. 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;
7. 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
- 7.1 policy; or
- 7.2 strategy
- adopted by Council; or
8. 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
9. 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.



Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

In this instrument "officer" means -

Ben McGeehan, Land Use Planning Officer
Jodie Pitkin, General Manager Place and Community
Leigh Collings, Municipal Building Surveyor
Aaron Hollow, Manager Planning
Ben Marchbank, Strategic Planner
Robert Pringle, Land Use Planning Officer
Chris Radford, Building Inspector
Nicole Reynolds, Strategic Planning Coordinator
Bill Williams, Land Use Planning Officer
Elaine Wood, Senior Strategic Planner

By this instrument of appointment and authorisation East Gippsland Shire Council -

1. under section 147(4) of the *Planning and Environment Act 1987*, appoints the officers to be authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 313 of the *Local Government Act 2020*, authorises the officers generally to institute proceedings for offences against the Acts, regulations and local laws described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the East Gippsland Shire Council on 2 June 2020.

THE COMMON SEAL of EAST GIPPSLAND
SHIRE COUNCIL was hereunto affixed on the

.....day of 2020

in the presence of:

..... Councillor

..... Chief Executive Officer

East Gippsland Shire Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987)

In this instrument "officer" means -

Ben McGeehan, Land Use Planning Officer

By this instrument of appointment and authorisation East Gippsland Shire Council -

1. under section 147(4) of the *Planning and Environment Act* 1987, appoints this officer to be an authorised officer for the purposes of the *Planning and Environment Act* 1987 and the regulations made under that Act; and
2. under section 313 of the *Local Government Act* 2020, authorises this officer generally to institute proceedings for offences against the Acts, regulations and local laws described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the East Gippsland Shire Council made on 2 June 2020.

THE COMMON SEAL of EAST GIPPSLAND SHIRE COUNCIL was hereunto affixed on the

..... day of _____ 2020 in the presence of:

..... Councillor

..... Chief Executive Officer

EGSC common
seal to be
placed here.



East Gippsland Shire Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987*)

In this instrument "officer" means -

Jodie Pitkin, General Manager Place and Community

By this instrument of appointment and authorisation East Gippsland Shire Council -

1. under section 147(4) of the *Planning and Environment Act 1987*, appoints this officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 313 of the *Local Government Act 2020*, authorises this officer generally to institute proceedings for offences against the Acts, regulations and local laws described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the East Gippsland Shire Council made on 2 June 2020.

THE COMMON SEAL of EAST GIPPSLAND SHIRE COUNCIL was hereunto affixed on the

..... day of _____ 2020 in the presence of:

..... Councillor

..... Chief Executive Officer

EGSC common
seal to be
placed here.



East Gippsland Shire Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987*)

In this instrument "officer" means -

Leigh Collings, Municipal Building Surveyor

By this instrument of appointment and authorisation East Gippsland Shire Council -

1. under section 147(4) of the *Planning and Environment Act 1987*, appoints this officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 313 of the *Local Government Act 2020*, authorises this officer generally to institute proceedings for offences against the Acts, regulations and local laws described in this instrument.
3. under section 3 of the *Building Act 1993* (**Building Act**), appoints the officer to be Municipal Building Surveyor for the purposes of the *Building Act 1993*.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the East Gippsland Shire Council made on 2 June 2020.

THE COMMON SEAL of EAST GIPPSLAND SHIRE COUNCIL was hereunto affixed on the

..... day of _____ 2020 in the presence of:

..... Councillor

..... Chief Executive Officer

EGSC common
seal to be
placed here.



East Gippsland Shire Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987*)

In this instrument "officer" means -

Aaron Hollow, Manager Planning

By this instrument of appointment and authorisation East Gippsland Shire Council -

1. under section 147(4) of the *Planning and Environment Act 1987*, appoints this officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 313 of the *Local Government Act 2020*, authorises this officer generally to institute proceedings for offences against the Acts, regulations and local laws described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the East Gippsland Shire Council made on 2 June 2020.

THE COMMON SEAL of EAST GIPPSLAND SHIRE COUNCIL was hereunto affixed on the

..... day of _____ 2020 in the presence of:

..... Councillor

..... Chief Executive Officer

EGSC common
seal to be
placed here.



East Gippsland Shire Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987*)

In this instrument "officer" means -

Ben Marchbank, Strategic Planner

By this instrument of appointment and authorisation East Gippsland Shire Council -

1. under section 147(4) of the *Planning and Environment Act 1987*, appoints this officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 313 of the *Local Government Act 2020*, authorises this officer generally to institute proceedings for offences against the Acts, regulations and local laws described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the East Gippsland Shire Council made on 2 June 2020.

THE COMMON SEAL of EAST GIPPSLAND SHIRE COUNCIL was hereunto affixed on the

..... day of _____ 2020 in the presence of:

..... Councillor

..... Chief Executive Officer

EGSC common
seal to be
placed here.



East Gippsland Shire Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987*)

In this instrument "officer" means -

Robert Pringle, Land Use Planning Officer

By this instrument of appointment and authorisation East Gippsland Shire Council -

1. under section 147(4) of the *Planning and Environment Act 1987*, appoints this officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 313 of the *Local Government Act 2020*, authorises this officer generally to institute proceedings for offences against the Acts, regulations and local laws described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the East Gippsland Shire Council made on 2 June 2020.

THE COMMON SEAL of EAST GIPPSLAND SHIRE COUNCIL was hereunto affixed on the

..... day of _____ 2020 in the presence of:

..... Councillor

..... Chief Executive Officer

EGSC common
seal to be
placed here.



East Gippsland Shire Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987*)

In this instrument "officer" means -

Chris Radford, Building Inspector

By this instrument of appointment and authorisation East Gippsland Shire Council -

1. under section 147(4) of the *Planning and Environment Act 1987*, appoints this officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 313 of the *Local Government Act 2020*, authorises this officer generally to institute proceedings for offences against the Acts, regulations and local laws described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the East Gippsland Shire Council made on 2 June 2020.

THE COMMON SEAL of EAST GIPPSLAND SHIRE COUNCIL was hereunto affixed on the

..... day of _____ 2020 in the presence of:

..... Councillor

..... Chief Executive Officer

EGSC common
seal to be
placed here.



East Gippsland Shire Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987*)

In this instrument "officer" means -

Nicole Reynolds, Strategic Planning Coordinator

By this instrument of appointment and authorisation East Gippsland Shire Council -

1. under section 147(4) of the *Planning and Environment Act 1987*, appoints this officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 313 of the *Local Government Act 2020*, authorises this officer generally to institute proceedings for offences against the Acts, regulations and local laws described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the East Gippsland Shire Council made on 2 June 2020.

THE COMMON SEAL of EAST GIPPSLAND SHIRE COUNCIL was hereunto affixed on the

..... day of _____ 2020 in the presence of:

..... Councillor

..... Chief Executive Officer

EGSC common
seal to be
placed here.



East Gippsland Shire Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987*)

In this instrument "officer" means -

Bill Williams, Land Use Planning Officer

By this instrument of appointment and authorisation East Gippsland Shire Council -

1. under section 147(4) of the *Planning and Environment Act 1987*, appoints this officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 313 of the *Local Government Act 2020*, authorises this officer generally to institute proceedings for offences against the Acts, regulations and local laws described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the East Gippsland Shire Council made on 2 June 2020.

THE COMMON SEAL of EAST GIPPSLAND SHIRE COUNCIL was hereunto affixed on the

..... day of _____ 2020 in the presence of:

..... Councillor

..... Chief Executive Officer

EGSC common
seal to be
placed here.



East Gippsland Shire Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987*)

In this instrument "officer" means -

Elaine Wood, Senior Strategic Planner

By this instrument of appointment and authorisation East Gippsland Shire Council -

1. under section 147(4) of the *Planning and Environment Act 1987*, appoints this officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 313 of the *Local Government Act 2020*, authorises this officer generally to institute proceedings for offences against the Acts, regulations and local laws described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the East Gippsland Shire Council made on 2 June 2020.

THE COMMON SEAL of EAST GIPPSLAND SHIRE COUNCIL was hereunto affixed on the

..... day of _____ 2020 in the presence of:

..... Councillor

..... Chief Executive Officer

EGSC common
seal to be
placed here.





Maddocks



[##City/Shire] Council

Instrument of Delegation

to

The Chief Executive Officer

Approved by East Gippsland Shire Council

Approval Date to be inserted

In exercise of the power conferred by s ~~11(1)98(1)~~ of the *Local Government Act 2020+1989* (the Act) and all other powers enabling it, the ~~##~~ ~~##~~ ~~City/Shire~~ East Gippsland 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,

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

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

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

~~3. The member of Council staff occupying the position or title of or acting in the position of Chief Executive Officer may delegate to a member of Council staff any of the powers (other than the power of delegation conferred by section 98(3) of the Act or any other powers not capable of sub-delegation) which this Instrument of Delegation delegates to him or her.~~

The Common Seal of East Gippsland Shire
Council was affixed on the day of
{insert date of approval} in the presence of: -

Cr

S5. Instrument of Delegation to Chief Executive Officer
[628721: 26473099 2]

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 any Act.

Conditions and Limitations

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

4. if the issue, action, act or thing is an issue, action, act or thing which involves [4.1](#) awarding a contract [or making an expenditure](#) exceeding the value of \$500,000 (including GST) for goods, services, or carrying out of works (excluding the procurement of insurance):

[4.1.1](#) The exclusion for procurement of insurance is conditional on Councillors being advised of the insurance premium paid;

[4.14.2](#) [appointing an Acting Chief Executive Officer for a period exceeding 28 days;](#)

[4.3](#) [election of a Mayor or Deputy Mayor;](#)

[4.4](#) [granting of a reasonable request for leave under section 35 of the Act;](#)

[4.5](#) [making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;](#)

[4.6](#) [approval or amendment of the Council Plan;](#)

[4.7](#) [adoption or amendment of any policy that the Council is required to adopt under the Act;](#)

[4.8](#) [adoption or amendment of the Governance Rules;](#)

[4.9](#) [appointment of the chair or the members to a delegated committee;](#)

[4.10](#) [making, amending or revoking a local law;](#)

[4.11](#) [approval of the Budget or Revised Budget;](#)

[4.12](#) [borrowing money;](#)

[4.13](#) [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;
or

~~4.3 — making a local law under Part 5 of the Act;~~

~~4.4 — approval of the Council Plan under s 125 of the Act;~~

~~4.5 — adoption of the Strategic Resource Plan under s 126 of the Act;~~

~~4.6 — preparation or adoption of the Budget or a Revised Budget under Part 6 of the Act;~~

- ~~4.7~~ adoption of the Auditor's report, Annual Financial Statements, Standard Statements and ~~Performance Statement under Part 6 of the Act;~~
- ~~4.8~~ determining pursuant to s 37 of the Act that an extraordinary vacancy on Council not be filled;
- ~~4.9~~ exempting a member of a special committee who is not a Councillor from submitting a return under s 81 of the Act;
- ~~4.10~~ appointment of councillor or community delegates or representatives to external organisations; or
- ~~4.11~~ the return of the general valuation and any supplementary valuations;
- ~~5.5~~ 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;
- ~~6.6~~ 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;
- ~~7.7~~ 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
 - ~~7.17.1~~ policy; or
 - ~~7.27.2~~ strategy
- adopted by Council; or
- ~~8.78~~ 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)98(1)(a)-(f)~~ (inclusive) of the Act or otherwise; or
- ~~9.9~~ 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.



Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

In this instrument "officer" means -

Ben McGeehan, Land Use Planning Officer
~~Stuart McConnell~~ Jodie Pitkin, General Manager Place and Community
 Leigh Collings, Municipal Building Surveyor
 Aaron Hollow, Manager Planning
~~Martin Ireland, Senior Land Use Planner~~
 Ben Marchbank, Strategic Planner
~~Arthur Petersen, Development Compliance Officer~~
 Robert Pringle, Land Use Planning Officer
 Chris Radford, Building Inspector
 Nicole Reynolds, Strategic Planning Coordinator
 Bill Williams, Land Use Planning Officer
 Elaine Wood, Senior Strategic Planner
~~Cheryl Whitney, Development Compliance Officer~~

By this instrument of appointment and authorisation East Gippsland Shire Council -

1. under section 147(4) of the *Planning and Environment Act 1987*, appoints the officers to be authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under ~~section 232 of the Local Government Act 1989~~ section 313 of the Local Government Act 2020, authorises the officers generally to institute proceedings for offences against the Acts, regulations and local laws described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the East Gippsland Shire Council on ~~18 February~~ 2 June 2020.

THE COMMON SEAL of EAST GIPPSLAND
SHIRE COUNCIL was hereunto affixed on the

.....day of 2020

in the presence of:

..... Councillor

..... Chief Executive Officer