



## Instrument of delegation to members of Council staff

Responsible Officer	Adoption Date	<del>November 2024</del> <u>April 2022</u>
Governance and Reporting Advisor	Approved By	Council
Authorising Officer	Review Date	October 2025
Director Corporate Services	Policy Type	Council Policy

### Instrument of Delegation

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

- 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;
- records that references in the Schedule are as follows:

Abbreviation	Position (or any successor position)
AOI	means Asset Officer Inspections
APC	means Asset Planning Coordinator
CCC	means Community Compliance Coordinator
CP	means Cadet Planner
DCS	means Director Corporate Services
DCW	means Director Community Wellbeing
DDS	means Director Development Services
DIS	means Director Infrastructure Services
EHO	means Environmental Health Officer
G&RA	means Governance & Reporting Advisor
HC	means Horticulture Coordinator

<b>Abbreviation</b>		<b>Position (or any successor position)</b>
MBP&C	means	Manager Building Planning & Compliance
MBS	means	Municipal Building Surveyor
MEDE&S	means	Manager Economic Development Environment & Strategy
MF	means	Manager Finance
MFS	means	Manager Field Services
MIP&D	means	Manager Infrastructure Planning & Delivery
MP&G	means	Manager People & Governance
P	means	Planner
PCBPC	means	Planning Coordinator
PCO	means	Planning Compliance Officer
SCFS	means	Supervisor Cemetery
SPBPC	means	Senior Planner
SPSGE	means	Strategic Planner
SW	means	Supervisor Works
TSC	means	Technical Services Coordinator
<del>WC</del>	<del>means</del>	<del>Works Coordinator</del>

3. declares that:

- 3.1. this Instrument of Delegation is authorised by a resolution of Council passed on 23 November 2021; 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, act 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) strategyadopted 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 WANGARATTA )  
RURAL CITY COUNCIL was hereunto affixed )

\_\_\_\_\_  
Mayor/Councillor

\_\_\_\_\_  
Chief Executive Officer

\_\_\_\_\_  
Date

## Schedule

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<b>Cemeteries and Crematoria Act 2003</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>
The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
s.8(1)(a)(ii)	power to manage one or more public cemeteries	CEO	
s.12(1)	function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	CEO	where council is a Class B cemetery trust
s.12(2)	duty to have regard to the matters set out in paragraphs (a)-(c) in exercising its functions	CEO	where council is a Class B cemetery trust
s.12A(1)	function to do the activities set out in paragraphs (a) – (n)	Not applicable	where council is a Class A cemetery trust
s.12A(2)	duty to have regard to matters set out in paragraphs (a)-(e) in exercising its functions	Not applicable	where council is a Class A cemetery trust
s.13	duty to do anything necessary or convenient to enable it to carry out its functions	CEO	
s.14	power to manage multiple public cemeteries as if they are one cemetery	CEO	
s.15(4)	duty to keep records of delegations	MFS	
s.17(1)	power to employ any persons necessary	CEO	
s.17(2)	power to engage any professional, technical or other assistance considered necessary	CEO	

<b>Cemeteries and Crematoria Act 2003</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. 17(3)	power to determine the terms and conditions of employment or engagement	CEO	subject to any guidelines or directions of the Secretary
s.18(3)	duty to comply with a direction from the Secretary	MFS, HC, SCFS	
s.18B(1) & (2)	duty to establish governance committees within 12 months of becoming a Class A cemetery trust and power to establish other governance committees from time to time	Not applicable	where council is a Class A cemetery trust
s.18C	power to determine the membership of the governance committee	Not applicable	where council is a Class A cemetery trust
s.18D	power to determine procedure of governance committee	Not applicable	where council is a Class A cemetery trust
s.18D(1)(a)	duty to appoint community advisory committee for the purpose of liaising with communities	Not applicable	where council is a Class A cemetery trust
s.18D(1)(b)	power to appoint any additional community advisory committees	Not applicable	where council is a Class A cemetery trust
s.18D(2)	duty to establish a community advisory committee under section 18D(1)(a) within 12 months of becoming a Class A cemetery trust.	Not applicable	where council is a Class A cemetery trust
s.18D(3)	duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the Financial Management Act 1994	Not applicable	where council is a Class A cemetery trust
s.18F(2)	duty to give preference to a person who is not a funeral director of a stonemason (or a similar position) when appointing a person to a community advisory committee	Not applicable	where council is a Class A cemetery trust

<b>Cemeteries and Crematoria Act 2003</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.18H(1)	duty to hold an annual meeting before 30 December in each calendar year, in accordance with section	Not applicable	where council is a Class A cemetery trust
s.18I	duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting	Not applicable	where council is a Class A cemetery trust
s.18J	duty to provide leadership, assistance and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in section 18J(2))	Not applicable	where council is a Class A cemetery trust
s.18L(1)	duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust	Not applicable	where council is a Class A cemetery trust
s.18N(1)	duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)	Not applicable	where council is a Class A cemetery trust
s.18N(3)	duty to give a copy of the proposed annual plan to the Secretary on or before 30 September each year for the Secretary's approval	Not applicable	where council is a Class A cemetery trust
s.18N(5)	duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months	Not applicable	where council is a Class A cemetery trust
s.18N(7)	duty to ensure that an approved annual plan is available to members of the public on request	Not applicable	where council is a Class A cemetery trust
s.18O(1)	duty to prepare a strategic plan and submit the plan to the Secretary for approval	Not applicable	where council is a Class A cemetery trust

<b>Cemeteries and Crematoria Act 2003</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.18O(4)	duty to advise the Secretary if the trust wishes to exercise its functions in a manner inconsistent with its approved strategic plan	Not applicable	where council is a Class A cemetery trust
s.18O(5)	duty to ensure that an approved strategic plan is available to members of the public on request	Not applicable	where council is a Class A cemetery trust
s.18Q(1)	duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year.	Not applicable	where council is a Class A cemetery trust
s.19	power to carry out or permit the carrying out of works	MFS	
s.20(1)	duty to set aside areas for the interment of human remains	MFS	
s.20(2)	power to set aside areas for the purposes of managing a public cemetery	CEO	
s.20(3)	power to set aside areas for those things in paragraphs (a) – (e)	CEO	
s.24(2)	power to apply to the Secretary for approval to alter the existing distribution of land	CEO	
s.36	power to grant licences to enter and use part of the land or building in a public cemetery in accordance with this section	CEO	subject to the approval of the Minister
s.37	power to grant leases over land in a public cemetery in accordance with this section	CEO	subject to the Minister approving the purpose
s.40	duty to notify Secretary of fees and charges fixed under section 39	MFS, DIS	



<b>Cemeteries and Crematoria Act 2003</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.47	power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	MFS, DIS	provided the street was constructed pursuant to the Local Government Act 2020
s.57(1)	duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	MFS, DIS	report must contain the particulars listed in s.57(2)
s.59	duty to keep records for each public cemetery	DIS, MFS	
s.60(1)	duty to make information in records available to the public for historical or research purposes	SCFS, HC	
s.60(2)	power to charge fees for providing information	SCFS, HC	
s.64(4)	duty to comply with a direction from the Secretary under section 64(3)	DIS	
s.64B(d)	power to permit interments at a reopened cemetery	DIS	
s.66(1)	power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	DIS	the application must include the requirements listed in s.66(2)(a)–(d)
s.69	duty to take reasonable steps to notify of conversion to historic cemetery park	DIS	
s.70(1)	duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	SCFS, HC	
s.70(2)	duty to make plans of existing place of interment available to the public	SCFS, HC	

<b>Cemeteries and Crematoria Act 2003</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.71(1)	power to remove any memorials or other structures in an area to which an approval to convert applies	SCFS, HC	
s.71(2)	power to dispose of any memorial or other structure removed	SCFS, HC	
s.72(2)	duty to comply with request received under section 72	SCFS, HC	
s.73(1)	power to grant a right of interment	SCFS, HC	
s.73(2)	power to impose conditions on the right of interment	MFS, HC	
<a href="#">s.74</a>	<a href="#">Duty to offer a perpetual right of interment</a>	<a href="#">SCFS, MFS</a>	<a href="#">Provision commences on 1 March 2022 unless proclaimed earlier</a>
s.75	power to grant the rights of interment set out in subsections (a) and (b)	MFS, HC	
s.76(3)	duty to allocate a piece of interment if an unallocated right is granted	MFS, HC	
s.77(4)	power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	MFS, DIS	
s.80(1)	function of receiving notification and payment of transfer of right of interment	SCFS, HC	
s.80(2)	function of recording transfer of right of interment	SCFS, HC	
s.82(2)	duty to pay refund on the surrender of an unexercised right of interment	SCFS, HC	

Cemeteries and Crematoria Act 2003			
Column 1	Column 2	Column 3	Column 4
Provision	Thing delegated	Delegate	Conditions & limitations
s.83(2)	duty to pay refund on the surrender of an unexercised right of interment ( <del>sole holder</del> )	SCFS, MFS, HC	<u>Reference to 'sole holder' will no longer apply from 1 March 2022</u>
s.83(3)	power to remove any memorial and grant another right of interment for a surrendered right of interment	SCFS, HC	
s.84(1)	function of receiving notice of surrendering an entitlement to a right of interment	SCFS, HC	
<u>s.84F(2)(d)</u>	<u>Function of receiving notice of decision to vary or force the surrender of a right of interment under s 84C(2), (3) or (5)</u>	<u>SCFS, HC</u>	
<u>s.84H(4)</u>	<u>Power to exercise the rights of a holder of a right of interment</u>	<u>SCFS, HC</u>	
<u>s.84I(5)</u>	<u>Duty to pay refund to the previous holder or holders of the right of interment</u>	<u>SCFS, HC</u>	
<u>s 84I(6)(a)</u>	<u>Power to remove any memorial on the place of interment</u>	<u>SCFS, HC</u>	
<u>s 84I(6)(b)</u>	<u>Power to grant right of interment under s 73</u>	<u>SCFS, HC</u>	
s.85(1)	duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	SCFS, HC	the notice must be in writing and contain the requirements listed in s.85(2)
s.85(2)(b)	duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	SCFS, HC	does not apply where right of interment relates to remains of a deceased veteran.

<b>Cemeteries and Crematoria Act 2003</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>
85(2)(c)	power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of internment or;	SCFS, HC	may only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of internment is not extended or converted to a perpetual right of interment
85(2)(c)	remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location.	SCFS, HC	may only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of internment is not extended or converted to a perpetual right of interment
s.86	power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	SCFS, HC	
s.86(2)	power to leave interred cremated human remains undisturbed or convert the right of internment to a perpetual right of interment	SCFS, HC	
s.86(3)(a)	power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	SCFS, HC	
s.86(3)(b)	power to remove interred cremated human remains and take further action in accordance with s.86(3)(b)	SCFS, HC	
s.86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains	SCFS, HC	

<b>Cemeteries and Crematoria Act 2003</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.86(5)	duty to provide notification before taking action under s.86(4)	SCFS, HC	
s 86A	duty to maintain place of interment and any memorial at place of interment, if action taken under s.86(3)	SCFS, HC	
s.87(3)	duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	SCFS, HC	
s.88	function to receive applications to carry out a lift and re-position procedure at a place of interment	MFS, SCFS, HC	
s.91(1)	power to cancel a right of interment in accordance with this section	MFS, HC	
s.91(3)	duty to publish notice of intention to cancel right of interment	MFS, HC	
s.92	power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	MFS, SCFS, HC	
s.98(1)	function of receiving application to establish or alter a memorial or a place of interment	SCFS, HC	
s.99	power to approve or refuse an application made under section 98, or to cancel an approval	MFS, HC	
s.99(4)	duty to make a decision on an application under section 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	MFS, HC	

<b>Cemeteries and Crematoria Act 2003</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.100(1)	power to require a person to remove memorials or places of interment	MFS, HC	
s.100(2)	power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with section 100(1)	MFS, SCFS, HC	
s.100(3)	power to recover costs of taking action under section 100(2)	MFS, HC	
s.101	function of receiving applications to establish or alter a building for ceremonies in the cemetery	MFS, SCFS, HC	
s.102(1)	power to approve or refuse- an application under section 101, if satisfied of the matters in (b) and (c)	MFS, HC	
s.102(2) & (3)	power to set terms and conditions in respect of, or to cancel, an approval granted under section 102(1)	MFS, HC	
s.103(1)	power to require a person to remove a building for ceremonies	MFS, HC	
s.103(2)	power to remove and dispose of a building for ceremonies or remedy the failure to comply with section 103(1)	MFS, HC	
s.103(3)	power to recover costs of taking action under section 103(2)	MFS, HC	
s.106(1)	power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	MFS, HC	

<b>Cemeteries and Crematoria Act 2003</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.106(2)	power to require the holder of the right of interment to provide for an examination	MFS, HC	
s.106(3)	power to open and examine the place of interment if section 106(2) not complied with	MFS, HC	
s.106(4)	power to repair or – with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under section 106(1) is not complied with	MFS, HC	
s.107(1)	power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	MFS, HC	
s.107(2)	power to repair or take down, remove and dispose any building for ceremonies if notice under section 107(1) is not complied with	SCFS, HC	
s.108	power to recover costs and expenses	MFS, HC	
s.109(1)(a)	power to open, examine and repair a place of interment	MFS, HC	where the holder of right of interment or responsible person cannot be found
s.109(1)(b)	power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	MFS, HC	where the holder of right of interment or responsible person cannot be found
s.109(2)	power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	MFS, HC	where the holder of right of interment or responsible person cannot be found
s.110(1)	power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder. with consent of the Secretary	MFS, HC	

<b>Cemeteries and Crematoria Act 2003</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>
<a href="#">s 110(1A)</a>	<a href="#">Power to maintain, repair or restore the place of interment if unable to find any of the other holders after diligent inquiries and with the consent of the Secretary</a>	<a href="#">MFS</a>	<a href="#">Provision commences on 1 March 2022</a>
s.110(2)	power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	MFS, HC	
s. 110A	power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	MFS, HC	
s.111	power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	MFS, HC	
s.112	power to sell and supply memorials	SCFS, HC	
s.116(4)	duty to notify the Secretary of an interment authorisation granted	MFS, SCFS, HC	
s.116(5)	power to require an applicant to produce evidence of the right of interment holder's consent to application	MFS, SCFS, HC	
s.118	power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	MFS, HC	
s.119	power to set terms and conditions for interment authorisations	MFS, HC	



<b>Cemeteries and Crematoria Act 2003</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.131	function of receiving an application for cremation authorisation	SCFS, HC	
s.133(1)	duty not to grant a cremation authorisation unless satisfied that requirements of section 133 have been complied with	MFS, HC	Subject to subsection (2)
s.145	duty to comply with an order made by the Magistrates' Court or a coroner	MFS, HC	
s.146	power to dispose of bodily remains by a method other than interment or cremation	DIS	subject to the approval of the Secretary
s.147	power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	DIS	
s.149	duty to cease using method of disposal if approval revoked by the Secretary	MFS, HC	
s.150 & 152(1)	power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	MFS, HC	
s.151	function of receiving applications to inter or cremate body parts	SCFS, HC	
s.152(2)	power to impose terms and conditions on authorisation granted under section 150.	MFS, HC	
Schedule 1 clause 8(3)	power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	MFS, HC	
Schedule 1 clause 8(8)	power to regulate own proceedings	DIS	subject to clause 8

<b>Cemeteries and Crematoria Act 2003</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>
Schedule 1A clause 8(3)	power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	Not applicable	where council is a Class A cemetery trust
Schedule 1A clause 8(8)	power to regulate own proceedings	Not applicable	where council is a Class A cemetery trust. Subject to clause 8

<b>Cemeteries and Crematoria Regulations 2015</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>
These provisions apply to Councils appointed as a cemetery trust under section 5 of the Cemeteries and Crematoria Act 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
r.24	duty to ensure that cemetery complies with depth of burial requirements	SCFS, MFS, HC	
r.25	duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	SCFS, MFS, HC	
r.27	power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	SCFS, MFS, HC	
r.28(1)	power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	Not applicable	
r.28(2)	duty to ensure any fittings removed of are disposed in an appropriate manner	Not applicable	
r.29	power to dispose of any metal substance or non-human substance recovered from a cremator	Not applicable	
r.30(2)	power to release cremated human remains to certain persons	Not applicable	subject to any order of a court
r.31(1)	duty to make cremated human remains available for collection within 2 working days after the cremation	Not applicable	
r.31(2)	duty to hold cremated human remains for at least 12 months from the date of cremation	Not applicable	

<b>Cemeteries and Crematoria Regulations 2015</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>
r.31(3)	power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	Not applicable	
r.31(4)	duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	Not applicable	
r.32	duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	DIS, MFS	
r.33(1)	duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	SCFS, HC	
r.33(2)	duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	SCFS, HC	
r.34	duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs (a)-(b)	SCFS, HC	
r.36	duty to provide statement that alternative vendors or supplier of monuments exist	SCFS, HC	
r. 40	power to approve a person to play sport within a public cemetery	DIS, MFS	
r. 41(1)	power to approve fishing and bathing within a public cemetery	DIS, MFS	
r. 42(1)	power to approve hunting within a public cemetery	DIS, MFS	
r. 43	power to approve camping within a public cemetery	DIS, MFS	

<b>Cemeteries and Crematoria Regulations 2015</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>
r. 45(1)	power to approve the removal of plants within a public cemetery	DIS, MFS	
r.46	power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	DIS, MFS	
r. 47(3)	power to approve the use of fire in a public cemetery	DIS, MFS	
r.48(2)	power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	SCFS, MFS, HC	
Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules			
Schedule 2, clause 4	power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of Schedule 2	DIS, MFS	see note above regarding model rules
Schedule 2, clause 5(1)	duty to display the hours during which pedestrian access is available to the cemetery	MFS, SCFS, HC	see note above regarding model rules
Schedule 2, clause5(2)	duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	DIS, MFS	see note above regarding model rules
Schedule 2, clause6(1)	power to give directions regarding the manner in which a funeral is to be conducted	SCFS, MFS, HC	see note above regarding model rules
Schedule 2, clause7(1)	power to give directions regarding the dressing of places of interment and memorials	SCFS, MFS, HC	see note above regarding model rules

<b>Cemeteries and Crematoria Regulations 2015</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>
Schedule 2, clause 8	power to approve certain mementos on a memorial	SCFS, MFS, HC	see note above regarding model rules
Schedule 2, clause 11(1)	power to remove objects from a memorial or place of interment	SCFS, MFS, HC	see note above regarding model rules
Schedule 2, clause 11(2)	duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	SCFS, MFS, HC	see note above regarding model rules
Schedule 2, clause 12	power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	SCFS, MFS, HC	see note above regarding model rules
Schedule 2, clause 14	power to approve an animal to enter into or remain in a cemetery	SCFS, MFS, HC	see note above regarding model rules
Schedule 2, clause 16(1)	power to approve construction and building within a cemetery	DIS, MFS	see note above regarding model rules
Schedule 2, clause 17(1)	power to approve action to disturb or demolish property of the cemetery trust	MFS, HC	see note above regarding model rules
Schedule 2, clause 18(1)	power to approve digging or planting within a cemetery	MFS, HC	see note above regarding model rules

<b>Domestic Animals Act 1994</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.41A(1)	power to declare a dog to be a menacing dog	DDS, MBP&C	Council may delegate this power to an authorised officer

<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.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	EHO, CCC, MBP&C	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, CCC, MBP&C	If 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	MBP&C, CCC	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	MBP&C, CCC	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	MBP&C, CCC	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	MBP&C, CCC	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).	MBP&C, CCC	Where Council is the registration authority



Food Act 1984			
Column 1	Column 2	Column 3	Column 4
Provision	Thing delegated	Delegate	Conditions & limitations
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	MBP&C, CCC	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
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	MBP&C, CCC	Where Council is the registration authority
s.19CB(4)(b)	power to request copy of records	MBP&C, EHO, CCC	Where Council is the registration authority
s.19E(1)(d)	power to request a copy of the food safety program	EHO, CCC	Where Council is the registration authority
<a href="#">s 19EA(3)</a>	<a href="#">Function of receiving copy of revised food safety program</a>	<a href="#">EHO, CCC</a>	<a href="#">Where Council is the registration authority</a>
s.19GB	power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	EHO, CCC	Where Council is the registration authority
<a href="#">s19IA(1)</a>	<a href="#">Power to form opinion that the food safety requirements or program are non-compliant.</a>	<a href="#">EHO, CCC</a>	<a href="#">Where Council is the registration authority</a>
<a href="#">s 19IA(2)</a>	<a href="#">Duty to give written notice to the proprietor of the premises</a>	<a href="#">EHO, CCC</a>	<a href="#">Where Council is the registration authority</a> <a href="#">Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))</a>

Food Act 1984			
Column 1	Column 2	Column 3	Column 4
Provision	Thing delegated	Delegate	Conditions & limitations
s.19M(4)(a) & (5)	power to conduct a food safety audit and take actions where deficiencies are identified	EHO, CCC	Where Council is the registration authority
<a href="#">s.19N(2)</a>	<a href="#">Function of receiving notice from the auditor</a>	<a href="#">EHO, CCC</a>	<a href="#">Where Council is the registration authority</a>
s.19NA(1)	power to request food safety audit reports	EHO, CCC	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	DDS, MBP&C	
s.19UA	power to charge fees for conducting a food safety assessment or inspection	MBP&C, CCC	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, CCC, MBP&C	Where Council is the registration authority
s.19W(3)(a)	power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	MBP&C, CCC	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	MBP&C, CCC	Where Council is the registration authority

Food Act 1984			
Column 1	Column 2	Column 3	Column 4
Provision	Thing delegated	Delegate	Conditions & limitations
---	power to register, <del>or</del> renew <del>or transfer the</del> registration <u>of a food premises</u>	MBP&C, CCC, EHO	Where council is the registration authority. Refusal to grant <del>or</del> renew <del>transfer the</del> registration <u>of a food premises</u> 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, CCC, MBP&C	Where Council is the registration authority
s.36B	Duty to pay the charge for use of online portal	CCC, MBP&C	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, CCC, MBP&C	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 section 38AB(1)	EHO, CCC, MBP&C	Where Council is the registration authority
s.38A(4)	power to request a copy of a completed food safety program template	EHO, CCC, MBP&C	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, CCC, MBP&C	Where Council is the registration authority
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	EHO, CCC	Where Council is the registration authority

<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.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	EHO, CCC	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, CCC	Where Council is the registration authority
s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	EHO, CCC	Where Council is the registration authority
s.38D(3)	power to request copies of any audit reports	EHO, CCC	Where Council is the registration authority
s.38E(2)	power to register the food premises on a conditional basis	EHO, CCC	where council is the registration authority; not exceeding the prescribed time limit defined under section 38E(5).
s.38E(4)	duty to register the food premises when conditions are satisfied	EHO, CCC	Where Council is the registration authority
s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	CCC, EHO	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, CCC	Where Council is the registration authority
<a href="#">s 38G(2)</a>	<a href="#">Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises</a>	<a href="#">EHO, CCC</a>	<a href="#">Where Council is the registration authority</a>
s.38G( <del>4</del> )	Power to require the proprietor of the food premises to comply with any requirement of the Act	EHO, CCC	Where Council is the registration authority

Food Act 1984			
Column 1	Column 2	Column 3	Column 4
Provision	Thing delegated	Delegate	Conditions & limitations
<a href="#">s 39(2)</a>	<a href="#">Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed</a>	<a href="#">CCC, EHO</a>	<a href="#">Where Council is the registration authority</a>
s.39A	power to register, <u>or renew</u> <del>or transfer the registration of a</del> food premises despite minor defects	CCC, EHO	Where Council is the registration authority. Only if satisfied of matters in sections 39A(2)(a)-(c)
<a href="#">s 39A (6)</a>	<a href="#">Duty to comply with a direction of the Secretary</a>	<a href="#">CCC, EHO</a>	
<a href="#">s 40(1)</a>	<a href="#">Duty to give the person in whose name the premises is to be registered a certificate of registration</a>	<a href="#">CCC, EHO</a>	<a href="#">Where Council is the registration authority</a>
s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008	CCC, EHO	
s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	CCC, EHO	Where Council is the registration authority
s.40D(1)	power to suspend or revoke the registration of food premises	MBP&C, CCC	Where Council is the registration authority
<a href="#">s 40E</a>	<a href="#">Duty to comply with direction of the Secretary</a>	<a href="#">MBP&amp;C, CCC</a>	
s.40F	Power to cancel registration of food premises	MBP&C, DDS	Where Council is the registration authority
<a href="#">s 43</a>	<a href="#">Duty to maintain records of registration</a>	<a href="#">MBP&amp;C</a>	<a href="#">Where Council is the registration authority</a>

Food Act 1984			
Column 1	Column 2	Column 3	Column 4
Provision	Thing delegated	Delegate	Conditions & limitations
s.43F(6)	duty to be satisfied that registration requirements under Division 3 have been met prior to registering, <del>transferring</del> or renewing registration of a component of a food business	CCC, EHO	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	CCC, MBP&C	Where Council is the registration authority
<a href="#">s.45AC</a>	<a href="#">Power to bring proceedings</a>	<a href="#">DDS, MBP&amp;C</a>	
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	DDS, MBP&C, CCC	Where Council is the registration authority

<b>Heritage Act 2017</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.116	power to sub-delegate Executive Director's functions, duties and powers	DDS	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

<b>Local Government Act 1989</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 185L(4)	Power to declare and levy a cladding rectification charge	CEO	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	MEDE&S, MBP&C, DDS	if authorised by the Minister
s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	MEDE&S, MBP&C, DDS	
s.4H	duty to make amendment to Victoria Planning Provisions available in accordance with public availability requirements	MEDE&S, MBP&C, DDS	
s.4I	duty to keep Victoria Planning Provisions and other documents available in accordance with public availability requirements	MEDE&S, MBP&C, DDS	
s.8A(2)	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	
s. 8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	MEDE&S, MBP&C, DDS	
s.8A(5)	function of receiving notice of the Minister's decision	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing delegated	Delegate	Conditions & limitations
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	MEDE&S, MBP&C, DDS	
s.8B(2)	power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	
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	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	
<del>s.12A(1)</del>	<del>duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under section 19 of the Planning and Environment (Planning Schemes) Act 1996)</del>	<del>MEDE&amp;S, DDS, MBP&amp;C</del>	
s.12B(1)	duty to review planning scheme	MEDE&S, DDS, MBP&C	
s.12B(2)	duty to review planning scheme at direction of Minister	MEDE&S, DDS, MBP&C	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	MEDE&S, DDS, MBP&C	

<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.14	duties of a Responsible Authority as set out in sections 14(a) to (d)	MEDE&S, MBP&C, DDS	
s.17(1)	duty of giving copy amendment to the planning scheme	MEDE&S, DDS, MBP&C	
s.17(2)	duty of giving copy s.173 agreement	MEDE&S, DDS, MBP&C	
s.17(3)	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	MEDE&S, DDS, MBP&C	
s.18	duty to make amendment etc. available in accordance with public availability requirements	MEDE&S, DDS, MBP&C	
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	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	
s.19	function of receiving notice of preparation of an amendment to a planning scheme	Not applicable	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 Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing delegated	Delegate	Conditions & limitations
s.20(1)	power to apply to Minister for exemption from the requirements of section 19	MEDE&S, DDS, MBP&C	<u>Where Council is a planning authority</u>
s.21(2)	duty to make submissions available in accordance with public availability requirements	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	
s.21A(4)	duty to publish notice	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	
s.22	duty to consider all submissions	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	except submissions which request a change to the items in sections.22(5)(a) and (b)
s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	

<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.23(2)	power to refer to a panel submission which do not require a change to the amendment	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	
s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in section 96D)	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	
s.26(1)	power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	
s.26(2)	duty to keep report of panel available in accordance with public availability requirements	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	
s.27(2)	power to apply for exemption if panel's report not received	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	

<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.28(1)	duty to notify the Minister if abandoning an amendment	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	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	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	
s.28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	
s.30(4)(a)	duty to say if amendment has lapsed	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	
s.30(4)(b)	duty to provide information in writing upon request	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	

<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.32(2)	duty to give more notice if required	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	
s.33(1)	duty to give more notice of changes to an amendment	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	
s.36(2)	duty to give notice of approval of amendment	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	
s.38(5)	duty to give notice of revocation of an amendment	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	

<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.40(1)	function of lodging copy of approved amendment	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	
s.41(1)	duty to make a copy of an approved amendment available in accordance with the public availability requirements during the inspection period	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	
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	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	
s.42(2)	duty to make copy of planning scheme available in accordance with the public availability requirements	MEDE&S, DDS, SPSGE, MBP&C, PCBPC	



Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing delegated	Delegate	Conditions & limitations
s.46AAA	duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	N/A	where Council is a responsible public entity and is a planning authority.  <b>Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils</b>
s.46AW	function of being consulted by the Minister	MEDE&S, DDS, MBP&C	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	MEDE&S, DDS, MBP&C	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	MEDE&S, DDS, MBP&C	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	MEDE&S, DDS, MBP&C	where Council is a responsible public entity

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<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 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	MEDE&S, DDS, MBP&C	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	MEDE&S, DDS, MBP&C	
s 46GK	duty to comply with a Minister's direction that applies to Council as the planning authority	MEDE&S, DDS, MBP&C	
s 46GN(1)	duty to arrange for estimates of values of inner public purpose land	MEDE&S, DDS, MBP&C, MF	
s 46GO(1)	duty to give notice to owners of certain inner public purpose land	MEDE&S, DDS, MBP&C	
s 46GP	function of receiving a notice under s 46GO	MEDE&S, DDS, MBP&C	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	MEDE&S, DDS, MBP&C	

<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 46GR(1)	duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	MEDE&S, DDS, MBP&C	
s 46GR(2)	power to consider a late submission duty to consider a late submission if directed to do so by the Minister	MEDE&S, DDS, MBP&C	
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	MEDE&S, DDS, MBP&C	
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	MEDE&S, DDS, MBP&C	
s 46GT(2)	duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	MEDE&S, DDS, MBP&C	
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	MEDE&S, DDS, MBP&C	
s 46GT(6)	function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	MEDE&S, DDS, MBP&C	

<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 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	MEDE&S, DDS, MBP&C	
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	MEDE&S, DDS, MBP&C, MF	where Council is the collecting agency
s 46GV(3)(b)	power to enter into an agreement with the applicant	MEDE&S, DDS, MBP&C, PCBPC	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)	MEDE&S, DDS, MBP&C, PCBPC	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)	MEDE&S, DDS, MBP&C, PCBPC	where Council is the collecting agency

<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 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	MEDE&S, DDS, MBP&C, PCBPC	
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	MEDE&S, DDS, MBP&C	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	MEDE&S, DDS, MBP&C, MF	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	MEDE&S, DDS, MBP&C	where Council is the collecting agency
s 46GY(1)	duty to keep proper and separate accounts and records	MEDE&S, DDS, MBP&C, MF	where Council is the collecting agency
s 46GY(2)	duty to keep the accounts and records in accordance with the Local Government Act 2020	MEDE&S, DDS, MBP&C, MF	where Council is the collecting agency

<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 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	MEDE&S, DDS, MBP&C, MF	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	MEDE&S, DDS, MBP&C, MF	where the Council is the planning authority. This duty does not apply where Council is also the collecting agency
s 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 facilities	MEDE&S, DDS, MBP&C, MF	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	MEDE&S, DDS, MBP&C, MF	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)	MEDE&S, DDS, MBP&C, MF	where Council is the collecting agency under an approved infrastructure contributions plan

<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 46GZ(5)	duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency  function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	MEDE&S, DDS, MBP&C, MF	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(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	MEDE&S, DDS, MBP&C, MF	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	MEDE&S, DDS, MBP&C, MF	if any inner public purpose land is vested in Council under the Subdivision Act 1988 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	MEDE&S, DDS, MBP&C, MF	where Council is the development agency under an approved infrastructure contributions plan. This duty does not apply where Council is also the collecting agency

<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 46GZA(1)	duty to keep proper and separate accounts and records	MEDE&S, DDS, MBP&C, MF	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	MEDE&S, DDS, MBP&C, MF	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)	MEDE&S, DDS, MBP&C, MF	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 and provide reports on the use of the infrastructure contribution to the VPA	MEDE&S, DDS, MBP&C, MF	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)	MEDE&S, DDS, MBP&C, MF	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)	MEDE&S, DDS, MBP&C, MF	where Council is the collecting agency under an approved infrastructure contributions plan



<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 46GZD(5)	duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	MEDE&S, DDS, MBP&C, MF	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	MEDE&S, DDS, MBP&C, MF	where Council is the development agency under an approved infrastructure contributions plan. This duty does not apply where Council is also the collecting agency
s 46GZE(2)	function of receiving the unexpended land equalisation amount	MEDE&S, DDS, MBP&C, MF	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)	MEDE&S, DDS, MBP&C, MF	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	MEDE&S, DDS, MBP&C, MF	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)	MEDE&S, DDS, MBP&C, MF	where Council is the development agency under an approved infrastructure contributions plan

<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 46GZF(3)	s 46GZF(3)(a) function of receiving proceeds of sale	MEDE&S, DDS, MBP&C, MF	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)	MEDE&S, DDS, MBP&C, MF	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)	MEDE&S, DDS, MBP&C, MF	where Council is the collecting agency under an approved infrastructure contributions plan
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	MEDE&S, DDS, MBP&C, MF	where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	duty to prepare and give a report to the Minister at the times required by the Minister	MEDE&S, DDS, MBP&C, PCBPC, SPBPC	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	MEDE&S, DDS, MBP&C	where Council is a collecting agency or development agency

<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 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)	MEDE&S, DDS, MBP&C, PCBPC, SPBPC	
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	MBP&C, PCBPC, DDS, SPBPC	
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	MBP&C, PCBPC, DDS, SPBPC	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	MBP&C, DDS, PCBPC	
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	MBP&C, DDS, PCBPC, SPBPC	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	MBP&C, DDS, PCBPC	

<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.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	MBP&C, DDS, PCBPC, SPBPC	
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	MBP&C, DDS, PCBPC	
s.46Q(1)	duty to keep proper accounts of levies paid	MF	
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	MBP&C, DDS, MF	
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	MBP&C, DDS	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	MBP&C, DDS	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)	MBP&C, DDS	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	MBP&C, DDS	must be done in accordance with Part 3

<b>Planning and Environment Act 1987</b>			
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<b>Provision</b>	<b>Thing delegated</b>	<b>Delegate</b>	<b>Conditions &amp; limitations</b>
s.46Q(4)(e)	duty to expend that amount on other works etc.	MBP&C, DDS	with the consent of, and in the manner approved by, the Minister
s.46QC	power to recover any amount of levy payable under Part 3B	MBP&C, DDS	
s.46QD	duty to prepare report and give a report to the Minister	MF	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	Not applicable	
s.46Y	duty to carry out works in conformity with the approved strategy plan	Not applicable	
s.47	power to decide that an application for a planning permit does not comply with that Act	MBP&C, DDS	
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.49(2)	duty to make register available for inspection in accordance with the public availability requirements	MBP&C, DDS, PCBPC, SPBPC, P, CP	

<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.50(4)	duty to amend application	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.50(5)	power to refuse to amend application	MBP&C, DDS, PCBPC	
s.50(6)	duty to make note of amendment to application in register	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.50A(1)	power to make amendment to application	MBP&C, DDS, PCBPC, SPBPC, P	
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	MBP&C, DDS, PCBPC, SPBPC, P	
s.50A(4)	duty to note amendment to application in register	MBP&C, DDS, PCBPC, SPBPC, P, CP	

<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.51	duty to make copy of application available for inspection in accordance with the public availability requirements	MBP&C, DDS, PCBPC, SPBPC, P, CP	
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	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	MBP&C, DDS, PCBPC, SPBPC, P, CP	
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	MBP&C, DDS, PCBPC, SPBPC, P, CP	

<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.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	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally affected	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.52(3)	power to give any further notice of an application where appropriate	MBP&C, DDS, PCBPC, SPBPC, P	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	MBP&C, DDS, PCBPC, SPBPC, P	
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	MBP&C, DDS, PCBPC, SPBPC, P	



<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.54(1)	power to require the applicant to provide more information	MBP&C, DDS, PCBPC, SPBPC, P	
s.54(1A)	duty to give notice in writing of information required under section 54(1)	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.54(1B)	duty to specify the lapse date for an application	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.54A(4)	duty to give written notice of decision to extend or refuse to extend time und section 54A(3)	MBP&C, DDS, PCBPC, SPBPC, P, CP	

<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.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	MBP&C, DDS, PCBPC	
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	MBP&C, DDS, PCBPC, SPBPC	
s.57(5)	duty to make a copy of all objections available in accordance with the public availability requirements	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to section 57A(5)	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.57A(5)	power to refuse to amend application	MBP&C, DDS, PCBPC, SPBPC	

<b>Planning and Environment Act 1987</b>			
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<b>Provision</b>	<b>Thing delegated</b>	<b>Delegate</b>	<b>Conditions &amp; limitations</b>
s.57A(6)	duty to note amendments to application in register	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.57B(1)	duty to determine whether and to whom notice should be given	MBP&C, DDS, PCBPC, SPBPC	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	MBP&C, DDS, PCBPC, SPBPC	
s.57C(1)	duty to give copy of amended application to referral authority	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.58	duty to consider every application for a permit	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.58A	power to request advice from the Planning Application Committee	MBP&C, DDS	

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<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.60	duty to consider certain matters	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s60(1A)	duty to consider certain matters.	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.60(1B)	duty to consider number of objectors in considering whether use or development may have significant social effect	MBP&C, DDS, PCBPC, SPBPC, P, CP	

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing delegated	Delegate	Conditions & limitations
s.61(1)(a)	power to determine permit application, to decide to grant a permit	MBP&C, DDS, PCBPC, SPBPC, P	the permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006  Limitations: P, SPBPC: For developments <\$1M PCBPC: For developments <\$2M MBP&C: For developments <\$5M DDS; For developments >\$5M  where the number of objections does not exceed three

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing delegated	Delegate	Conditions & limitations
s.61(1)(b)	power to determine permit application, to grant a permit with conditions	MBP&C, DDS, PCBPC, SPBPC, P	the permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006  Limitations: P, SPBPC: For developments <\$1M PCBPC: For developments <\$2M MBP&C: For developments <\$5M DDS; For developments >\$5M  where the number of objections does not exceed three
s.61(1)(c)	power to determine permit application, to refuse a permit application	MBP&C, DDS, PCBPC	where the number of objections does not exceed three
s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	MBP&C, DDS, PCBPC	
s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	MBP&C, DDS, PCBPC	
s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Not applicable	

<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.61(3)(b)	duty to refuse to grant the permit without the Minister's consent	Not applicable	
s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	MBP&C, DDS, PCBPC	
s.62(1)	duty to include certain conditions in deciding to grant a permit	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.62(2)	power to include other conditions	MBP&C, DDS, PCBPC, SPBPC, P	
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	MBP&C, DDS, PCBPC, SPBPC, P	
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	MBP&C, DDS, PCBPC, SPBPC, P	

<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.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	MBP&C, DDS, PCBPC, SPBPC, P	
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 sections 46N(1), 46GV(7) or 62(5)	MBP&C, DDS, PCBPC, SPBPC, P, CP	
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)	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	MBP&C, DDS, PCBPC, SPBPC, P, CP	this provision applies also to a decision to grant an amendment to a permit - see section 75



<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.64(3)	duty not to issue a permit until after the specified period	MBP&C, DDS, PCBPC	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	MBP&C, DDS, PCBPC	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	MBP&C, DDS, PCBPC, SPBPC, P, CP	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	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.66(1)	duty to give notice under section 64 or section 65 and copy permit to relevant determining referral authorities	MBP&C, DDS, PCBPC, SPBPC, P, CP	

<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.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	MBP&C, DDS, PCBPC, SPBPC, P, CP	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	MBP&C, DDS, PCBPC, SPBPC, P, CP	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	MBP&C, DDS, PCBPC, SPBPC, P, CP	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	MBP&C, DDS, PCBPC, SPBPC, P, CP	

<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.69(1A)	function of receiving application for extension of time to complete development	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.69(2)	power to extend time	MBP&C, DDS, PCBPC, SPBPC	
s.70	duty to make copy permit available for inspection in accordance with public availability requirements	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.71(1)	power to correct certain mistakes	MBP&C, DDS, PCBPC, SPBPC, P	
s.71(2)	duty to note corrections in register	MBP&C, DDS, PCBPC, SPBPC, P, CP	

<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.73	power to decide to grant amendment subject to conditions	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.74	duty to issue amended permit to applicant if no objectors	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	MBP&C, DDS, PCBPC, SPBPC, P, CP	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

<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.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	MBP&C, DDS, PCBPC, SPBPC, P, CP	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	MBP&C, DDS, PCBPC, SPBPC, P, CP	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	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.83	function of being respondent to an appeal	MBP&C, DDS, PCBPC	
s.83B	duty to give or publish notice of application for review	MBP&C, DDS, PCBPC	
s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	MBP&C, DDS	

<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.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	MBP&C, DDS, PCBPC, SPBPC, P, CP	
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	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.84(6)	duty to issue permit on receipt of advice within 3 working days	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.84AB	power to agree to confining a review by the Tribunal	MBP&C, DDS	
s.86	duty to issue a permit at order of Tribunal within 3 working days	MBP&C, DDS, PCBPC, SPBPC, P, CP	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	MBP&C, DDS, PCBPC, SPBPC	

<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.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	MBP&C, DDS, PCBPC, SPBPC	
s.91(2)	duty to comply with the directions of VCAT	MBP&C, DDS, PCBPC, SPBPC	
s.91(2A)	duty to issue amended permit to owner if Tribunal so directs	MBP&C, DDS, PCBPC, SPBPC	
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	MBP&C, DDS, PCBPC, SPBPC	
s.93(2)	duty to give notice of VCAT order to stop development	MBP&C, DDS, PCBPC, PCO	
s.95(3)	function of referring certain applications to the Minister	MBP&C, DDS	
s.95(4)	duty to comply with an order or direction	MBP&C, DDS	
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	MBP&C, DDS	

<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.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	MBP&C, DDS	
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	DDS, MBP&C, PCBPC, MEDE&S	
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	DDS, MBP&C, PCBPC, MEDE&S	
s.96F	duty to consider the panel's report under section 96E	MBP&C, DDS, PCBPC, SPBPC, MEDE&S, SPSGE	
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 Planning and Environment (Planning Schemes) Act 1996)	DDS, MBP&C, PCBPC, MEDE&S	



<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.96H(3)	power to give notice in compliance with Minister's direction	MBP&C, PCBPC, MEDE&S	
s.96J	power to issue permit as directed by the Minister	MBP&C, PCBPC, MEDE&S, SPSGE	
s.96K	duty to comply with direction of the Minister to give notice of refusal	MBP&C, PCBPC, MEDE&S, SPSGE	
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	MBP&C, MF	
s.97C	power to request Minister to decide the application	DDS, MBP&C	
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	MBP&C, DDS, PCBPC	
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	DDS, MBP&C, PCBPC	

<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.97G(6)	duty to make a copy of permits issued under section 97F available in accordance with public availability requirements	DDS, MBP&C, PCBPC	
s.97L	duty to include Ministerial decisions in a register kept under section 49	DDS, MBP&C, PCBPC	
s.97MH	duty to provide information or assistance to the Planning Application Committee	DDS, MBP&C, MEDE&S	
s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	DDS, MBP&C, MEDE&S	
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	DDS, MBP&C, PCBPC	
s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	DDS, MBP&C, PCBPC, SPBPC	

<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.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	DDS, MBP&C, PCBPC	
s.97Q(4)	duty to comply with directions of VCAT	MBP&C, DDS, PCBPC, SPBPC	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	DDS, MBP&C, PCBPC	
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	DDS, MBP&C	
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	DDS, MBP&C	
s.101	function of receiving claim for expenses in conjunction with claim	DDS, MBP&C	
s.103	power to reject a claim for compensation in certain circumstances	DDS	
s.107(1)	function of receiving claim for compensation	DDS, MBP&C	
s.107(3)	power to agree to extend time for making claim	DDS, MBP&C	

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing delegated	Delegate	Conditions & limitations
<a href="#">s.113(2)</a>	<a href="#">Power to request a declaration for land to be proposed to be reserved for public purposes</a>	<a href="#">DDS, MBP&amp;C</a>	
s.114(1)	power to apply to the VCAT for an enforcement order	DDS, MBP&C, PCBPC	
s.117(1)(a)	function of making a submission to the VCAT where objections are received	MBP&C, DDS, PCBPC, SPBPC	
s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	DDS, MBP&C, PCBPC	
s.123(1)	power to carry out work required by enforcement order and recover costs	DDS, MBP&C, PCBPC	
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	DDS	except Crown Land
s.129	function of recovering penalties	DDS, MBP&C	

<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.130(5)	power to allow person served with an infringement notice further time	DDS, MBP&C, PCBPC,	
s.149A(1)	power to refer a matter to the VCAT for determination	DDS, MBP&C, PCBPC, SPBPC	
s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	DDS, MBP&C, PCBPC, SPBPC	
s.156	duty to pay fees and allowances (including a payment to the Crown under subsection (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 subsection (2B)_power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	DDS, MBP&C, MEDE&S	where council is the relevant planning authority
s.171(2)(f)	power to carry out studies and commission reports	DDS, MBP&C, MEDE&S	

<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.171(2)(g)	power to grant and reserve easements	DDS, MBP&C, MEDE&S	
s.172C	power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	DDS, MBP&C, MEDE&S	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)	DDS, MBP&C, MEDE&S	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)	DDS, MBP&C, MEDE&S	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	DDS, MBP&C, PCBPC, SPBPC, MEDE&S, SPSGE	

<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.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	DDS, MBP&C, PCBPC, SPBPC	where council is the relevant responsible authority
---	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	DDS, MBP&C, PCBPC, SPBPC MEDE&S	
---	power to give consent on behalf of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	DDS, MBP&C, PCBPC, SPBPC MEDE&S	
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	DDS, MBP&C, PCBPC, SPBPC MEDE&S	

<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.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 of Part 9	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	
s.178A(1)	function of receiving application to amend or end an agreement	MBP&C, PCBPC, SPBPC, MEDE&S, SPSGE	
s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	



<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.178A(5)	power to propose to amend or end an agreement	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	
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	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	

<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.178C(4)	function of determining how to give notice under s.178C(2)	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	
s.178E(1)	duty not to make decision until after 14 days after notice has been given	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	
s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	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	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	If no objections are made under s.178D. Must consider matters in s.178B.

<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.178E(2)(c)	power to refuse to amend or end the agreement	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	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	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	After considering objections, submissions and matters in s.178B
s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	After considering objections, submissions and matters in s.178B
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	DDS, MBP&C PCBPC, SPBPC, MEDE&S	After considering objections, submissions and matters in s.178B

<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.178E(3)(d)	power to refuse to amend or end the agreement	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	After considering objections, submissions and matters in s.178B
s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	
s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	
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	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	

<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.178G	duty to sign amended agreement and give copy to each other party to the agreement	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	
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	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	
s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	
s.179(2)	duty to make a copy of each agreement available in accordance with the public availability requirements	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	

<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.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	
s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	DDS MBP&C, PCBPC, SPBPC, MEDE&S	
s.182	power to enforce an agreement	DDS, MBP&C, PCBPC SPBPC	

<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.183	duty to tell Registrar of Titles of ending/amendment of agreement	DDS, MBP&C, PCBPC, SPBPC, MEDE&S	
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	DDS, MBP&C, MEDE&S	
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	DDS, MBP&C, MEDE&S	
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	DDS, MBP&C, MEDE&S	
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	DDS, MBP&C, MEDE&S	
s.184G(2)	duty to comply with a direction of the Tribunal	DDS, MBP&C, PCBPC, MEDE&S	

<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.184G(3)	duty to give notice as directed by the Tribunal	DDS, MBP&C, PCBPC, MEDE&S	
s.198(1)	function to receive application for planning certificate	Not applicable	Council is no more the authority to receive and issue planning certificates as Amendment C60 had been gazetted on 25 September 2014.
s.199(1)	duty to give planning certificate to applicant	Not applicable	Council is no more the authority to receive and issue planning certificates as Amendment C60 had been gazetted on 25 September 2014.
s.201(1)	function of receiving application for declaration of underlying zoning	DDS, MBP&C, PCBPC, MEDE&S, SPSGE	
s.201(3)	duty to make declaration	DDS, MBP&C, PCBPC, MEDE&S	



<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.201(3)	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	DDS, MBP&C, PCBPC, MEDE&S, SPBPC, SPSGE, P, CP	
s.201(3)	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	DDS, MBP&C, PCBPC, MEDE&S	
s.201(3)	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	DDS, MBP&C, PCBPC, MEDE&S	
s.201(3)	power to give written authorisation in accordance with a provision of a planning scheme	DDS, MBP&C, PCBPC, MEDE&S	

<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.201UAB(1)	function of providing the Victorian Planning Authority with information relating to any land within municipal district	DDS, MBP&C, PCBPC MEDE&S	
s.201UAB(2)	duty to provide the Victorian Planning Authority with information requested under subsection (1) as soon as possible	DDS, MBP&C, PCBPC MEDE&S	

<b>Planning and Environment Regulations 2015</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>
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	DDS, MEDE&S, MBP&C, PCBPC SPSGE	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	DDS, MBP&C, PCBPC	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	DDS, MBP&C, PCBPC	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	DDS, MBP&C, PCBPC	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	DDS, MEDE&S, MBP&C, PCBPC, SPBPC SPSGE	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.

<b>Planning and Environment (Fees) Regulations 2015</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>
r.19	power to waive or rebate a fee relating to an amendment of a planning scheme	DDS, MBP&C, MEDE&S	
r.20	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DDS, MBP&C	Deleted PCBPC
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 R.20	DDS, MBP&C, MEDE&S	Deleted PCBPC

Residential Tenancies Act 1997			
Column 1	Column 2	Column 3	Column 4
Provision	Thing delegated	Delegate	Conditions & limitations
<del>s-91ZU(1)</del>	<del>Power to give a renter a notice to vacate rented premises</del>	<del>DCW, DDS, DCS, MF</del>	<del>Where Council is a public statutory authority engaged in the provision of housing.</del>
<del>s-91ZZC(1)</del>	<del>Power to give a renter a notice to vacate rented premises</del>	<del>DCW, DDS, DCS, MF</del>	<del>Where Council is a public statutory authority authorised to acquire land compulsorily for its purposes.</del>
<del>s-91ZZE(1)</del>	<del>Power to give a renter a notice to vacate rented premises</del>	<del>DCW, DDS, DCS, MF</del>	<del>Where Council is a public statutory authority engaged in the provision of housing.</del>
<del>s-91ZZE(3)</del>	<del>Power to publish Council's criteria for eligibility for the provision of housing</del>	<del>DCW, DDS, DCS, MF</del>	<del>Where Council is a public statutory authority engaged in the provision of housing.</del>
<del>s-142D</del>	<del>function of receiving notice regarding an unregistered rooming house</del>	<del>DDS, MBP&amp;C</del>	
<del>s-142G(1)</del>	<del>duty to enter required information in Rooming House Register for each rooming house in municipal district</del>	<del>CCC, EHO</del>	
<del>s-142G(2)</del>	<del>power to enter certain information in the Rooming House Register</del>	<del>CCC, EHO</del>	
<del>s-142H(2)</del>	<del>power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry</del>	<del>CCC, EHO</del>	
<del>s-206AZA(2)</del>	<del>Function of receiving written notification</del>	<del>CCC, EHO</del>	
<del>s-207ZE(2)</del>	<del>Function of receiving written notification</del>	<del>CCC, EHO</del>	

Residential Tenancies Act 1997			
Column 1	Column 2	Column 3	Column 4
Provision	Thing delegated	Delegate	Conditions & limitations
<del>s.311A(2)</del>	<del>Function of receiving written notification</del>	<del>CCC, EHO</del>	
<del>s.317ZDA(2)</del>	<del>Function of receiving written notification</del>	<del>CCC, EHO</del>	
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	DDS, MBP&C	
s.522(1)	power to give a compliance notice to a person	DDS, MBP&C	
s.525(2)	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	DDS, MBP&C	
s.525(4)	duty to issue identity card to authorised officers	DDS, MBP&C, DCS	
s.526(5)	duty to keep record of entry by authorised officer under section 526	DDS, MBP&C, CCC	
s.526A(3)	function of receiving report of inspection	DDS, MBP&C, CCC	
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	DDS, MBP&C	

<b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020</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>
r.7	Power to enter into a written agreement with a caravan park owner	MBP&C, DDS	
r.10	function of receiving application for registration	MBP&C, CCC, EHO	
r.11	function of receiving application for renewal of registration	MBP&C, CCC, EHO	
r.12(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	MBP&C, CCC, EHO	
r.12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	MBP&C, CCC	
r.12(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	MBP&C, CCC, EHO	
r.12(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	MBP&C, DDS, CCC	
r.12(3)	duty to have regard to matters in determining an application for registration or an application for renewal of registration	MBP&C, DDS, CCC, EHO	
r.12(4) & (5)	duty to issue certificate of registration	CCC, EHO	

<b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020</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>
r.14(1)	function of receiving notice of transfer of ownership	CCC, EHO	
r.14(3)	power to determine where notice of transfer is displayed	MBP&C, CCC, EHO	
r.15(1)	duty to transfer registration to new caravan park owner	MBP&C, CCC	
r.15(2)	duty to issue a certificate of transfer of registration	MBP&C, CCC	
r.16(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	DDS, MBP&C	Deleted CCC
r.17	duty to keep register of caravan parks	MBP&C, CCC, EHO	
r.18(4)	power to determine where the emergency contact person's details are displayed	MBP&C, CCC, EHO	
r.18(6)	power to determine where certain information is displayed	MBP&C, CCC, EHO	
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	MBP&C, CCC, EHO	
r.22(2)	duty to consult with relevant emergency services agencies	MBP&C, CCC	
r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	MBP&C, CCC, EHO	



<b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020</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>
r.24	power to determine places in which caravan park owner must display copy of public emergency warnings	MBP&C, CCC, EHO	
r.25(3)	duty to consult with relevant floodplain management authority	MBP&C, CCC	
r.26	duty to have regard to any report of the relevant fire authority	MBP&C, CCC	
r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	MBP&C, CCC, EHO	
r.40	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	MBP&C, CCC	
r.40(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	MBP&C, CCC	
r.41(4)	function of receiving installation certificate	MBP&C, CCC	
r.43	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	MBP&C, MBS, CCC	
Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	MBP&C, CCC	

<del>Residential Tenancies Regulations 2021</del>			
<del>Column 1</del>	<del>Column 2</del>	<del>Column 3</del>	<del>Column 4</del>
<del>Provision</del>	<del>Thing delegated</del>	<del>Delegate</del>	<del>Conditions &amp; limitations</del>
<del>sch 4 cl 3(a)(iii)</del>	<del>Power to approve any other toilet system</del>	<del>MBP&amp;C, CCC, EHO</del>	

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<b>Road Management Act 2004</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.11(1)	power to declare a road by publishing a notice in the Government Gazette	DIS	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	DIS	
s.11(9)(b)	duty to advise Registrar	DIS, MIP&D	
s.11(10)	duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	DIS, MIP&D	clause subject to section 11(10A)
s.11(10A)	duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	DIS, MIP&D	where council is the coordinating road authority
s.12(2)	power to discontinue road or part of a road	DIS	where council is the coordinating road authority
s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	DIS	power of coordinating road authority where it is the discontinuing body. Unless section 12(11) applies
s.12(5)	duty to consider written submissions received within 28 days of notice	DIS	duty of coordinating road authority where it is the discontinuing body. Unless section 12(11) applies

<b>Road Management Act 2004</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.12(6)	function of hearing a person in support of their written submission	DIS	function of coordinating road authority where it is the discontinuing body. Unless section 12(11) applies
s.12(7)	duty to fix day, time and place of meeting under section 12(6) and to give notice	DIS	duty of coordinating road authority where it is the discontinuing body. Unless section 12(11) applies
s.12(10)	duty to notify of decision made	DIS, MIP&D	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 of a road by publishing notice in Government Gazette	DIS	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 Head, Transport for Victoria	DIS, MIP&D	
s.14(7)	power to appeal against decision of Head, Transport for Victoria	DIS	
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	DIS	

<b>Road Management Act 2004</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.15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	DIS	
s.15(2)	duty to include details of arrangement in public roads register	DIS, MIP&D, APC	
s.16(7)	power to enter into an arrangement under section 15	DIS	
s.16(8)	duty to enter details of determination in public roads register	DIS, MIP&D, APC	
s.17(2)	duty to register public road in public roads register	DIS, MIP&D, APC	where council is the coordinating road authority
s.17(3)	power to decide that a road is reasonably required for general public use	DIS	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	DIS, MIP&D, APC	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	DIS	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	DIS, MIP&D, APC	where council is the coordinating road authority

<b>Road Management Act 2004</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.18(1)	power to designate ancillary area	DIS	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	DIS, MIP&D, APC	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	DIS, MIP&D, APC	
s.19(4)	duty to specify details of discontinuance in public roads register	DIS, MIP&D, APC	
s.19(5)	duty to ensure public roads register is available for public inspection	DIS, MIP&D, APC	
s.21	function of replying to request for information or advice	DIS, MIP&D, MFS	obtain consent in circumstances specified in section 11(2)
s.22(2)	function of commenting on proposed direction	DIS	
s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report	DIS	
s.22(5)	duty to give effect to a direction under this section	DIS, MIP&D, MFS	

<b>Road Management Act 2004</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.40(1)	duty to inspect, maintain and repair a public road	DIS, MIP&D, APC, AOI, AI, MFS, WC, SW	
s.40(5)	power to inspect, maintain and repair a road which is not a public road	DIS, MIP&D, MFS	
s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	DIS, MIP&D, MFS	
s.42(1)	power to declare a public road as a controlled access road	DIS, MIP&D	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	DIS	power of coordinating road authority and Schedule 2 also applies
s.42A(3)	duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	DIS	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	DIS	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

<b>Road Management Act 2004</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.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)	DIS, MIP&D, MFS	where council is the responsible road authority, infrastructure manager or works manager
s.48M(3)	function of consulting with the relevant authority for purposes of developing guidelines under section 48M	DIS, MIP&D	
s.49	power to develop and publish a road management plan	DIS, MIP&D	
s.51	power to determine standards by incorporating the standards in a road management plan	DIS, MIP&D	
s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	DIS	
s.54(2)	duty to give notice of proposal to make a road management plan	DIS, MIP&D	
s.54(5)	duty to conduct a review of road management plan at prescribed intervals	DIS, MIP&D	
s.54(6)	power to amend road management plan	DIS	
s.54(7)	duty to incorporate the amendments into the road management plan	DIS, MIP&D, APC	
s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	DIS	



<b>Road Management Act 2004</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.63(1)	power to consent to conduct of works on road	DIS, MIP&D, APC, TSC, MFS	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	DIS, MIP&D, MFS	where council is the infrastructure manager
s.64(1)	duty to comply with clause 13 of Schedule 7	DIS, MIP&D, MFS	where council is the infrastructure manager or works manager
s.66(1)	power to consent to structure etc	DIS, MIP&D, DDS, MBP&C, PCBPC, MEDE&S	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	DIS, MIP&D	where council is the coordinating road authority
s.67(3)	power to request information	DIS, MIP&D, DDS, MBP&C, PCBPC, MEDE&S	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.68(2)	power to request information	DIS, MIP&D, DDS, MBP&C, PCBPC, MEDE&S	where council is the coordinating road authority
s.71(3)	power to appoint an authorised officer	CEO, DIS	
s.72	duty to issue an identity card to each authorised officer	DIS, MIP&D, DCS	
s.85	function of receiving report from authorised officer	DIS, MIP&D	
s.86	duty to keep register re section 85 matters	DIS, MIP&D	
s.87(1)	function of receiving complaints	DIS, MIP&D	
s.87(2)	duty to investigate complaint and provide report	DCS, G&RA, MP&G	
<a href="#">s 96</a>	<a href="#">Power to authorise a person for the purpose of instituting legal proceedings</a>	<a href="#">DCS</a>	
s.112(2)	power to recover damages in court	DIS, MIP&D	
s.116	power to cause or carry out inspection	DIS, MIP&D, MFS	

<b>Road Management Act 2004</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.119(2)	function of consulting with Head, Transport for Victoria	DIS, MIP&D, APC, TSC	
s.120(1)	power to exercise road management functions on an arterial road (with the consent of Head, Transport for Victoria)	DIS, MIP&D, APC, TSC, MFS, WC	
s.120(2)	duty to seek consent of Head, Transport for Victoria to exercise road management functions before exercising power in section 120(1)	DIS, MIP&D, APC, TSC, MFS, WC	
s.121(1)	power to enter into an agreement in respect of works	DIS, MIP&D, MFS	
s.122(1)	power to charge and recover fees	DIS	
s.123(1)	power to charge for any service	DIS, MIP&D, MFS	
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	DIS, MIP&D	
Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	DIS	

<b>Road Management Act 2004</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>
Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	DIS	
Schedule 2 Clause 4	function of receiving details of proposal from Head, Transport for Victoria	DIS	
Schedule 2 Clause 5	duty to publish notice of declaration	DIS	
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	DIS, MIP&D	where council is the infrastructure manager or works manager
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	DIS, MIP&D	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	DIS, MIP&D	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	DIS, MIP&D	where council is the infrastructure manager or works manager

<b>Road Management Act 2004</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>
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	DIS, MIP&D	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	MIP&D, MFS	where council is the coordinating road authority
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	MIP&D, MFS	where council is the coordinating road authority
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	MIP&D, MFS	where council is the coordinating road authority
Schedule 7 Clause 12(5)	power to recover costs	DIS, MIP&D	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)	DIS, MIP&D	where council is the works manager
Schedule 7 Clause 13(2)	power to vary notice period	DIS, MIP&D	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)	DIS, MIP&D	where council is the infrastructure manager
Schedule 7 Clause 16(1)	power to consent to proposed works	DIS, MIP&D	where council is the coordinating road authority

<b>Road Management Act 2004</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>
Schedule 7 Clause 16(4)	duty to consult	DIS, MIP&D	where council is the coordinating road authority, responsible authority or infrastructure manager
Schedule 7 Clause 16(5)	power to consent to proposed works	DIS, MIP&D	where council is the coordinating road authority
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	DIS, MIP&D	where council is the coordinating road authority
Schedule 7 Clause 16(8)	power to include consents and conditions	DIS, MIP&D	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	DIS, MIP&D	where council is the coordinating road authority
Schedule 7 Clause 18(1)	power to enter into an agreement	DIS, MIP&D	where council is the coordinating road authority
Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	DIS, MIP&D	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	DIS, MIP&D	where council is the coordinating road authority

<b>Road Management Act 2004</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>
Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DIS, MIP&D	where council is the coordinating road authority
Schedule 7A Clause 2	power to cause street lights to be installed on roads	DIS, MIP&D	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	DIS, MIP&D	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	DIS, MIP&D	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	DIS, MIP&D	duty of council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs)

<b>Road Management (General) Regulations 2016</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>
r.8(1)	duty to conduct reviews of road management plan	DIS, MIP&D	
r.9(2)	duty to produce written report of review of road management plan and make report available	DIS, MIP&D	
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)	DIS, MIP&D	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	DIS, MIP&D	
r.13(1)	Duty to publish notice of amendments to road management plan	DIS, MIP&D	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	DIS, MIP&D	
r.16(3)	power to issue permit	DIS, MIP&D, TSC, DEVE, TO	where council is the coordinating road authority
r.18(1)	power to give written consent re damage to road	DIS, MIP&D, TSC	where council is the coordinating road authority
r.23(2)	power to make submission to Tribunal	DIS, DDS	where council is the coordinating road authority



<b>Road Management (General) Regulations 2016</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>
r.23(4)	power to charge a fee for application under section 66(1) Road Management Act 2004	DIS	where council is the coordinating road authority
r.25(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	DIS, MIP&D, TSC, DEVE, TO, MFS, WC, SW, CCC, CCO	where council is the responsible road authority
r.25(2)	power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	DIS, MIP&D	where council is the responsible road authority
r.25(5)	power to recover in the Magistrates' Court, expenses from person responsible	DIS, MIP&D	

<b>Road Management (Works and Infrastructure) Regulations 2015</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>
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	DIS, MIP&D	where council is the coordinating road authority and where consent given under section 63(1) of the Act
r.22(2)	power to waive whole or part of fee in certain circumstances	DIS	where council is the coordinating road authority