



# **Frankston City Council**

## **S6 Instrument of Delegation**

**Council**

**To**

**Members of Staff**



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

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. record that references in the Schedule are as follows:

BSOEH	means	Business Support Officer (Environmental Health )
BSOG	means	Business Support Officer (Governance)
CWLA	means	Capital Works Landscape Architect
CWPM	means	Capital Works Project Manager
CWSPM	means	Capital Works Senior Project Manager
CemO	means	Cemetery Officer
CEO	means	Chief Executive Officer
CS	means	Construction Supervisor
CAP	means	Coordinator Asset Planning
CBP	means	Coordinator Business Partnering
CCW	means	Coordinator City Works
CCI	means	Coordinator Civil Infrastructure
CES	means	Coordinator Engineering Services
CEStr	means	Coordinator Engineering Strategy
CEH	means	Coordinator Environmental Health
CG	means	Coordinator Governance
CMD	means	Coordinator Major Development
COS	means	Coordinator Open Spaces
CPV	means	Coordinator Parks Vegetation
CPS	means	Coordinator Payroll Services
CPM	means	Coordinator Property Management
CP	means	Coordinator Prosecutions
CPI	means	Coordinator Planning Investigations
CSC	means	Coordinator Safer Communities
CSPP	means	Coordinator Social Policy and Planning
CStP	means	Coordinator Strategic Planning
CWME	means	Civil Works Maintenance Engineer
DMBS	means	Deputy Municipal Building Surveyor



DComm	means	Director Communities
DCCS	means	Director Corporate and Commercial Services
DCIA	means	Director Customer Innovation and Arts
DIO	means	Director Infrastructure and Operations
EHO	means	Environmental Health Officers
EHT	means	Environmental Health Technician
GO	means	Governance Officer
LCO	means	Landscape Compliance Officer
MCWD	means	Manager Capital Works Delivery
MCF	means	Manager City Futures
MDS	means	Manager Development Services
MES	means	Manager Engineering Services
MFIP	means	Manager Financial & Integrated Planning
MG	means	Manager Governance
MPC	means	Manager People and Culture
MPPR	means	Manager Procurement Property & Risk
MSC	means	Manager Safer Communities
MSA	means	Manager Sustainable Assets
MBS	means	Municipal Building Surveyor
MFPO	means	Municipal Fire Prevention Officer
OPM	means	Operations Manager
ParaP	means	Para Planner
PCBP	means	People and Culture Business Partner
PIO	means	Planning Investigations Officer
PLSP	means	Practice Leader Statutory Planning
PLA	means	Principal Legal Advisor
PP	means	Principal Planner
PMMP	means	Program Manager Major Projects
SLH	means	Section Leader Horticulture
SBS	means	Senior Building Surveyor
SEHO	means	Senior Environmental Health Officer
SFOIO	Means	Senior Freedom of Information Officer
SPIO	means	Senior Planning Investigations Officer
SRR	means	Senior Rapid Response



SSCO	means	Senior Safer Communities Officer
SSP	means	Senior Statutory Planner
SSTRP	means	Senior Strategic Planner
StatP	means	Statutory Planner
SPC	means	Statutory Planning Co-ordinator
SIS	means	Strategic Infrastructure Specialist
StrP	means	Strategic Planner
SUBO	means	Subdivisions Officer
TLCWH	means	Team Leader CAA Waterfront Horticulture
TLC	means	Team Leader Cemetery
TLG	means	Team Leader Governance
TLPI	means	Team Leader Planning Investigations
TLRFH	means	Team Leader Roadside and Facility Horticulture
TLSP	means	Team Leader Statutory Planning
TLSPS	means	Team Leader Statutory Planning Support

3. records that on the coming into force of this instrument of Delegation from Council to Members of Staff each delegation under the instrument dated 22 April 2024 is revoked.
4. declares that:
  - 4.1 this Instrument of Delegation is authorised by a resolution of Council passed on the 9 September 2024; and
  - 4.2 the delegation:
    - 4.2.1 comes into force immediately upon execution of this Instrument of Delegation;
    - 4.2.2 remains in force until Council resolves to vary or revoke it;
    - 4.2.3 is subject to any conditions and limitations set out in sub-paragraph 4.3 and the Schedule; and
    - 4.2.4 must be exercised in accordance with any guidelines or policies, which Council from time to time adopts;
  - 4.3 the delegate must not determine the issue, take the action or do the act or thing:
    - 4.3.1 if the issue, action, act or thing is an issue, act or thing which Council has
    - 4.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
      - (a) Policy; or
      - (b) strategy adopted by Council; or
    - 4.3.3 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



- 4.3.4 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.

This Instrument of Delegation is executed by the Chief Executive Officer on behalf of Frankston City Council under authority conferred by resolution of Council on 9 September 2024.

Signed by:

Signed by:  
*phil cantillon*  
CE7D4D7ACA72417...  
Phil Cantillon  
**Chief Executive Officer**

In the presence of:

Signed by:  
*Allison Marshall*  
6E6D3A7F3A5E473...

Witness

11 September 2024 | 14:02 AEST

\_\_\_\_\_ Date



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## SCHEDULE

### Cemeteries and Crematoria Act 2003

The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	DCCS, MG	Where Council is a Class B cemetery trust
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	DCCS, MG, TLC, CemO, GO, BSOG	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	DCCS, MG, TLC	Where Council is a Class B cemetery trust
s 13	Duty to do anything necessary or convenient to enable it to carry out its functions	DCCS, MG, TLC, CemO, GO, BSOG	
s 14	Power to manage multiple public cemeteries as if they are one cemetery.	DCCS, MG	
s 15(4)	Duty to keep records of delegations	DCCS, MG, TLC, CemO, GO, BSOG	
s 17(1)	Power to employ any persons necessary	DCCS, MG	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	DCCS, MG, TLC	
s 17(3)	Power to determine the terms and conditions of employment or engagement	DCCS, MG	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	DCCS, MG, TLC, CemO	
s 19	Power to carry out or permit the carrying out of works	DCCS, MG, TLC, CemO	
s 20(1)	Duty to set aside areas for the interment of human remains	DCCS, MG, TLC, CemO	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	DCCS, MG	
s 20(3)	Power to set aside areas for those things in paragraphs (a) - (e)	DCCS, MG, TLC	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	DCCS, MG	



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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 36	Power to grant licences to enter and use part of the land or building in a public cemetery in accordance with s 36	DCCS, MG	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	To be retained by Council	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	DCCS, MG, TLC,	
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	To be retained by Council	Provided the street was constructed pursuant to the Local Government Act 1989
s 52	Duty to submit a report to the Secretary in relation to any public cemetery for which the cemetery trust is responsible for each financial year in respect of which it manages that cemetery	DCCS, MG, TLC, CemO	
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	DCCS, MG, TLC, CemO	Report must contain the particulars listed in s 57(2)
s 59	Duty to keep records for each public cemetery	DCCS, MG, TLC, CemO, GO, BSOG	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 60(1)	Duty to make information in records available to the public for historical or research purposes	DCCS, MG, TLC, CemO, GO, BSOG	
s 60(2)	Power to charge fees for providing information	DCCS, MG, TLC, CemO, GO, BSOG	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	DCCS, MG, TLC, CemO, GO, BSOG	
s 64B(d)	Power to permit interments at a reopened cemetery	DCCS, MG, TLC	
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	DCCS, MG, TLC	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	DCCS, MG, TLC, CemO, GO, BSOG	
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	DCCS, MG, TLC, CemO, GO, BSOG	
s 70(2)	Duty to make plans of existing place of interment available to the public	DCCS, MG, TLC, CemO, GO, BSOG	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	DCCS, MG, TLC, CemO	
s 71(2)	Power to dispose of any memorial or other structure removed	DCCS, MG, TLC, CemO,	
s 72(2)	Duty to comply with request received under s 72	DCCS, MG, TLC, CemO, GO, BSOG	
s 73(1)	Power to grant a right of interment	DCCS, MG, TLC, CemO, GO, BSOG	
s 73(2)	Power to impose conditions on the right of interment	DCCS, MG, TLC, CemO, GO, BSOG	
s 74(3)	Duty to offer a perpetual right of interment	DCCS, MG, TLC, CemO, GO, BSOG	Provision commences on 1 March 2022 unless proclaimed earlier
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	DCCS, MG, TLC, CemO, GO, BSOG	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	DCCS, MG, TLC, CemO, GO, BSOG	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	DCCS, MG	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	DCCS, MG, TLC, CemO, GO, BSOG	
s 80(2)	Function of recording transfer of right of interment	DCCS, MG, TLC, CemO, GO, BSOG	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	DCCS, MG, TLC, CemO, GO, BSOG,	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment	DCCS, MG, TLC, CemO, GO, BSOG	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	DCCS, MG, TLC, CemO, GO, BSOG,	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	DCCS, MG, TLC, CemO, GO, BSOG	

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84F(2)(d)	Function of receiving notice of decision to vary or force the surrender of a right of interment under s 84C(2), (3) or (5)	DCCS, MG, TLC, CemO	
s 84H(4)	Power to exercise the rights of a holder of a right of interment	DCCS, MG, TLC, CemO	
s 84I(4)	Power to exercise the rights of a holder of a right of interment	DCCS, MG, TLC, CemO	
s 84I(5)	Duty to pay refund to the previous holder or holders of the right of interment	DCCS, MG, TLC, CemO	
s 84I(6)(a)	Power to remove any memorial on the place of interment	DCCS, MG, TLC, CemO	
s 84I(6)(b)	Power to grant right of interment under s 73	DCCS, MG, TLC, CemO	
s.85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	DCCS, MG, TLC, CemO, GO, BSOG	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	DCCS, MG, TLC, CemO, GO, BSOG	Does not apply where right of interment relates to remains of a deceased veteran.

### Cemeteries and Crematoria Act 2003

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or;  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.	DCCS, MG, TLC, CemO, GO, BSOG	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment 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	DCCS, MG, TLC, CemO, GO, BSOG	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	DCCS, MG, TLC, CemO, GO, BSOG	
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	DCCS, MG, TLC, CemO, GO, BSOG	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	DCCS, MG, TLC, CemO GO, BSOG,	

### Cemeteries and Crematoria Act 2003

The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s.86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains	DCCS, MG, TLC, CemO, GO, BSOG,	
s.86(5)	duty to provide notification before taking action under s.86(4)	DCCS, MG, TLC, CemO, GO, BSOG	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	DCCS, MG, TLC, CemO, GO, BSOG	
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	DCCS, MG, TLC, CemO, GO, BSOG	
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	DCCS, MG, TLC, CemO, GO, BSOG	
s 91(1)	Power to cancel a right of interment in accordance with s 91	DCCS, MG, TLC, CemO, GO, BSOG	
s 91(3)	Duty to publish notice of intention to cancel right of interment	DCCS, MG, TLC, CemO, GO, BSOG	
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	DCCS, MG, TLC, CemO, GO, BSOG,	

**Cemeteries and Crematoria Act 2003**

The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	DCCS, MG, TLC, CemO, GO, BSOG	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	DCCS, MG, TLC, CemO, GO, BSOG,	
s 99(4)	Duty to make a decision on an application under s 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	DCCS, MG, TLC	
s 100(1)	Power to require a person to remove memorials or places of interment	DCCS, MG, TLC CemO	
s 100(2)	Power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with s 100(1)	DCCS, MG, TLC, CemO	
s 100(3)	Power to recover costs of taking action under s 100(2)	DCCS, MG, TLC, CemO,	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	DCCS, MG, TLC, CemO	



### Cemeteries and Crematoria Act 2003

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 102(1)	Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	DCCS, MG, TLC, CemO	
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	DCCS, MG, TLC, Cemo	
s 103(1)	Power to require a person to remove a building for ceremonies	DCCS, MG	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	DCCS, MG	
s 103(3)	Power to recover costs of taking action under s 103(2)	DCCS, MG, TLC,	
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	DCCS, MG, TLC, CemO,	
s 106(2)	Power to require the holder of the right of interment to provide for an examination	DCCS, MG, TLC, CemO	

### Cemeteries and Crematoria Act 2003

The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	DCCS, MG, TLC, CemO	
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 s 106(1) is not complied with	DCCS, MG, TLC, CemO	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	DCCS, MG	
s 107(2)	Power to repair or take down, remove and dispose any building for ceremonies if notice under s 107(1) is not complied with	DCCS, MG	
s 108	Power to recover costs and expenses	DCCS, MG, TLC	
s 109(1)(a)	Power to open, examine and repair a place of interment	DCCS, MG, TLC	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	DCCS, MG, TLC	Where the holder of right of interment or responsible person cannot be found

**Cemeteries and Crematoria Act 2003**

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	DCCS, MG, TLC	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	DCCS, MG, TLC	
s 110(1A)	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	DCCS, MG, TLC	
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	DCCS, MG	
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	DCCS, MG	

### Cemeteries and Crematoria Act 2003

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	DCCS, MG, TLC, CemO	
s 112	Power to sell and supply memorials	DCCS, MG, TLC, CemO	
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	DCCS, MG, TLC, CemO,	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	DCCS, MG, TLC, CemO, GO, BSOG	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	DCCS, MG, TLC, CemO, GO, BSOG	
s 119	Power to set terms and conditions for interment authorisations	DCCS, MG, TLC, CemO	
s 131	Function of receiving an application for cremation authorisation	To be retained by Council	
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	To be retained by Council	Subject to s 133(2)

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	DCCS, MG,	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	DCCS, MG	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	DCCS, MG	
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	DCCS, MG	
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	DCCS, MG, TLC,	
s 151	Function of receiving applications to inter or cremate body parts	DCCS, MG, TLC, CemO	
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	DCCS, MG, TLC,	

<b>Domestic Animals Act 1994</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 41A(1)	Power to declare a dog to be a menacing dog	CSC, SSCO, SRR	Council may delegate this power to a Council authorised officer MSC - Power to review a decision as part of the appeal process.

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	SEHO, CEHCEH, EHO	If s 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	SEHO, CEHCEH, EHO	If s 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	CEO, CEHCEH, DComm, MDS	If s 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 s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, (ia) displayed at any point of sale, (ib) be published	CEO, CEHCEH, DComm, MDS	If s 19(1) applies

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
	on the food business’s Internet site and (ii) inform the public by notice in a published newspaper, on the Internet site or otherwise		
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	SEHO, CEHCEH, EHO	If s 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	SEHO, CEHCEH, EHO	If s 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).	CEO, CEH, DComm, MDS	Where Council is the registration authority
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	CEO, CEH, DComm, MDS	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  Only in relation to temporary food premises or mobile food premises
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	CEO, CEH, DComm, MDS	Where Council is the registration authority

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 19CB(4)(b)	Power to request copy of records	SEHO, CEH, EHO	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	SEHO, CEH, EHO	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	SEHO, CEH, EHO	Where Council is the registration authority
s 19FA(1)	Power to direct a proprietor of a food premises to revise the food safety program for the premises or comply with any requirements specified in the food safety program		Where Council is the registration authority  Only in relation to temporary food premises or mobile food premises  Subject to 19FA(2), which requires a time limit for compliance to be specified
s 19FA(3)(a)	Power to refuse to approve an application for registration or renewal of the premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)		Where Council is the registration authority  Only in relation to temporary food premises or mobile food premises  Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))



<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 19FA(3)(b)	Power to revoke a registration granted in respect of premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)		Where Council is the registration authority Only in relation to temporary food premises or mobile food premises
s 19FA(3)(c)	Power to suspend the registration of the premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)		Where Council is the registration authority Only in relation to temporary food premises or mobile food premises
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	SEHO, CEH, EHO	Where Council is the registration authority
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	SEHO, CEH, EHO	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	SEHO, CEH, EHO	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	SEHO, CEH, EHO	Where Council is the registration authority

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 19N(2)	Function of receiving notice from the auditor	EHT, SEHO, CEH, EHO, BSOEH	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	SEHO, CEH, EHO	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	SEHO, CEH, DComm, MDS	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	SEHO, CEH, DComm, MDS	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	SEHO, CEH, EHO	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	SEHO, CEH, EHO	Where Council is the registration authority

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	SEHO, CEH, EHO	Where Council is the registration authority
	Power to register or renew the registration of a food premises	SEHO, CEH, EHO, DComm, MDS	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	SEHO, CEH, EHO	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	CEH, DComm, MDS	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	SEHO, CEH, EHO	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	SEHO, CEH, EHO, DComm, MDS	Where Council is the registration authority

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 38A(4)	Power to request a copy of a completed food safety program template	SEHO, CEH, EHO	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	SEHO, CEH, EHO	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	SEHO, CEH, EHO	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	SEHO, CEH, EHO	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	SEHO, CEH, EHO	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	SEHO, CEH, EHO	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	SEHO, CEH, EHO	Where Council is the registration authority

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 38E(2)	Power to register the food premises on a conditional basis	SEHO, CEH, EHO	Where Council is the registration authority not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	SEHO, CEH, EHO	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	SEHO, CEH, 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	SEHO, CEH, EHO	Where Council is the registration authority
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	EHT, SEHO, CEH, EHO, BSOEH	Where Council is the registration authority
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	SEHO, CEH, EHO	Where Council is the registration authority
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	EHT, SEHO, CEH, EHO	

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 39A	Power to register, or renew the registration of a food premises despite minor defects	SEHO, CEH, EHO	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 39A (6)	Duty to comply with a direction of the Secretary	SEHO, CEH, EHO	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	CEH	Where Council is the registration authority
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008	SEHO, CEH, EHO, DComm, MDS	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	SEHO, CEH, EHO, DComm, MDS	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	CEH, DComm, MDS	Where Council is the registration authority
s 40E	Duty to comply with direction of the Secretary	CEH	

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 40F	Power to cancel registration of food premises	SEHO, CEH, EHO, MDS	Where Council is the registration authority
s 43	Duty to maintain records of registration	CEH	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering or renewing registration of a component of a food business	SEHO, CEH, 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	SEHO, CEH, EHO	Where Council is the registration authority  Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 45AC	Power to bring proceedings	CP, SEHO, CEH, EHO	
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	SEHO, CEH, EHO, DComm, MDS	Where Council is the registration authority

<b>Heritage Act 2017</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 116	Power to sub-delegate Executive Director's functions, duties or powers	DComm, MDS, MCF	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>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 185L(4)	Power to declare and levy a cladding rectification charge	DMBS, MFIP, DComm, DCCS, MBS	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	To be retained by Council	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	CStP, DComm, MCF	



<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 4H	Duty to make amendment to Victoria Planning Provisions available in accordance with public availability requirements	CStP, DComm, MCF	
s 4I(2)	Duty to make and copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	CStP, DComm, MCF	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	CStP, DComm, MCF	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	CStP, DComm, MCF	
s 8A(5)	Function of receiving notice of the Minister's decision	CStP, DComm, MCF	
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	CStP, DComm, MCF	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	To be retained by Council	
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	To be retained by Council	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 12B(1)	Duty to review planning scheme	CStP, DComm, MCF	
s 12B(2)	Duty to review planning scheme at direction of Minister	CStP, DComm, MCF	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	CStP, DComm, MCF	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	CStP, DComm, MCF	
s 17(1)	Duty of giving copy amendment to the planning scheme	CStP, DComm, MDS, SPC, MCF, CMD	
s 17(2)	Duty of giving copy s 173 agreement	CStP, DComm, MDS, SPC, MCF, CMD	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	CStP, DComm, MDS, SPC, MCF, CMD	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	CStP, DComm, MDS, SPC, MCF, CMD	Until the proposed amendment is approved or lapsed
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	CStP, DComm, MCF	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	CStP, DComm, MCF	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or  Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	CStP, DComm, MCF	Where Council is a planning authority
s 21(2)	Duty to make submissions available in accordance with public availability requirements	CStP, DComm, MDS, SPC, MCF, CMD	Until the end of 2 months after the amendment comes into operation or lapses
s 21A(4)	Duty to publish notice	CStP, DComm, MDS, SPC, MCF, CMD	
s 22(1)	Duty to consider all submissions received before the date specified in the notice	CStP, DComm, MDS, SPC, MCF, CMD	Except submissions which request a change to the items in s 22(5)(a) and (b)

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 22(2)	Power to consider a late submission. Duty to consider a late submission, if directed by the Minister	DComm, MDS, SPC, TLSP, PLSP	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	CStP, DComm, MCF	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	DComm, MCF	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	SSP, CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	SSP, CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	SSP, CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	During the inspection period
s 27(2)	Power to apply for exemption if panel's report not received	DComm, MCF	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 28(1)	Duty to notify the Minister if abandoning an amendment	SSP, CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	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	CStP, MCF	
s 28(4)	Duty to make notice of the decision available on Council’s Internet site for a period of at least 2 months	CStP, MCF	
s 30(4)(a)	Duty to say if amendment has lapsed	CStP, DComm, MCF	
s 30(4)(b)	Duty to provide information in writing upon request	CStP, DComm, MCF	
s 32(2)	Duty to give more notice if required	CStP, DComm, MCF	
s 33(1)	Duty to give more notice of changes to an amendment	CStP, DComm, MCF	
s 36(2)	Duty to give notice of approval of amendment	CStP, DComm, MCF	
s 38(5)	Duty to give notice of revocation of an amendment	CStP, DComm, MCF	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	CStP, DComm, MCF	
s 40(1)	Function of lodging copy of approved amendment	CStP, DComm, MCF	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	CStP, DComm, MCF	
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	CStP, MCF	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	CStP, DComm, MCF	
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	Not applicable	Where Council is a responsible public entity and is a planning authority
s 46AW	Function of being consulted by the Minister	CStP, DComm, MDS, SPC, MCF, CMD	Where Council is a responsible public entity

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	CStP, DComm, MDS, SPC, MCF, CMD	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	CStP, DComm, MCF	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	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	Where Council is a responsible public entity
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	CStP, DComm, MCF	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	CStP, DComm, MCF	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GK	Duty to comply with a Minister’s direction that applies to Council as the planning authority	CStP, DComm, MCF	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	CStP, DComm, MCF	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	CStP, DComm, MCF	
s 46GP	Function of receiving a notice under s 46GO	CStP, DComm, MCF	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	CStP, DComm, MCF	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	CStP, DComm, MCF	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	CStP, DComm, MCF	
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	CStP, DComm, MCF	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	CStP, DComm, MCF	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	CStP, DComm, MCF	
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	CStP, DComm, MCF	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	CStP, DComm, MCF	
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	CStP, DComm, MCF	
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	CStP, DComm, MCF	Where Council is the collecting agency

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 46GV(3)(b)	Power to enter into an agreement with the applicant	DComm	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)	DComm	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)	DComm	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	CStP, DComm, MCF	
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	CStP, DComm, MCF	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	CStP, DComm, MCF	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	CStP, DComm, MCF	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GY(1)	Duty to keep proper and separate accounts and records	CStP, DComm, MCF	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	CStP, DComm, MCF	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	DComm	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	DComm	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	CStP, DComm, MCF	Where Council is the collecting agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			This provision does not apply where Council is also the relevant development agency
s 46GZ(2)(b)	Function of receiving the monetary component	DComm	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)	DComm	Where Council is the collecting agency under an approved infrastructure contributions plan
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	CStP, MFIP, DComm, DCCS, MCF	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

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	DComm	Where Council is the development agency specified in the approved infrastructure contributions plan  This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	DComm	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	CStP, MFIP, DComm, DCCS, MCF	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

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 46GZ(9)	Function of receiving the fee simple in the land	DComm	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 46GZA(1)	Duty to keep proper and separate accounts and records	CStP, DComm, MCF	Where Council is the 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	CStP, DComm, MCF	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)	CStP, DComm, MCF	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	CStP, DComm, MCF	If the VPA is the collecting agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			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)	CStP, DComm, MCF	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)	CStP, DComm, MCF	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	CStP, DComm, MCF	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	MFIP, DComm, DCCS, MCF	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>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	DComm	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)	CStP, DComm, MCF	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	DComm	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)	CStP, DComm, MCF	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Function of receiving proceeds of sale	DComm	Where Council is the collection agency under an approved infrastructure contributions plan



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			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)	DComm	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)	DComm	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	DComm	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	MFIP, DComm, DCCS, MCF	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	DComm	Where Council is a collecting agency or development agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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)	DComm	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DComm, MDS, MCF	
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	SBS, DMBS, DComm, MBS, MDS, MCF	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	DComm, MDS, MCF	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
s 46Q(1)	Duty to keep proper accounts of levies paid	MFIP, DCCS	
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	TLSPS, CStP, MFIP, DComm, DCCS, MDS, SPC, MCF, CMD	
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	DIO, MFIP, DComm, DCCS, MES, MDS	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	DComm, MDS, MCF	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)	MFIP, DComm, DCCS, MDS, MCF	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

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	CStP, DComm, MDS, MCF	Must be done in accordance with Part 3
s46Q(4)(e)	Duty to expend that amount on other works etc.	DIO, MCWD, MFIP, DCCS, CES, CEStr	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	MFIP, DComm, DCCS, MDS, MCF	
s 46QD	Duty to prepare report and give a report to the Minister	DComm, MDS, MCF	Where Council is a collecting agency or development agency
s 47	Power to decide that an application for a planning permit does not comply with that Act	SSP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	SSP, TLSPS, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	SSP, TLSPS, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 50(4)	Duty to amend application	SSP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 50(5)	Power to refuse to amend application	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 50(6)	Duty to make note of amendment to application in register	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 50A(1)	Power to make amendment to application	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50A(4)	Duty to note amendment to application in register	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
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	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
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	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 52(3)	Power to give any further notice of an application where appropriate	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 54(1)	Power to require the applicant to provide more information	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 54(1B)	Duty to specify the lapse date for an application	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	To be retained by Council	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 57A(5)	Power to refuse to amend application	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 57A(6)	Duty to note amendments to application in register	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57B(1)	Duty to determine whether and to whom notice should be given	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 57C(1)	Duty to give copy of amended application to referral authority	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 58	Duty to consider every application for a permit	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 58A	Power to request advice from the Planning Application Committee	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 60	Duty to consider certain matters	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 60(1A)	Duty to consider certain matters	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, PLSP, MCF, CMD, PP	
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	DComm, MDS, SPC, TLSP, PLSP, CMD, PP, SUBO	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DComm, MDS, SPC, TLSP, CMD, PP	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 62(2)	Power to include other conditions	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
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 s 173 agreement	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
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 s 62(1)(a)	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(3)	Duty not to issue a permit until after the specified period	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	This provision applies also to a decision to grant an amendment to a permit - see s 75

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 64(5)	Duty to give each objector a copy of an exempt decision	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	This provision applies also to a decision to grant an amendment to a permit - see s 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	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	This provision applies also to a decision to grant an amendment to a permit - see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	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

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	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 s 64 or 65	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	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	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 69(1A)	Function of receiving application for extension of time to complete development	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 69(2)	Power to extend time	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 70	Duty to make copy permit available for inspection in accordance with the public availability requirements	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 71(1)	Power to correct certain mistakes	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 71(2)	Duty to note corrections in register	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 73	Power to decide to grant amendment subject to conditions	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 74	Duty to issue amended permit to applicant if no objectors	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	



<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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 s 64 or 76	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	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	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 83	Function of being respondent to an appeal	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 83B	Duty to give or publish notice of application for review	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
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	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 84AB	Power to agree to confining a review by the Tribunal	DComm	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	TLPI, DComm, MDS, SPC, CMD	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD, CPI, LCO	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 91(2)	Duty to comply with the directions of VCAT	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	SPIO, SSP, StatP, TLPI, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, PIO, CMD, PP, CPI, LCO	
s 93(2)	Duty to give notice of VCAT order to stop development	SPIO, SSP, StatP, TLPI, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, PIO, CMD, PP, CPI, LCO	
s 95(3)	Function of referring certain applications to the Minister	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 95(4)	Duty to comply with an order or direction	SPIO, SSP, StatP, TLPI, ParaP, DComm, MDS, SUBO, SPC,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		TLSP, PLSP, PIO, CMD, PP, CPI, LCO	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	To be retained by Council	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	To be retained by Council	
s 96F	Duty to consider the panel's report under s 96E	To be retained by Council	
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 s 23 of the Planning and Environment (Planning Schemes) Act 1996	To be retained by Council	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 96H(3)	Power to give notice in compliance with Minister's direction	SSP, StatP, CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
s 96J	Duty to issue permit as directed by the Minister	SSP, StatP, TLSPS, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
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	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 97C	Power to request Minister to decide the application	To be retained by Council	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with the public availability requirements	SSP, StatP, TLSPS, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	SSP, StatP, TLSPS, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	To be retained by Council	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	SSP, StatP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	

### Planning and Environment Act 1987

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	SSP, StatP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	SSP, StatP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 97Q(4)	Duty to comply with directions of VCAT	SSP, StatP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	DComm, MDS, SPC, CMD	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	DComm, MDS, SPC, CMD	
s 101	Function of receiving claim for expenses in conjunction with claim	DComm, MDS, SPC, CMD	



### Planning and Environment Act 1987

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 103	Power to reject a claim for compensation in certain circumstances	DComm, MDS, SPC, CMD	
s.107(1)	function of receiving claim for compensation	DComm, MDS, SPC, CMD	
s 107(3)	Power to agree to extend time for making claim	DComm, MDS, SPC, CMD	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	DComm, MDS	
s 114(1)	Power to apply to the VCAT for an enforcement order	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD, CPI, LCO	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD, CPI, LCO	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD, CPI, LCO	
s 123(1)	Power to carry out work required by enforcement order and recover costs	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD, CPI, LCO	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	DComm, MDS, SPC, CMD	Except Crown Land

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S 125(1)	Power to apply to any court of competent jurisdiction or to the tribunal for an injunction restraining any person from contravening an enforcement order or an interim enforcement order	DComm, MDS, SPC, CMD, CPI	Section 123 of the <i>Victorian Civil and Administrative Tribunal Act 1998</i> applied on an application to the Tribunal
s 129	Function of recovering penalties	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD, CPI, LCO	
s 130(5)	Power to allow person served with an infringement notice further time	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD, CPI, LCO	
s 149A(1)	Power to refer a matter to the VCAT for determination	To be retained by Council	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	DComm, MDS, SPC, CMD	
S 148B	Power to apply to the Tribunal for a declaration	DComm, MDS, SPC, CMD, CPI	
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(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 s 156(2B)power to	CStP, DComm, MDS, SPC, CMD	Where Council is the relevant planning authority

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
	ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)		
s 171(2)(f)	Power to carry out studies and commission reports	CStP, DComm, MDS, SPC, CMD	
s 171(2)(g)	Power to grant and reserve easements	DComm, MDS, SPC, CMD	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	DComm	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)	DComm	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)	DComm	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 s 174	DComm, MDS, SPC, CMD	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	DComm, MDS, SPC, CMD	Where Council is the relevant responsible authority
	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
	Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 177(2)	Power to end 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	DComm, MDS, SPC, CMD	
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	DComm, MDS, SPC, CMD	
s 178A(1)	Function of receiving application to amend or end an agreement	DComm, MDS, SPC, CMD	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	DComm, MDS, SPC, CMD	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	DComm, MDS, SPC, CMD	
s 178A(5)	Power to propose to amend or end an agreement	DComm, MDS, SPC, CMD	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	DComm, MDS, SPC, CMD	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	DComm, MDS, SPC, CMD	
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	DComm, MDS, SPC, CMD	
s 178C(4)	Function of determining how to give notice under s 178C(2)	DComm, MDS, SPC, CMD	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	DComm, MDS, SPC, CMD	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	DComm, MDS, SPC, CMD	If no objections are made under s 178D  Must consider matters in s 178B

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DComm, MDS, SPC, CMD	If no objections are made under s 178D  Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	DComm, MDS, SPC, CMD	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	DComm, MDS, SPC, CMD	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	DComm, MDS, SPC, CMD	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	DComm, MDS, SPC, CMD	After considering objections, submissions and matters in s.178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	DComm, MDS, SPC, CMD	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)	DComm, MDS, SPC, CMD	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	DComm, MDS, SPC, CMD	
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	DComm, MDS, SPC, CMD	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	DComm, MDS, SPC, CMD	
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	DComm, MDS, SPC, CMD	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DComm, MDS, SPC, CMD	
s 179(2)	Duty to make copy of each agreement available in accordance with the public availability requirements	TLSPS, DComm, MDS, SPC, CMD	
s 181	Duty to apply to the Registrar of Titles to record the agreement	DComm, MDS, SPC, CMD	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	DComm, MDS, SPC, CMD	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	DComm, MDS, SPC, CMD	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 182	Power to enforce an agreement	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD, CPI, LCO	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	DComm, MDS, SPC, CMD	
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	DComm, MDS, SPC, CMD	
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	DComm, MDS, SPC, CMD	
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	DComm, MDS, SPC, CMD	
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	DComm, MDS, SPC, CMD	
s 184G(2)	Duty to comply with a direction of the Tribunal	DComm, MDS, SPC, CMD	
s 184G(3)	Duty to give notice as directed by the Tribunal	DComm, MDS, SPC, CMD	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	SSP, StatP, TLSPS, ParaP, MDS, SPC, TLSP, PLSP, PP	
s 198(1)	Function to receive application for planning certificate	TLSPS, DComm, MDS, SPC, CMD	
s 199(1)	Duty to give planning certificate to applicant	TLSPS, DComm, MDS, SPC, CMD	
s 201(1)	Function of receiving application for declaration of underlying zoning	CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
s 201(3)	Duty to make declaration	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
	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	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
	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	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
	Power to give written authorisation in accordance with a provision of a planning scheme	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
	Power, in relation to an application where the Minister for Planning is the Responsible Authority, to determine whether Council supports or objects to the application, and to communicate that determination to the Minister.	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	

**Residential Tenancies Act 1997**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	SBS, EHT, SEHO, DMBS, CEH, EHO, DComm, MBS, MDS	
s 522(1)	Power to give a compliance notice to a person	SBS, EHT, SEHO, DMBS, CEH, EHO, MBS	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	CEO	
s 525(4)	Duty to issue identity card to authorised officers	DCIA, CBP, DComm, MPC, CPS, MDS	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	DComm, MDS	
s 526A(3)	Function of receiving report of inspection	EHT, SEHO, DMBS, CEH, EHO, DComm, MBS, MDS	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CEO	

**Road Management Act 2004**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	CG, DCCS, MG, PLA, TLG	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	CG, DCCS, MG, PLA, TLG	
s 11(9)(b)	Duty to advise Registrar	CG, DCCS, MG, PLA, TLG,	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	CG, DCCS, MG, PLA, TLG,	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	CG, DCCS, MG, PLA, TLG,	Where Council is the coordinating road authority
s 12(10)	Duty to notify of decision made	DCCS, MG	Duty of coordinating road authority where it is the discontinuing body  Does not apply where an exemption is specified by the

**Road Management Act 2004**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			regulations or given by the Minister
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	MSA, CG, DIO, DCCS, MG, PLA,	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	MSA, DIO, DCCS, MG, MES	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	MSA, DIO, DCCS, MG, MES	
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	MSA, DIO, MES, OPM, CES, CEStr	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	MSA, DIO, MES, OPM	
s 15(2)	Duty to include details of arrangement in public roads register	CAP, MSA, DIO	

**Road Management Act 2004**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 16(7)	Power to enter into an arrangement under s 15	MSA, DIO, OPM	
s 16(8)	Duty to enter details of determination in public roads register	CAP, MSA, DIO	
s 17(2)	Duty to register public road in public roads register	CAP, MSA, DIO	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	CAP, MSA, DIO	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	CAP, MSA, DIO	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	CAP, MSA, DIO, DCCS, MG, MES	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	CAP, MSA, DIO	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	CAP, MSA, DIO, CEStr	Where Council is the coordinating road authority, and obtain consent in

**Road Management Act 2004**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	CAP, MSA, DIO	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	CAP, MSA, DIO	
s 19(4)	Duty to specify details of discontinuance in public roads register	CAP, MSA, DIO	
s 19(5)	Duty to ensure public roads register is available for public inspection	CAP, MSA, DIO	
s 21	Function of replying to request for information or advice	CAP, MSA, DIO	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	CAP, MSA, DIO	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	CAP, MSA, DIO	

**Road Management Act 2004**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 22(5)	Duty to give effect to a direction under s 22	CAP, MSA, DIO	
s 40(1)	Duty to inspect, maintain and repair a public road.	CAP, MSA, CWME, CCW, DIO, CCI, CS, MCWD, MES, OPM, CES, CWPM, CWSPM, CESTr, PMMP	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	CAP, MSA, CWME, CCW, DIO, MES, OPM, CES, CESTr	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	MSA, CWME, CCW, DIO, CCI, CS, MCWD, MES, OPM, CES, CWPM, CWSPM, CESTr, PMMP	
s 42(1)	Power to declare a public road as a controlled access road	CAP, MSA, DIO	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	CAP, MSA, DIO	Power of coordinating road authority and sch 2 also applies



**Road Management Act 2004**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	CAP, MSA, DIO	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	MSA, DIO, MES, CES, CEStr	Where Council is the coordinating road authority  If road is a municipal road or part thereof and where road is to be specified a freight road
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	CAP, MSA, DIO, MES	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 s 48M	CAP, MSA, DIO	
s 49	Power to develop and publish a road management plan	CAP, MSA, DIO	

**Road Management Act 2004**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 51	Power to determine standards by incorporating the standards in a road management plan	CAP, MSA, DIO	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CAP, MSA, DIO	
s 54(2)	Duty to give notice of proposal to make a road management plan	CAP, MSA, DIO	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	CAP, MSA, DIO	
s 54(6)	Power to amend road management plan	CAP, MSA, DIO	
s 54(7)	Duty to incorporate the amendments into the road management plan	CAP, MSA, DIO	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	CAP, MSA, DIO	
s 63(1)	Power to consent to conduct of works on road	MSA, CWME, CCW, DIO, CCI, CS, MCWD, MES, OPM, CES, CWPM, CWSPM, CESTr, PMMP	Where Council is the coordinating road authority

**Road Management Act 2004**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	MSA, CWME, CCW, DIO, CCI, CS, MCWD, MES, OPM, CES, CWPM, CWSPM, CEStr, PMMP	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	MSA, DIO, MES, OPM, CES, CEStr	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	MSA, DIO, MES, OPM	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	DIO, MES, OPM	Where Council is the coordinating road authority
s 67(3)	Power to request information	MSA, DIO, MCWD, MES, OPM	Where Council is the coordinating road authority
s 68(2)	Power to request information	MSA, DIO, CCI, MCWD, MES, OPM, PMMP	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	CEO	Refer to S11 Instrument

**Road Management Act 2004**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 72	Duty to issue an identity card to each authorised officer	MSA, DCIA, DIO, CBP, PCBP, MCWD, MES, MPC, OPM	
s 85	Function of receiving report from authorised officer	MSA, CWME, CPV, CCW, DIO, MCWD, MES, OPM, COS	
s 86	Duty to keep register re s 85 matters	MSA, DIO, MCWD, MES, OPM	
s 87(1)	Function of receiving complaints	MSA, CWME, CPV, CCW, DIO, MCWD, MES, OPM, COS	
s 87(2)	Duty to investigate complaint and provide report	MSA, CWME, CPV, CCW, DIO, MCWD, MES, OPM, COS	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	To be retained by the CEO	Refer to s11 Instrument
s 112(2)	Power to recover damages in court	MSA, DIO, MCWD, MFIP, DCCS, MES, OPM	
s 116	Power to cause or carry out inspection	MSA, CWME, CCW, DIO, CCI, CS, MCWD, MES, OPM, CWPM, CWSPM, PMMP	

**Road Management Act 2004**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 119(2)	Function of consulting with the Head, Transport for Victoria	MSA, CWME, CPV, CCW, DIO, CCI, CS, MCWD, MES, OPM, COS, CWPM, CWSPM, PMMP	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	MSA, CWME, CPV, CCW, DIO, CCI, CS, MCWD, MES, OPM, COS, CWPM, CWSPM, PMMP	
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	MSA, CPV, DIO, MCWD, MES, OPM, COS	
s 121(1)	Power to enter into an agreement in respect of works	MSA, DIO, MCWD, MES, OPM	
s 122(1)	Power to charge and recover fees	MSA, DIO, MCWD, MES, OPM	
s 123(1)	Power to charge for any service	MSA, DIO, MCWD, MES, OPM	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	MSA, DIO, MES	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	MSA, DIO, MES	

**Road Management Act 2004**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	MSA, DIO, MES	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	MSA, DIO, MCWD, DComm, MES, CES, CEStr	
sch 2 cl 5	Duty to publish notice of declaration	CAP, MSA, DIO, MES, CES, CEStr	
sch 7 cl 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	CAP, MSA, DIO, CCI, MCWD, MES, COS, CES, CWPM, CWSPM, CEStr, PMMP	Where Council is the infrastructure manager or works manager
sch 7 cl 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	CAP, MSA, DIO, CCI, MCWD, MES, OPM, COS, CES, CWPM, CWSPM, CEStr, PMMP	Where Council is the infrastructure manager or works manager
sch 7 cl 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	CAP, MSA, DIO, CCI, MCWD, MES, OPM, COS, CES, CWPM, CWSPM, CEStr, PMMP	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure

**Road Management Act 2004**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 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	CAP, MSA, DIO, CCI, MCWD, MES, OPM, COS, CES, CWPM, CWSPM, CESt, PMMP	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	CAP, MSA, CWME, CCW, DIO, CCI, MCWD, MES, OPM, COS, CES, CWPM, CWSPM, CESt, PMMP	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	CAP, MSA, DIO, CCI, MCWD, MES, COS, CES, CWPM, CWSPM, CESt, PMMP	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	CAP, MSA, DIO, CCI, MCWD, MES, COS, CES, CWPM, CWSPM, PMMP	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	MSA, DIO, CCI, CS, MCWD, MES, COS, CWPM, CWSPM, PMMP	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	MSA, MPPR, DIO, MCWD, MFIP, DCCS, MES, OPM	Where Council is the coordinating road authority

**Road Management Act 2004**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	MSA, DIO, CCI, MCWD, MES, OPM, COS, CES, CWPM, CWSPM, CEStr, PMMP	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	MSA, DIO, CCI, MCWD, MES, OPM, COS, CES, CEStr, PMMP	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	DIO, CCI, MCWD, MES, OPM, COS, PMMP	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	CAP, MSA, DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority



**Road Management Act 2004**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 16(8)	Power to include consents and conditions	DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority
sch 7 cl18(1)	Power to enter into an agreement	DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority
sch7 cl 19(1)	Power to give notice requiring rectification of works	DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	CWME, CCW, DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DIO, MCWD, CWLA, MES, OPM, COS, CES, CWPM, CWSPM, CEStr	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	CWME, CCW, DIO, CCI, MCWD, CWLA, MES, OPM, COS, CES, CWPM, CWSPM, CEStr, PMMP	Power of responsible road authority where it is the coordinating road authority

**Road Management Act 2004**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			or responsible road authority in respect of the road
sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	DIO, CCI, MCWD, MES, COS, CES, CEStr, PMMP	Where Council is the responsible road authority
sch 7A cl 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	DIO, CCI, MCWD, MES, COS, CES, CEStr, PMMP	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4	DIO, CCI, MCWD, MES, COS, CES, CEStr, PMMP	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

### Cemeteries and Crematoria Regulations 2015

##These provisions apply to Council appointed as a cemetery trust under s 5 of the *Cemeteries and Crematoria Act* 2003, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 24	Duty to ensure that cemetery complies with depth of burial requirements	DCCS, MG, TLC, CemO, GO, BSOG	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	DCCS, MG, TLC, CemO, GO, BSOG	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	DCCS, MG, TLC, CemO,	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	DCCS, MG, TLC, CemO,	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	DCCS, MG,	
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	DCCS, MG, TLC, CemO, GO, BSOG	

### Cemeteries and Crematoria Regulations 2015

##These provisions apply to Council appointed as a cemetery trust under s 5 of the *Cemeteries and Crematoria Act 2003*, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules	Note only	
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch 2	DCCS, MG,	See note above regarding model rules
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	DCCS, MG, TLC, CemO, GO, BSOG	See note above regarding model rules
sch 2 cl 5(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	DCCS, MG, TLC, CemO, GO, BSOG	See note above regarding model rules
sch 2 cl 6(1)	Power to give directions regarding the manner in which a funeral is to be conducted	DCCS, MG, TLC, CemO GO, BSOG	See note above regarding model rules
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	DCCS, MG, TLC, CemO, GO, BSOG	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	DCCS, MG, TLC, CemO, GO, BSOG	See note above regarding model rules

### Cemeteries and Crematoria Regulations 2015

##These provisions apply to Council appointed as a cemetery trust under s 5 of the *Cemeteries and Crematoria Act* 2003, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	DCCS, MG, TLC, CemO, GO, BSOG	See note above regarding model rules
sch 2 cl 11(2)	Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	DCCS, MG, TLC, CemO, GO, BSOG	See note above regarding model rules
sch 2 cl 12	Power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	DCCS, MG, TLC, CemO,	See note above regarding model rules
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	DCCS, MG, TLC, CemO	See note above regarding model rules
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	CEO, DCCS, MG	See note above regarding model rules
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	CEO, DCCS, MG	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	DCCS, MG, TLC	See note above regarding model rules

**Planning and Environment Regulations 2015**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	CStP, DComm, MDS, MCF	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.
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	CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) in accordance with the public availability requirements	SSP, StatP, TLSPS, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	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 in accordance with the public availability requirements	SSP, StatP, TLSPS, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	where Council is not the responsible authority but the relevant land is within Council's municipal district

**Planning and Environment Regulations 2015**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	CStP, StrP, SSTRP, DComm, MDS, CSPP, MCF	where Council is not the planning authority and the amendment affects land within Council's municipal district; or  where the amendment will amend the planning scheme to designate Council as an acquiring authority.

**Planning and Environment (Fees) Regulations 2016**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	CStP, DComm, MCF	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	CStP, DComm, MCF	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r 19 or 20	CStP, DComm, MCF	

<b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 7	Power to enter into a written agreement with a caravan park owner	SBS, MPPR, CPM, EHT, SEHO, DMBS, CEH, EHO, DComm, DCCS, MBS, MDS	CEH and MBS in a coordinated approach
r 10	Function of receiving application for registration	EHT, SEHO, CEH, EHO	
r 11	Function of receiving application for renewal of registration	SBS, EHT, SEHO, DMBS, CEH, EHO, MBS	Approach to be coordinated between CEH and MBS
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	EHT, SEHO, CEH, EHO	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	EHT, SEHO, CEH, EHO	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	EHT, SEHO, CEH, EHO	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	DMBS, CEH, DComm, MBS, MDS	Approach to be coordinated between CEH and MBS



**Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	EHT, SEHO, DMBS, CEH, EHO, MBS	Approach to be coordinated between CEH and MBS
r 12(4) & (5)	Duty to issue certificate of registration	CEH, DComm, MDS	
r 14(1)	Function of receiving notice of transfer of ownership	EHT, SEHO, CEH, EHO	
r 14(3)	Power to determine where notice of transfer is displayed	EHT, SEHO, CEH, EHO	
r 15(1)	Duty to transfer registration to new caravan park owner	EHT, SEHO, CEH, EHO	
r 15(2)	Duty to issue a certificate of transfer of registration	CEH, DComm, MDS	
r 15(3)	Power to determine where certificate of transfer of registration is displayed		
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	CEH, DComm, MDS	
r 17	Duty to keep register of caravan parks	CEH, DComm, MDS	

**Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 21(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	SBS, EHT, SEHO, DMBS, CEH, EHO, DComm, MBS, MDS	
r 21(2)	Duty to consult with relevant emergency services agencies	SBS, EHT, SEHO, DMBS, CEH, EHO, DComm, MBS, MDS	
r 22	Power to determine places in which caravan park owner must display a copy of emergency procedures	EHT, SEHO, CEH, EHO, DComm, MDS	
r 23	Power to determine places in which caravan park owner must display copy of public emergency warnings	SBS, EHT, SEHO, DMBS, CEH, EHO, DComm, MBS, MDS	
r 24(2)	Power to consult with relevant floodplain management authority	EHT, SEHO, CEH, EHO, DComm, MBS, MDS, MFPO	EHO, EHT, SEHO, CEH and MBS in coordinated approach
r 26(b)(i)	Power to approve system for the discharge of sewage and wastewater from a movable dwelling	EHT, SEHO, CEH, EHO, DComm, MDS	
r 38	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	SBS, SEHO, DMBS, CEH, DComm, MBS, MDS	

<b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 38(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	SBS, SEHO, DMBS, CEH, DComm, MBS, MDS	
r 39(3)	Function of receiving installation certificate	SBS, EHT, SEHO, DMBS, CEH, EHO, DComm, MBS, MDS	
r 45(3)	Power to determine places in which caravan park owner must display name and telephone number of an emergency contact person		
r 45(5)	Power to determine places in which caravan park owner must display the certificate of registration or certificate of renewal of registration, the plan of the caravan park and a copy of the caravan park rules		

<b>Road Management (General) Regulations 2016</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 8(1)	Duty to conduct reviews of road management plan	CAP, MSA, DIO	

### Road Management (General) Regulations 2016

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 9(2)	Duty to produce written report of review of road management plan and make report available	CAP, MSA, DIO	
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)	CAP, MSA, DIO	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 s 41 of the Act	CAP, MSA, DIO	
r 13(1)	Duty to publish notice of amendments to road management plan	CAP, MSA, DIO	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	CAP, MSA, DIO	
r 16(3)	Power to issue permit	CWME, DIO, MES, OPM, CES, CESTr	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	CWME, DIO, MES, OPM, CES	Where Council is the coordinating road authority

### Road Management (General) Regulations 2016

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 23(2)	Power to make submission to Tribunal	MSA, DIO, MES, CES, CEStr	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	MSA, DIO, MFIP, DCCS, MES, CES, CEStr	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	CWME, CCW, DIO, CCI, CS, MCWD, MES, OPM, CES, CEStr, PMMP	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))	CWME, CCW, DIO, MES, OPM, CES, CEStr	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	DIO, MFIP, DCCS, MES, OPM, CES, CEStr	

**Road Management (Works and Infrastructure) Regulations 2015**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	CWME, DIO, MES, OPM, CES, CEStr	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	CWME, DIO, MES, OPM, CES, CEStr	Where Council is the coordinating road authority