



Maddocks

Maddocks Delegations and Authorisations

***S6. Instrument of Delegation – Members of Staff***

**Moyne Shire Council**

**Instrument of Delegation**

**to**

**Members of Council Staff**

## Instrument of Delegation

In exercise of the powers conferred by the legislation referred to in the attached Schedule, the Council:

1. delegates 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 holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. records that a reference under Delegate in the Schedule refers to:

Reference	Delegate
CEO	Chief Executive Officer
CCS	Coordinator Community Safety
DCCS	Director Community & Corporate Services
DIE	Director Infrastructure and Environment
DEP	Director Economy and Place
ECSSO	Engineering Customer Service Officer
EHO	Environmental Health Officer
PCO	People and Culture Officer
LLO	Local Laws Officer
MBS	Municipal Building Surveyor
MAC	Manager Assets and Contracts
MEP	Manager Energy Projects
MFIT	Manager Finance & IT
MWE	Manager Works and Engineering
MOD	Manager Organisational Development
MMF	Manager Moyne Futures
MERS	Manager Environment and Regulatory Services
PO	Planning Officer
PPFC	Port of Port Fairy Coordinator
SP	Strategic Planner
SPC	Statutory Planning Coordinator

## **SCHEDULE**

3. declares that:
- 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 4 October 2022 ; and
- 3.2 the delegation:
- 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
- 3.2.2 remains in force until varied or revoked;
- 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
- 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
- 3.3 the delegate must not determine the issue, take the action or do the act or thing:
- 3.3.1 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; or
- 3.3.2 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) strategy
- adopted by Council; or
- 3.3.3 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; or
- 3.3.4 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 or delegated committee.

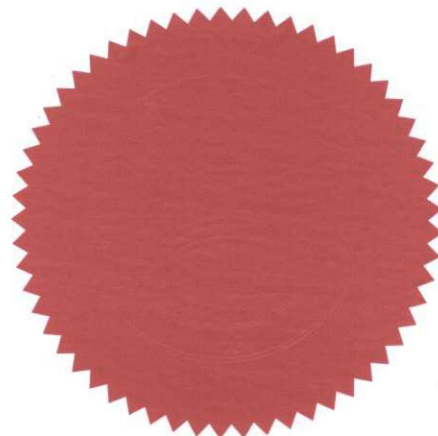
The Common Seal of the Moyne Shire Council  
was hereunto affixed this sixth day  
of October 2022 in the presence of



..... Councillor



..... Chief Executive Officer





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DOMESTIC ANIMALS ACT 1994			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.41A(1)	power to declare a dog to be a menacing dog	MERS, DIE, CCS	Council may delegate this power to an authorised officer

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	EHO, MMF, DEP	if section 19(1) applies
s.19(2)(b)	power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	EHO, MMF, DEP	li section 19(1) applies
s.19(3)	power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	EHO, MERS, DEP	if section 19(1) applies Only in relation to temporary food premises or mobile food premises
s.19(4)(a)	power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	EHO, MMF, DEP	if section 19(1) applies
s.19(6)(a)	duty to revoke any order under section 19 if satisfied that an order has been complied with	EHO, MMF, DEDP	if section 19(1) applies
s.19(6)(b)	duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	EHO, MMF, DEP	if section 19(1) applies
s.19AA(2)	power to direct, by written order, that a person must take any of the actions described in (a)-(c).	EHO, MMF, DEP	where council is the registration authority
s.19AA(4)(c)	power to direct, in an order made under s.19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	EHO, MMF, DEP	Note: the power to direct the matters under s.19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19AA(7)	duty to revoke order issued under s.19AA and give written notice of revocation, if satisfied that that order has been complied with	EHO, MMF, DEP	where council is the registration authority
s.19CB(4)(b)	power to request copy of records	EHO, MMF, DEP	where council is the registration authority
s.19E(1)(d)	power to request a copy of the food safety program	EHO, MMF, DEP	where council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	EHO, MMF, DEP	Where Council is the registration authority
s.19GB	power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	EHO, MMF, DEP	where council is the registration authority
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	MMF, DEP	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	MMF, DEP	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))
s.19M(4)(a) & (5)	power to conduct a food safety audit and take actions where deficiencies are identified	EHO, MMF, DEP	where council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	DEP	Where Council is the registration authority
s.19NA(1)	power to request food safety audit reports	EHO, MMF, DEP	where council is the registration authority
s.19U(3)	power to waive and vary the costs of a food safety audit if there are special circumstances	EHO, MMF, DEP	



<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.19UA	power to charge fees for conducting a food safety assessment or inspection	EHO, MMF, DEP	except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39.
s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	EHO, MMF, DEP	where council is the registration authority
s.19W(3)(a)	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	EHO, MMF, DEP	where council is the registration authority
s.19W(3)(b)	power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	EHO, MMF, DEP	where council is the registration authority
---	power to register or renew the registration of a food premises	EHO, MMF, DEP	where council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see section 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	EHO, MMF, DEP	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	MMF, DEP	Where Council is the registration authority
s.38AA(5)	power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	EHO, MMF, DEP	where council is the registration authority
s.38AB(4)	power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection 38AB(1)	EHO, MMF, DEP	where council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.38A(4)	power to request a copy of a completed food safety program template	EHO, MMF, DEP	where council is the registration authority
s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	EHO, MMF, DEP	where council is the registration authority
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	EHO, MMF, DEP	where council is the registration authority
s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	EHO, MMF, DEP	where council is the registration authority
s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	EHO, MMF, DEP	where council is the registration authority
s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	EHO, MMF, DEP	where council is the registration authority
s.38D(3)	power to request copies of any audit reports	EHO, MMF, DEP	where council is the registration authority
s.38E(2)	power to register the food premises on a conditional basis	EHO, MMF, DEP	where council is the registration authority; not exceeding the prescribed time limit defined under subsection (5).
s.38E(4)	duty to register the food premises when conditions are satisfied	EHO, MMF, DEP	where council is the registration authority
s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	EHO, MMF, DEP	where council is the registration authority
s.38G(1)	Power to require notification of change of the food safety program type used for the food premises	EHO, MMF, DEP	Where Council is the registration authority



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	EHO, MMF, DEP	Where Council is the registration authority
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	EHO, MMF, DEP	Where Council is the registration authority
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	EHO, MMF, DEP	Where Council is the registration authority
s.39A	power to register, renew or transfer food premises despite minor defects	EHO, MMF, DEP	where council is the registration authority only if satisfied of matters in subsections 39A(2)(a)-(c)
s 39A (6)	Duty to comply with a direction of the Secretary	EHO, MMF, DEP	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	EHO, MMF, DEP	Where Council is the registration authority
s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	EHO, MMF, DEP	
s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	EHO, MMF, DEP	where council is the registration authority
s.40D(1)	power to suspend or revoke the registration of food premises	EHO, MMF, DEP	where council is the registration authority
s 40E	Duty to comply with direction of the Secretary	EHO, MMF, DEP	

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 40F	Power to cancel registration of food premises	EHO, MMF, DEP	Where Council is the registration authority
s 43	Duty to maintain records of registration	EHO, MMF, DEP	Where Council is the registration authority
s.43F(6)	duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	EHO, MMF, DEP	where council is the registration authority
s.43F(7)	power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	EHO, MMF, DEP	where council is the registration authority
s 45AC	Power to bring proceedings	EHO, MMF, DEP	
s.46(5)	power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	EHO, MMF, DEP	where council is the registration authority

HERITAGE ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.116	power to sub-delegate Executive Director's functions duties or powers	DEP	Must first obtain Executive Director's written consent. Council can only sub-delegate if the instrument of delegation from the Executive Director authorises sub-delegation

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s. 185L (4)	Power to declare and levy a cladding rectification charge	CEO <sup>1</sup>	

<sup>1</sup> The only member of staff who can be a delegate in Column 3 is the CEO.

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.4B	power to prepare an amendment to the Victoria Planning Provisions	DEP, MMF, MEP	if authorised by the Minister
s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	DEP, MMF, MEP	
s.4H	duty to make amendment to Victoria Planning Provisions available	DEP, MMF, MEP	
s.4I(2)	duty to make a copy of the Victoria Planning Provisions and other documents available in accordance with public availability requirements	DEP, MMF, MEP	
s.8A(2)	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	DEP, MMF, MEP, SP	
s. 8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	DEP, MMF, MEP	
s.8A(5)	function of receiving notice of the Minister's decision	DEP, MMF, MEP, SP	
s.8A(7)	power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	DEP, MMF, MEP	
s.8B(2)	power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district		Retained by Council



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.12(3)	power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	DEP, MMF, MEP	
s.12B(1)	duty to review planning scheme	DEP, MMF, MEP	
s.12B(2)	duty to review planning scheme at direction of Minister	DEP, MMF, MEP	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	DEP, MMF, MEP	
s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	DEP, MMF, MEP	
s.17(1)	duty of giving copy amendment to the planning scheme	DEP, MMF, MEP, SP	
s.17(2)	duty of giving copy s.173 agreement	DEP, MMF, MEP, SPC, PO	
s.17(3)	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	DEP, MMF, MEP, SP	
s.18	duty to make amendment etc. available in accordance with public availability requirements	DEP, MMF, MEP	Until the proposed amendment is approved or lapsed
s.19	power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under section 19 to a planning scheme	DEP, MMF, MEP, SP	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19	function of receiving notice of preparation of an amendment to a planning scheme	DEP, MMF, MEP	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s.20(1)	power to apply to Minister for exemption from the requirements of section 19	DEP, MMF, MEP, SP	
s.21(2)	duty to make submissions available in accordance with public availability requirements	DEP, MMF, MEP, SP	Until the end of 2 months after the amendment comes into operation or lapses
s.21A(4)	duty to publish notice	DEP, MMF, MEP	
s.22(1)	duty to consider all submissions received before the date specified in the notice	DEP, MMF	except submissions which request a change to the items in s.22(5)(a) and (b)
s.22(2)	Power to consider a late submission Duty to consider a late submission, if directed by the Minister	DEP, MMF	
s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	DEP, MMF, MEP, SP	After Council resolution
s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	DEP, MMF, MEP	
s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in section 96D)	DEP, MMF, MEP, SP	
s.26(1)	power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	DEP, MMF, MEP, SP	
s.26(2)	duty to keep report of panel available in accordance with public availability requirements	DEP, MMF, MEP, SP	During the inspection period

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.27(2)	power to apply for exemption if panel's report not received	DEP, MMF, MEP	
s.28(1)	duty to notify the Minister if abandoning an amendment	DEP, MMF, MEP, SP	Note: the power to make a decision to abandon an amendment cannot be delegated
s.28(2)	Duty to publish notice of the decision on Internet site	DEP, MMF, MEP, SP	
s.28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	DEP, MMF, MEP, SP	
s.30(4)(a)	duty to say if amendment has lapsed	DEP, MMF, MEP, SP	
s.30(4)(b)	duty to provide information in writing upon request	DEP, MMF, MEP	
s.32(2)	duty to give more notice if required	DEP, MMF, MEP, SP	
s.33(1)	duty to give more notice of changes to an amendment	DEP, MMF, MEP, SP	
s.36(2)	duty to give notice of approval of amendment	DEP, MMF, MEP, SP	
s.38(5)	duty to give notice of revocation of an amendment	DEP, MMF, MEP, SP	
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT	DEP, MMF, MEP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.40(1)	function of lodging copy of approved amendment	DEP, MMF, MEP, SP	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	DEP, MMF, MEP, SP	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	DEP, MMF, MEP, SP	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	DEP, MMF, MEP, SP	
s.46AW	function of being consulted by the Minister	DEP, MMF	where Council is a responsible public entity
s.46AX	function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy  power to endorse the draft Statement of Planning Policy	DEP	where Council is a responsible public entity
s.46AZC(2)	duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	DEP	where Council is a responsible public entity where Council is a responsible public entity
s.46AZK	duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	DEP	where Council is a responsible public entity



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GI(2)(b)(i) )	power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	DEP	where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s.46GJ(1)	function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	DEP	
s.46GK	duty to comply with a Minister's direction that applies to Council as the planning authority	DEP	
s.46GN(1)	duty to arrange for estimates of values of inner public purpose land	DEP, MMF, MEP	
s.46GO(1)	duty to give notice to owners of certain inner public purpose land	DEP, MMF, MEP	
s.46GP	function of receiving a notice under s.46GO	DEP, MMF, MEP	where Council is the collecting agency
s.46GQ	function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	DEP, MMF, MEP	
s.46GR(1)	duty to consider every submission that is made by the closing date for submissions included in the notice under s.46GO	DEP, MMF, MEP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GR(2)	power to consider a late submission duty to consider a late submission if directed to do so by the Minister	DEP, MMF, MEP	
s.46GS(1)	power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s.46GQ	DEP, MMF, MEP	
s.46GS(2)	duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	DEP, MMF, MEP	
s.46GT(2)	duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	DEP, MMF, MEP	
s.46GT(4)	function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	DEP, MMF, MEP	
s.46GT(6)	function of receiving, from the valuer-general, written notice of a determination under s.46GT(5)	DEP, MMF, MEP	
s.46GU	duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s.46GU(1)(a) and (b) are met	DEP, MMF, MEP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GV(3)	function of receiving the monetary component and any land equalisation amount of the infrastructure contribution power to specify the manner in which the payment is to be made	DEP, MMF, MEP	where Council is the collecting agency
s.46GV(3)(b)	power to enter into an agreement with the applicant	DEP, MEP	where Council is the collecting agency
s.46GV(4)(a)	function of receiving the inner public purpose land in accordance with s.46GV(5) and (6)	DEP, MMF, MEP	where Council is the development agency
s.46GV(4)(b)	function of receiving the inner public purpose land in accordance with s.46GV(5) and (6)	DEP, MMF, MEP	where Council is the development agency
s.46GV(7)	duty to impose the requirements set out in s.46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	DEP, MMF, MEP, SPC	
s.46GV(9)	power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	DEP, MMF, MEP	where Council is the collecting agency
s.46GX(1)	power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	DEP	where council is the collecting agency
s.46GX(2)	duty, before accepting the provision of works, services or facilities by an applicant under s.46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	DEP	where Council is the collecting agency
s.46GY(1)	duty to keep proper and separate accounts and records	DEP, MMF, MEP, DCCS	where Council is the collecting agency



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GY(2)	duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	DEP, DCCS	where Council is the collecting agency
s.46GZ(2)(a)	duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	DCCS	where Council is the collecting agency under an approved infrastructure contributions plan this duty does not apply where Council is that planning authority
s.46GZ(2)(a)	function of receiving the monetary component	DEP, DCCS	where the Council is the planning authority this duty does not apply where Council is also the collecting agency
46GZ(2)(b)	duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan as responsible for those works, services or	DEP, DCCS	where council is the collecting agency under an approved infrastructure contributions plan this provision does not apply where Council is also the relevant development agency
s.46GZ(2)(b)	function of receiving the monetary component	DEP, DCCS	where Council is the development agency under an approved infrastructure contributions plan this provision does not apply where Council is also the collecting agency
s.46GZ(4)	duty to use any land equalisation amounts to pay land credit amounts under s.46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s.46GZ(5)	DEP, DCCS	where Council is the collecting agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s. 46GZ(5)	duty forward any part of a land equalisation amount required for the acquisition of a development agency specified in the approved infrastructure contributions plan to that development agency	DEP, DCCS	where Council is the collecting agency under an approved infrastructure contributions plan this provision does not apply where Council is also the relevant development agency
s.46GZ(5)	function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	DEP, DCCS	where Council is the development agency specified in the approved infrastructure contributions plan this provision does not apply where Council is also the collecting agency
s.46GZ(7)	duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s.46GW	DEP, DCCS	where Council is the collecting agency under an approved infrastructure contributions plan
s. 46GZ(9)	duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	DEP, DCCS	if any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s.46GV(4) where Council is the collecting agency under an approved infrastructure contributions plan this duty does not apply where Council is also the development agency
s.46GZ(9)	function of receiving the fee simple in the land	DEP, DCCS	where Council is the development agency under an approved infrastructure contributions plan this duty does not apply where Council is also the collecting agency



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZA(1)	duty to keep proper and separate accounts and records	DEP, DCCS	where Council is a development agency under an approved infrastructure contributions plan
s. 46GZA(2)	duty to keep the accounts and records in accordance with the Local Government Act 2020	DEP, DCCS	where Council is a development agency under an approved infrastructure contributions plan
s.46GZB(3)	duty to follow the steps set out in s.46GZB(3)(a) – (c)	DEP, DCCS	where Council is a development agency under an approved infrastructure contributions plan
s.46GZB (4)	duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report <i>and</i> duty, in accordance with requirements of the VPA,	DEP	if the VPA is the collecting agency under an approved infrastructure contributions plan  where Council is a development agency under an approved infrastructure contributions plan
s.46GZD(2)	duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s.46GZD(2)(a) and (b)	DEP	where Council is the development agency under an approved infrastructure contributions plan
s.46GZD(3)	duty to follow the steps set out in s.46GZD(3)(a) and (b)	DEP	where Council is the collecting agency under an approved infrastructure contributions plan
s. 46GZD (5)	duty to make payments under s.46GZD(3) in accordance with ss.46GZD (5)(a) and 46GZD(5)(b)	DEP, DCCS	where Council is the collecting agency under an approved infrastructure contributions plan
s. 46GZE(2)	duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	DEP, DCCS	where council is the development agency under an approved infrastructure contributions plan  this duty does not apply where Council is also the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZE(2)	function of receiving the unexpended land equalisation amount	DEP, DCCS	where Council is the collecting agency under an approved infrastructure contributions plan this duty does not apply where Council is also the development agency
s.46GZE(3)	duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s.46GZE(3)(a) and (b)	DEP	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZF(2)	duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	DEP	where Council is the development agency under an approved infrastructure contributions plan
s.46GZF(3)	duty, if land is sold under s.46GZF(2)(b), to follow the steps in s.46GZF(3)(a) and (b)	DEP	where Council is the development agency under an approved infrastructure contributions plan
s.46GZF(3)	Function of receiving proceeds of sale	DEP, DCCS	where Council is the collection agency under an approved infrastructure contributions plan this provision does not apply where Council is also the development agency
s.46GZF(4)	duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s.46GZF(5)	DEP, DCCS	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZF(6)	duty to make the payments under s.46GZF(4) in accordance with s.46GZF(6)(a) and (b)	DEP, DCCS	where Council is the collecting agency under an approved infrastructure contributions plan



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZH	power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	DEP, DCCS	where Council is the collecting agency under an approved infrastructure contributions plan
s. 46GZ I	duty to prepare and give a report to the Minister at the times required by the Minister	DEP	where council is a collecting agency or development agency
s.46GZK	power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	DEP	where Council is a collecting agency or development agency
s.46LB(3)	duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s.46LB (2)	DEP	
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	DEP, MMF, MEP, SPC, PO	
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	DEP, MMF, MEP, SPC	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DEP, MMF, MEP	
s.46O(1)(a) & (2)(a)	power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	DEP, MMF, MEP, PO	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	DEP, MMF, MEP, PO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	DEP, MMF, MEP, SPC	
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	DEP, MMF, MEP, SPC	
s.46Q(1)	duty to keep proper accounts of levies paid	DEP, MMF, MEP, SPC	
s.46Q(1A)	duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	DEP, MMF, MEP, SPC	
s.46Q(2)	duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc.	DEP, MMF, MEP, SPC	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	DEP, MMF, MEP	only applies when levy is paid to Council as a 'development agency'
s.46Q(4)(c)	duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the council or for the provision by the council of works, services or facilities in an area under s.46Q(4)(a)	DEP, MMF, MEP, SPC	must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister.
s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	DEP, MMF, MEP, SPC	must be done in accordance with Part 3
s.46Q(4)(e)	duty to expend that amount on other works etc.	DEP, MMF, MEP	with the consent of, and in the manner approved by, the Minister



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46QC	power to recover any amount of levy payable under Part 3B	DEP, MMF, MEP	
s.46QD	duty to prepare report and give a report to the Minister	DEP, MMF, MEP	where council is a collecting agency or development agency
s.46V(3)	duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with the public availability requirements, during the inspection period	DEP, MMF, MEP, SPC, PO	
s.46V(4)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with s 197B of the Act and on payment of the prescribe fee, after the inspection period	DEP, MMF, MEP, SPC, PO	
s.46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	DEP, MMF, MEP, SPC, PO	
s.46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public available requirements	DEP, MMF, MEP, SPC, PO	
s.46Y	duty to carry out works in conformity with the approved strategy plan	DEP, MMF, MEP, SPC	
s.47	power to decide that an application for a planning permit does not comply with that Act	DEP, MMF, MEP, SPC, PO	
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	DEP, MMF, MEP, SPC	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.49(2)	duty to make register available for inspection	DEP, MMF, MEP, SPC	
s.50(4)	duty to amend application	DEP, MMF, MEP, SPC, PO	
s.50(5)	power to refuse to amend application	DEP, MMF, MEP, SPC	
s.50(6)	duty to make note of amendment to application in register	DEP, MMF, MEP, SPC	
s.50A(1)	power to make amendment to application	DEP, MMF, MEP, SPC, PO	
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	DEP, MMF, MEP, SPC, PO	
s.50A(4)	duty to note amendment to application in register	DEP, MMF, MEP, SPC, PO	
s.51	duty to make copy of application available for inspection	DEP, MMF, MEP, SPC, PO	
s.52(1)(a)	duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	DEP, MMF, MEP, PO	
s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	DEP, MMF, MEP, PO	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	DEP, MMF, MEP, SPC, PO	
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	DEP, MMF, MEP, SPC, PO	
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	DEP, MMF, MEP, SPC, PO	
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	DEP, MMF, MEP, SPC, PO	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	DEP, MMF, MEP, SPC, PO	
s.52(3)	power to give any further notice of an application where appropriate	DEP, MMF, MEP, SPC, PO	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	DEP, MMF, MEP, SPC, PO	
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	DEP, MMF, MEP, SPC, PO	
s.54(1)	power to require the applicant to provide more information	DEP, MMF, MEP, SPC, PO	
s.54(1A)	duty to give notice in writing of information required under section 54(1)	DEP, MMF, MEP, SPC, PO	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.54(1B)	duty to specify the lapse date for an application	DEP, MMF, MEP, SPC, PO	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	DEP, MMF, MEP, SPC, PO	
s.54A(4)	duty to give written notice of decision to extend or refuse to extend time und section 54A(3)	DEP, MMF, MEP, SPC, PO	
s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	DEP, MMF, MEP, SPC, PO	
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	DEP, MMF, MEP, SPC	
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	DEP, MMF, MEP, SPC, PO	
s.57(5)	duty to make available for inspection copy of all objections	DEP, MMF, MEP, SPC, PO	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to section 57A(5)	DEP, MMF, MEP, SPC, PO	
s.57A(5)	power to refuse to amend application	DEP, MMF, MEP, SPC	
s.57A(6)	duty to note amendments to application in register	DEP, MMF, MEP, SPC, PO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.57B(1)	duty to determine whether and to whom notice should be given	DEP, MMF, MEP, SPC, PO	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	DEP, MMF, MEP, SPC, PO	
s.57C(1)	duty to give copy of amended application to referral authority	DEP, MMF, MEP, SPC, PO	
s.58	duty to consider every application for a permit	DEP, MMF, MEP, SPC, PO	
s.58A	power to request advice from the Planning Application Committee	DEP, MMF, MEP	
s.60	duty to consider certain matters	DEP, MMF, MEP, SPC, PO	
s60(1A)	duty to consider certain matters	DEP, MMF, MEP, SPC, PO	
s.60(1B)	duty to consider number of objectors in considering whether use or development may have significant social effect	DEP, MMF, MEP, SPC, PO	
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 permit application	DEP, MMF, MEP, SPC, PO	the permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act</i> 2006 and subject to Council Call In Policy
s.61(2)	duty to decide to refuse to grant a permit if a relevant referral authority objects to grant of permit	DEP, MMF, SPC, PO	Subject to Council Call In Policy

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DEP, MMF, MEP, SPC, PO	Subject to Council Call In Policy
s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without Minister's consent	DEP, MMF, SPC, PO	Subject to Council Call In Policy
s.61(3)(b)	duty to refuse to grant the permit without the Minister's consent	DEP, MMF, SPC	
s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DEP, MMF, SPC, PO	Subject to Council Call In Policy
s.62(1)	duty to include certain conditions in deciding to grant a permit	DEP, MMF, SPC, PO	
s.62(2)	power to include other conditions	DEP, MMF, SPC, PO	
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DEP, MMF, SPC, PO	
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	DEP, MMF, SPC, PO	
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 section 173 agreement	DEP, MMF, SPC, PO	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	DEP, MMF, SPC, PO	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & 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 ss.46N(1), 46GV(7) or 62(5)	DEP, MMF, SPC, PO	
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 section 62(1)(a)	DEP, MMF, SPC, PO	
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	DEP, MMF, SPC, PO	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	DEP, MMF, SPC, PO	This provision applies also to a decision to grant an amendment to a permit – see section 75
s.64(3)	duty not to issue a permit until after the specified period	DEP, MMF, SPC, PO	this provision applies also to a decision to grant an amendment to a permit – see section 75
s.64(5)	duty to give each objector a copy of an exempt decision	DEP, MMF, SPC, PO	this provision applies also to a decision to grant an amendment to a permit – see section 75
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	DEP, MMF, SPC, PO	this provision applies also to a decision to grant an amendment to a permit – see section 75A
s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	DEP, MMF, SPC, PO	Subject to Council Call In Policy
s.66(1)	duty to give notice under section 64 or section 65 and copy permit to relevant determining referral authorities	DEP, MMF, SPC, PO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	DEP, MMF, SPC, PO	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 a permit	DEP, MMF, SPC, PO	if the recommending referral authority objected to the grant of the permit or the recommending referral authority 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 section 64 or 65	DEP, MMF, SPC, PO	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s.69(1)	function of receiving application for extension of time of permit	DEP, MMF, SPC, PO	
s.69(1A)	function of receiving application for extension of time to complete development	DEP, MMF, SPC, PO	
s.69(2)	power to extend time	DEP, MMF, SPC, PO	Subject to Council Call In Policy
s.70	duty to make copy permit available for inspection	DEP, MMF, SPC, PO	
s.71(1)	power to correct certain mistakes	DEP, MMF, SPC	
s.71(2)	duty to note corrections in register	DEP, MMF, SPC, PO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.73	power to decide to grant amendment subject to conditions	DEP, MMF, SPC, PO	Subject to Council Call In Policy
s.74	duty to issue amended permit to applicant if no objectors	DEP, MMF, SPC, PO	
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	DEP, MMF, SPC, PO	Subject to Council Call In Policy
s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	DEP, MMF, SPC, PO	
s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	DEP, MMF, SPC, PO	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)	duty to give a recommending referral authority notice of its decision to refuse a permit	DEP, MMF, SPC, PO	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 section 64 or 76	DEP, MMF, SPC, PO	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
s.76D	duty to comply with direction of Minister to issue amended permit	DEP, MMF, SPC, PO	
s.83	function of being respondent to an appeal	DEP, MMF, SPC, PO	



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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.83B	duty to give or publish notice of application for review	DEP, MMF, SPC, PO	
s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit		Retained by Council
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	DEP, MMF, SPC, PO	
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	DEP, MMF, SPC, PO	
s.84(6)	duty to issue permit on receipt of advice within 3 business days	DEP, MMF, SPC, PO	
s.84AB	power to agree to confining a review by the Tribunal		power to agree to confining a review by the Tribunal
s.86	duty to issue a permit at order of Tribunal within 3 business days	DEP, MMF, SPC, PO	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	DEP, MMF	Subject to Council Call In Policy
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	DEP, MMF, SPC, PO	
s.91(2)	duty to comply with the directions of VCAT	DEP, MMF, SPC, PO	
s.91(2A)	duty to issue amended permit to owner if Tribunal so directs	DEP, MMF, SPC, PO	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	DEP, MMF, SPC, PO	
s.93(2)	duty to give notice of VCAT order to stop development	DEP, MMF, SPC, PO	
s.95(3)	function of referring certain applications to the Minister	DEP, MMF, SPC, PO	
s.95(4)	duty to comply with an order or direction	DEP, MMF, SPC, PO	
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	DEP, MMF	
s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	DEP, MMF	
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment		Retained by Council
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	DEP, MMF, SPC, PO	
s.96F	duty to consider the panel's report under section 96E	DEP, MMF, SPC	
s.96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i> )	DEP, MMF, SPC, PO	Subject to Council Call In Policy

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.96H(3)	power to give notice in compliance with Minister's direction	DEP, MMF, SPC, PO	
s.96J	Duty to issue permit as directed by the Minister	DEP, MMF, SPC, PO	
s.96K	duty to comply with direction of the Minister to give notice of refusal	DEP, MMF, SPC, PO	
s.96Z	duty to keep levy certificates given to it under ss.47 or 96A for no less than 5 years from receipt of the certificate	DEP, MMF, SPC, PO	
s.97C	power to request Minister to decide the application	DEP, MMF, SPC, PO	
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	DEP, MMF, SPC, PO	
s.97G(3)	function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	DEP, MMF, SPC, PO	
s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	DEP, MMF, SPC, PO	
s.97L	duty to include Ministerial decisions in a register kept under section 49	DEP, MMF, SPC, PO	
s.97MH	duty to provide information or assistance to the Planning Application Committee	DEP, MMF, SPC, PO	
s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	DEP, MMF	



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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	DEP, MMF, SPC	
s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	DEP, MMF, PO	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	DEP, MMF, SPC	
s.97Q(4)	duty to comply with directions of VCAT	DEP, MMF, SPC	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	DEP, MMF, SPC	
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	DEP, MMF	
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	DEP, MMF, SPC	
s.101	function of receiving claim for expenses in conjunction with claim	DEP, MMF	
s.103	power to reject a claim for compensation in certain circumstances	DEP, MMF	
s.107(1)	function of receiving claim for compensation	DEP, MMF	
s.107(3)	power to agree to extend time for making claim	DEP	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	DEP	
s.114(1)	power to apply to the VCAT for an enforcement order	DEP, MMF, SPC	After referral and discussion with Council
s.117(1)(a)	function of making a submission to the VCAT where objections are received	DEP, MMF, SPC	
s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	DEP, MMF, SPC	
s.123(1)	power to carry out work required by enforcement order and recover costs	DEP, MMF	
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	DEP, MMF	except Crown Land
s.129	function of recovering penalties	DEP, MMF	
s.130(5)	power to allow person served with an infringement notice further time	DEP, MMF, SPC, PO,	
s.149A(1)	power to refer a matter to the VCAT for determination	DEP, MMF, SPC,	
s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	DEP, MMF, SPC	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.156	duty to pay fees and allowances (including a payment to the Crown under s156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s156(2B) power to ask for contribution under s156(3) and power to abandon amendment or part of it under s156(4)	DEP, MMF	where council is the relevant planning authority
s.171(2)(f)	power to carry out studies and commission reports	DEP, MMF, SP, SPC	
s.171(2)(g)	power to grant and reserve easements	DEP, MMF, SPC	
s.172C	power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	CEO	where Council is a development agency specified in an approved infrastructure contributions plan
s.172D(1)	power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s.46GV(4)	CEO	where Council is a collecting agency specified in an approved infrastructure contributions plan
s.172D(2)	power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s.46GV(4)	CEO	where Council is the development agency specified in an approved infrastructure contributions plan
s.173(1)	power to enter into agreement covering matters set out in section 174	CEO	
s.173(1A)	power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	CEO, DEP, MMF	where council is the relevant responsible authority



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
---	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	CEO	
---	power to give consent on behalf of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	DEP, MMF, SPC, PO	
s.177(2)	power to end a section 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CEO, DEP	
s.178	power to amend a s.173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 or Part 9	CEO	
s.178A(1)	function of receiving application to amend or end an agreement	DEP, MMF, SPC, PO	
s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	DEP, MMF, SPC, PO	
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	DEP, MMF, SPC, PO	
s.178A(5)	power to propose to amend or end an agreement	DEP, MMF, SPC, PO	
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	DEP, MMF, SPC, PO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	DEP, MMF, SPC, PO	
s.178C(2)	duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	DEP, MMF, SPC, PO	
s.178C(4)	function of determining how to give notice under s.178C(2)	DEP, MMF, SPC, PO	
s.178E(1)	duty not to make decision until after 14 days after notice has been given	DEP, MMF, SPC, PO	
s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	DEP, MMF, SPC, PO	If no objections are made under s.178D Must consider matters in s.178B
s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	DEP, MMF, SPC	If no objections are made under s.178D Must consider matters in s.178B
s.178E(2)(c)	power to refuse to amend or end the agreement	DEP, MMF, SPC	If no objections are made under s.178D Must consider matters in s.178B
s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	DEP, MMF, SPC	After considering objections, submissions and matters in s.148B
s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	DEP, MMF, SPC	After considering objections, submissions and matters in s.148B
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	MMF, SPC, DEP, CEO	After considering objections, submissions and matters in s.148B
s.178E(3)(d)	power to refuse to amend or end the agreement	DEP, MMF, SPC	After considering objections, submissions and matters in s.148B
s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	DEP, MMF, SPC, PO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	DEP, MMF, SPC, PO	
s.178F(4)	duty not to proceed to amend or end an agreement under s.178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	DEP, MMF, SPC, PO	
s.178G	duty to sign amended agreement and give copy to each other party to the agreement	CEO, DEP	
s.178H	power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	DEP, MMF, SPC, PO	
s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DEP, MMF, SPC, PO	
s.179(2)	duty to make available for inspection copy agreement	DEP, MMF, SPC, PO	
s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	DEP, MMF, SPC, PO	
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	DEP, MPBH, SPC	
s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	DEP, MMF, SPC	
s.182	power to enforce an agreement	DEP, MMF, SPC	
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	DEP, MMF, SPC	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.184F(1)	power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	CEO, DEP	
s.184F(2)	duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	CEO, DEP, MMF,	
s.184F(3)	duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	DEP, MMF, SPC, PO	
s.184F(5)	function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	DEP, MMF, SPC, PO	
s.184G(2)	duty to comply with a direction of the Tribunal	DEP, MMF, SPC, PO	
s.184G(3)	duty to give notice as directed by the Tribunal	DEP, MPBH, SPC, PO	
s.185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	DEP, MMF, SPC, PO	
s.198(1)	function to receive application for planning certificate	DEP, MMF, SPC, PO	
s.199(1)	duty to give planning certificate to applicant	DEP, MMF, SPC, PO	
s.201(1)	function of receiving application for declaration of underlying zoning	DEP, MMF, SPC, PO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.201(3)	duty to make declaration	DEP, MMF, SPC	
-	power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	DEP, MMF, SPC	
	power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	DEP, MMF, SPC	
	power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	DEP, MMF, SPC	
-	power to give written authorisation in accordance with a provision of a planning scheme	DEP, MMF, SPC	
s.201UAB(1)	function of providing the Victoria Planning Authority with information relating to any land within municipal district	DEP, MMF	
s.201UAB(2)	duty to provide the Victoria Planning Authority with information requested under subsection (1) as soon as possible	DEP, MMF	

<b>RESIDENTIAL TENANCIES ACT 1997</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	DEP, MMF, EHO	
s 522(1)	Power to give a compliance notice to a person	DEP, MMF, EHO	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	CEO	
s 525(4)	Duty to issue identity card to authorised officers	MOD, MMF, GC	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	EHO	
s 526A(3)	Function of receiving report of inspection	DEP, MMF	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CEO, DEP	



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.11(1)	power to declare a road by publishing a notice in the Government Gazette	DIE	obtain consent in circumstances specified in section 11(2)
s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	DIE	
s.11(9)(b)	duty to advise Registrar	DIE	
s.11(10)	duty to inform Secretary to Department of Sustainability and Environment of declaration etc.	DIE	clause subject to section 11(10A)
s.11(10A)	duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	DIE	where council is the coordinating road authority
s.12(2)	power to discontinue road or part of a road	DIE	where council is the coordinating road authority
s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	DIE	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(5)	duty to consider written submissions received within 28 days of notice	DIE	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(6)	function of hearing a person in support of their written submission	DIE	function of coordinating road authority where it is the discontinuing body unless subsection (11) applies

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	DIE	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(10)	duty to notify of decision made	DIE	duty of coordinating road authority where it is the discontinuing body does not apply where an exemption is specified by the regulations or given by the Minister
s.13(1)	power to fix a boundary road by publishing notice in Government Gazette	DIE	power of coordinating road authority and obtain consent under section 13(3) and section 13(4) as appropriate
s.14(4)	function of receiving notice from VicRoads	DIE	
s.14(7)	power to appeal against decision of VicRoads	DIE	
s.15(1)	power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	DIE	
s.15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	DIE	
s.15(2)	duty to include details of arrangement in public roads register	DIE	
s.16(7)	power to enter into an arrangement under section 15	DIE	
s.16(8)	duty to enter details of determination in public roads register	DIE	
s.17(2)	duty to register public road in public roads register	DIE, MAC	where council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.17(3)	power to decide that a road is reasonably required for general public use	DIE	where council is the coordinating road authority
s.17(3)	duty to register a road reasonably required for general public use in public roads register	DIE	where council is the coordinating road authority
s.17(4)	power to decide that a road is no longer reasonably required for general public use	DIE	where council is the coordinating road authority
s.17(4)	duty to remove road no longer reasonably required for general public use from public roads register	DIE	where council is the coordinating road authority
s.18(1)	power to designate ancillary area	DIE	where council is the coordinating road authority, and obtain consent in circumstances specified in section 18(2)
s.18(3)	duty to record designation in public roads register	DIE, MAC	where council is the coordinating road authority
s.19(1)	duty to keep register of public roads in respect of which it is the coordinating road authority	DIE	
s.19(4)	duty to specify details of discontinuance in public roads register	DIE	
s.19(5)	duty to ensure public roads register is available for public inspection	DIE	
s.21	function of replying to request for information or advice	DIE	obtain consent in circumstances specified in section 11(2)
s.22(2)	function of commenting on proposed direction	DIE	



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.	DIE	
s.22(5)	duty to give effect to a direction under this section.	DIE	
s.40(1)	duty to inspect, maintain and repair a public road.	DIE	
s.40(5)	power to inspect, maintain and repair a road which is not a public road	DIE	
s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	DIE	
s.42(1)	power to declare a public road as a controlled access road	DIE	power of coordinating road authority and Schedule 2 also applies
s.42(2)	power to amend or revoke declaration by notice published in Government Gazette	DIE	power of coordinating road authority and Schedule 2 also applies
s.42A(3)	duty to consult with VicRoads before road is specified	DIE	where council is the coordinating road authority if road is a municipal road or part thereof
s.42A(4)	power to approve Minister's decision to specify a road as a specified freight road	DIE	where council is the coordinating road authority if road is a municipal road or part thereof and where road is to be specified a freight road
s.48EA	duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	DIE	where council is the responsible road authority, infrastructure manager or works manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.48M(3)	function of consulting with the Secretary for purposes of developing guidelines under section 48M	DIE	
s.49	power to develop and publish a road management plan		Retained by Council
s.51	power to determine standards by incorporating the standards in a road management plan	DIE, MWE	
s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	DIE	
s.54(2)	duty to give notice of proposal to make a road management plan	DIE	
s.54(5)	duty to conduct a review of road management plan at prescribed intervals	DIE	
s.54(6)	power to amend road management plan		Retained by Council
s.54(7)	duty to incorporate the amendments into the road management plan	DIE	
s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	DIE	
s.63(1)	power to consent to conduct of works on road	DIE, ECSO, MEMO, MRM	where council is the coordinating road authority
s.63(2)(e)	power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	DIE, MWE, ECSO	where council is the infrastructure manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.64(1)	duty to comply with clause 13 of Schedule 7	DIE	where council is the infrastructure manager or works manager
s.66(1)	power to consent to structure etc	DEP	where council is the coordinating road authority
s.67(2)	function of receiving the name & address of the person responsible for distributing the sign or bill	DIE	where council is the coordinating road authority
s.67(3)	power to request information	DEP	where council is the coordinating road authority
s.68(2)	power to request information	DEP	where council is the coordinating road authority
s.71(3)	power to appoint an authorised officer	DIE	
s.72	duty to issue an identity card to each authorised officer	DIE	
s.85	function of receiving report from authorised officer	DIE	
s.86	duty to keep register re section 85 matters	DIE	
s.87(1)	function of receiving complaints	DIE	
s.87(2)	duty to investigate complaint and provide report	DIE	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	DIE	
s.112(2)	power to recover damages in court	DIE	
s.116	power to cause or carry out inspection	DIE	
s.119(2)	function of consulting with VicRoads	DIE	



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	DIE	
s.120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	DIE, MWE	
s.121(1)	power to enter into an agreement in respect of works	DIE, MWE	
s.122(1)	power to charge and recover fees	DIE	
s.123(1)	power to charge for any service	DIE	
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	DIE	
Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	DIE	
Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	DIE	
Schedule 2 Clause 4	function of receiving details of proposal from VicRoads	DIE	
Schedule 2 Clause 5	duty to publish notice of declaration	DIE	
Schedule 7, Clause 7(1)	duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	DIE	where council is the infrastructure manager or works manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7, Clause 8(1)	duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	DIE, MWE	where council is the infrastructure manager or works manager
Schedule 7, Clause 9(1)	duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	DIE, MWE	where council is the infrastructure manager or works manager responsible for non-road infrastructure
Schedule 7, Clause 9(2)	duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	DIE, MWE	where council is the infrastructure manager or works manager
Schedule 7, Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	DIE	where council is the infrastructure manager or works manager
Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	DIE	where council is the coordinating road authority
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	DIE	where council is the coordinating road authority
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	DIE	where council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 12(5)	power to recover costs	DIE	where council is the coordinating road authority
Schedule 7, Clause 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2)	DIE	where council is the works manager
Schedule 7 Clause 13(2)	power to vary notice period	DIE	where council is the coordinating road authority
Schedule 7, Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1)	DIE	where council is the infrastructure manager
Schedule 7 Clause 16(1)	power to consent to proposed works	DIE, ECSO	where council is the coordinating road authority
Schedule 7 Clause 16(4)	duty to consult	DIE	where council is the coordinating road authority, responsible authority or infrastructure manager
Schedule 7 Clause 16(5)	power to consent to proposed works	DIE	where council is the coordinating road authority
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	DIE	where council is the coordinating road authority
Schedule 7 Clause 16(8)	power to include consents and conditions	DIE	where council is the coordinating road authority
Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	DIE	where council is the coordinating road authority



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 18(1)	power to enter into an agreement	DIE	where council is the coordinating road authority
Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	DIE	where council is the coordinating road authority
Schedule 7 Clause 19(2) & (3)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	DIE	where council is the coordinating road authority
Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DIE	where council is the coordinating road authority
Schedule 7A Clause 2	power to cause street lights to be installed on roads	DIE	power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
Schedule 7A Clause 3(1)(d)	duty to pay installation and operation costs of street lighting - where road is not an arterial road	DIE	where council is the responsible road authority
Schedule 7A Clause 3(1)(e)	duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	DIE	where council is the responsible road authority
Schedule 7A Clause (3)(1)(f),	duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with clauses 3(2) and 4	DIE	duty of council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs)

PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	MMF, SPC, PO	where Council is not the planning authority and the amendment affects land within its municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	MMF, SPC, PO	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	MMF, SPC, PO	where Council is the responsible authority
r.25(b)	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	MMF, SPC, PO	where Council is not the responsible authority but the relevant land is within Council's municipal district
r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	MMF	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.19	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	MMF	
r.20	power to waive or rebate a fee relating to an amendment of a planning scheme	MMF	
r.21	duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r.19 or 20	MMF	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.7	power to enter into a written agreement with a caravan park owner	EHO, MMF, DEP	
r.10	function of receiving application for registration	EHO, MMF, DEP	
r.11	function of receiving application for renewal of registration	EHO, MMF, DEP	
r.12(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	EHO, MMF, DEP	
r.12(1)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	EHO, MMF, DEP	
r.12(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	EHO, MMF, DEP	
r.12(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	EHO, MMF, DEP	
r.12(3)	duty to have regard to matters in determining an application for registration or an application for renewal of registration	EHO, MMF, DEP	
r.12(4) & (5)	duty to issue certificate of registration	EHO, MMF, DEP	
r.14(1)	function of receiving notice of transfer of ownership	EHO, MMF, DEP	
r.14(3)	power to determine where notice of transfer is displayed	EHO, MMF, DEP	
r.15(1)	duty to transfer registration to new caravan park owner	EHO, MMF, DEP	
r.15(2)	duty to issue a certificate of transfer of registration	EHO, MMF, DEP	

**RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.15(3)	power to determine where notice of transfer is displayed	EHO, MMF, DEP	
r.16(1)	power to determine where certificate of transfer or registration is displayed	EHO, MMF, DEP	
r.17	duty to keep register of caravan parks	MMF	
r.18(4)	power to determine where the emergency contact person's details are displayed	EHO, MMF, DEP	
r.18(6)	power to determine where certain information is displayed	EHO, MMF, DEP	
r.22(1)	duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	EHO, MMF, DEP	
r.22(2)	duty to consult with relevant emergency services agencies	EHO, MMF, DEP	
r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	EHO, MMF, DEP	
r.24	power to determine places in which caravan park owner must display copy of public emergency warnings	EHO, MMF, DEP	
r.25(3)	duty to consult with relevant floodplain management authority	MBS, MMF, DEP	
r.26	duty to have regard to any report of the relevant fire authority	EHO, MMF, DEP	
r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	EHO, MMF, DEP	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.40	function of receiving notice of proposed installation of un-registrable movable dwelling or rigid annexe	MBS, MMF, DEP	
r.40(b)	power to require notice of proposal to install un-registrable movable dwelling or rigid annexe	MBS	
r.41(4)	function of receiving installation certificate	MBS	
r.43	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	MBS	
Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from un-registrable movable dwelling	MBS	



ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.8(1)	duty to conduct reviews of road management plan	DIE	
r.9(2)	duty to produce written report of review of road management plan and make report available	DIE	
r.9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	DIE	where council is the coordinating road authority
r.10	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	DIE	
r.13(1)	Duty to publish notice of amendments to road management plan	DIE	where council is the coordinating road authority
r.13(3)	duty to record on road management plan the substance and date of effect of amendment	DIE	
r.16(3)	power to issue permit	DIE	where council is the coordinating road authority
r.18(1)	power to give written consent re damage to road	DIE	where council is the coordinating road authority
r.23(2)	power to make submission to Tribunal	DIE	where council is the coordinating road authority
r.23(4)	power to charge a fee for application under section 66(1) Road Management Act	DIE	where council is the coordinating road authority
r.25(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	DIE	where council is the responsible road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.25(2)	power to sell or destroy things removed from road or part of road (after first complying with regulation 25(3))	DIE	where council is the responsible road authority
r.25(5)	power to recover in the Magistrates' Court, expenses from person responsible	DIE	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.15	power to exempt a person from requirement under clause 13(1) of Schedule 7 of the Act to give notice as to the completion of those works	DIE	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r.22(2)	power to waive whole or part of fee in certain circumstances	DIE	where council is the coordinating road authority