



ORDINARY COUNCIL MEETING

17 FEBRUARY 2020

ADDENDUM



BUSINESS

15. REPORTS NOT YET SUBMITTED

15.1 Instrument of Delegation S6 from Council to members of Council staff.....2

Phil Cantillon

CHIEF EXECUTIVE OFFICER

14/02/2020



Executive Summary**15.1 Instrument of Delegation S6 from Council to members of Council staff**

Enquiries: (Brianna Alcock: Corporate Development)

Council Plan

Community Outcome:	3. Sustainable City
Strategy:	3.3 Ensure good governance and management of Council resources
Priority Action	3.3.2 Implement a schedule of reviews of services, plans, policies and protocols to ensure good governance

Purpose

The S6. *Instrument of Delegation - Council to members of Council staff* has been amended to reflect updates to position titles since it was last adopted by Council at its meeting on 23 September 2019.

Recommendation (Director Corporate Development)

That Council:

1. In the exercise of power conferred by Section 98(1) of the *Local Government Act 1989* and the other legislation referred to in *S6. Instrument of Delegation - Council to members of Council staff* (attached as Attachment A), resolves that these powers, duties and functions be delegated to staff. This is subject to the conditions and limitations specified in the Instrument of Delegation.
2. Resolves for the Instrument of Delegation referred to above:
 - (i) Be signed and sealed;
 - (ii) Come into force immediately that the Common Seal of Council is affixed to the Instrument; and
 - (iii) To remain in force until Council determines to vary or revoke the Instrument.
3. Notes on the coming into force of the Instrument, the previous Instrument, which was adopted by Council on 23 September 2019 is revoked.
4. Notes the duties and functions set out in the Instrument of Delegation are performed and the powers, duties and functions be executed in accordance with any guidelines or policies that Council may from time to time adopt.

Key Points / Issues

- At its Ordinary Meeting on 10 July 2017, Council resolved that:
Appointment and revocation (including the reasoning) of staff delegation between Ordinary meetings be reported and must be kept up to date.
- A recent change to the organisation's structure has resulted in the introduction of a fourth directorate with new positions and changes to existing position titles.
- To ensure Council's powers are exercised lawfully, delegations should be reviewed regularly to accommodate changes to legislation or staff structure. The review is usually conducted every six months and has been completed promptly to reflect the most recent organisation restructure.
- The updates are reflected in this S6. Instrument of Delegation – Council to members of Council staff.

15.1 Instrument of Delegation S6 from Council to members of Council staff**Executive Summary**

- Council has the power under section 98 of the *Local Government Act 1989*, or any other act, to delegate a member of its staff a power, duty or function of Council.
- Local Government is less operationally efficient if Council does not delegate the majority of its powers, duties and functions to staff.

Financial Impact

The Victorian Government introduced the “Fair Go Rates” system in 2016-2017, placing a cap on Council rates. Rate revenue constitutes 66 per cent of all Council revenue.

The rate cap over the past three financial years has been 2.5 per cent, 2.0 per cent and 2.25 per cent respectively and has been set at 2.5 per cent for 2019-2020.

The rate cap is based on the consumer price index which relates to the average increase in the prices of a range of goods and services, very few of which apply to the cost drivers of providing local government services.

Over time, with the cost of providing services increasing at a greater rate than increases in Council’s major source of income, Council’s capacity to continue to deliver services and fund its capital programme will be severely restricted.

There are no financial implications associated with this report.

Consultation**1. Internal Stakeholders**

Council officers were consulted as part of this review to ensure that any updates are accurate and meet operational requirements.

2. Other Stakeholders

Maddocks lawyers provide a model document for the S6. Instrument of Delegation to various councils as guidance and this has been adhered to in this Instrument of Delegation update.

Analysis (Environmental / Economic / Social Implications)

Delegation of powers enables efficient decision making on behalf of Council for delivery of services to the community.

Legal / Policy / Council Plan ImpactCharter of Human Rights and Responsibilities

All matters relevant to the Charter of Human Rights and Responsibilities have been considered in the preparation of this report and are consistent with the standards set by the Charter.

Legal

The *Local Government Act 1989*, as well as other legislation, makes provision for the appointment of delegates to act on behalf of Council and a requirement to review all delegations within twelve months of an election.

Policy Impacts

There are no known policies impacts for this report.

15.1 Instrument of Delegation S6 from Council to members of Council staff**Executive Summary**Officer's Declaration of Interests

Council officers involved in the preparation of this report have no Conflict of Interest in this matter.

Risk Mitigation

Councils are required to update the Instruments of Delegation on a regular basis to accommodate any changes to legislation, organisational structure and position titles. Failure to provide regular updates may lead to decisions made becoming invalid or there may be financial or reputational consequences.

Conclusion

Updates to the *S6. Instrument of Delegation - Council to members of Council staff* (the Instrument) takes into account changes to position titles, since it was last adopted by Council on 23 September 2019.

It is recommended that Council endorses the Instrument.

ATTACHMENTS

Attachment A:[↓](#) S6. Instrument of Delegation by Council to Members of Staff



Frankston City Council

S6. Instrument of Delegation

**Council
to
Members of Staff**

S6 Instrument of Delegation - Members of Staff

1. In exercise of the power conferred by section 98(1) of the Local Government Act 1989 and the other legislation referred to in the attached Schedule, the Council:

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

2. records that references in the Schedule are as follow:

CAP means	Coordinator Asset Planning
CCI means	Coordinator Civil Infrastructure
CCW means	Coordinator City Works
CEO means	Chief Executive Officer
CES means	Coordinator Engineering Services
CFO means	Chief Financial Officer
COS means	Coordinator Open Spaces
CP means	Coordinator Prosecutions
CPG means	Coordinator Parks and Gardens
CPM means	Coordinator Property Management
CS means	Construction Supervisor
CSC means	Coordinator Compliance and Safety
CSM means	Manager Community Safety
CStrP means	Coordinator Strategic Planning
CPG means	Coordinator Parks and Gardens
CPV means	Coordinator Parks Vegetation
CWME means	Civil Works Maintenance Engineer
CWPM means	Capital Works Project Manager
CWSPM means	Capital Works Senior Project Manager
DBIC means	Director Business Innovation and Culture
DComm means	Director Communities
DMBS means	Deputy Municipal Building Surveyor
DIO means	Director Infrastructure and Operations
EHC means	Co-ordinator Environmental Health
EHO means	Environmental Health Officers
EHT means	Environmental Health Technician
GC means	Governance Coordinator
GCO means	Governance Compliance Officer
GPBSO means	Governance Information Project Business Support Officer
GLA	Governance Legal Advisor
GMPO means	Governance Memorial Park Officer
HRA means	Human Resources Advisor
MGI means	Manager Governance and Information
DMBS means	Deputy Municipal Building Surveyor
MCS means	Manager Commercial Services
MCWD means	Manager Capital Works Delivery
MES means	Manager Engineering Services
MFCP means	Manager Finance and Corporate Planning
MFPO means	Municipal Fire Prevention Officer
MPC means	Manager People and Culture
MPP means	Major Projects Planner
MSA means	Manager Sustainable Assets
OPM means	Operations Manager
OSMO means	Open Space Maintenance Officer
PAEM means	Planning and Environment Manager
PIO means	Planning Investigations Officer

PLSP means	Practice Leader Statutory Planning
PLT means	Payroll Team Leader
PO means	Prosecutions Officer
PPIO means	Planning Prosecutions Investigations Officer
SBS means	Senior Building Surveyor
SEHO means	Senior Environmental Health Officer
SHRA means	Senior Human Resource Advisor
SIC means	Strategic Infrastructure Coordinator
SLH means	Section Leader Horticulture
SPC means	Statutory Planning Co-ordinator
SPTO means	Statutory Planning Technical Officer
SSP means	Senior Statutory Planner
SSTRP means	Senior Strategic Planner
StatP means	Statutory Planner
StrP means	Strategic Planner
SUBO means	Subdivisions Officer
TLCWH means	Team Leader CAA Waterfront Horticulture
TLPES means	Team Leader Planning & Environment Support
TLRFH means	Team Leader Roadside and Facility Horticulture
TLSP means	Team Leader Statutory Planning

3. records that on the coming into force of this Instrument of Delegation from Council to Council Members Staff each delegation under the instrument dated 23rd September 2019 is revoked.
4. declares that:
 - 4.1 this Instrument of Delegation is authorised by a resolution of Council passed on the 17th February 2020; and
 - 4.2 the delegation:
 - 4.2.1 comes into force immediately the common seal of Council is affixed to 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 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 previously designated as an issue, act or thing which must be the subject of a Resolution of Council; or
 - 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
 - (c) 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, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; 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.

THE COMMON SEAL of)
FRANKSTON CITY COUNCIL)
was affixed in the presence of:)

Councillor _____

Chief Executive Officer _____

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Schedule

S6 Instrument of Delegation - Members of Staff

Cemeteries and Crematoria Act 2003 [##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	CFO, MGI	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	CFO, CPG, CPV, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, SLH, TLCWH, TLRFH	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	CFO, GC, MGI	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	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 14	Power to manage multiple public cemeteries as if they are one cemetery.	CFO, MGI	
s 15(1) and (2)	Power to delegate powers or functions other than those listed	CFO, GC, MGI	
s 15(4)	Duty to keep records of delegations	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 17(1)	Power to employ any persons necessary	CFO, DIO, MGI, OPM	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	CFO, CPG, CPV, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, SLH, TLCWH, TLRFH	
s 17(3)	Power to determine the terms and conditions of employment or engagement	CFO, DIO, MGI, MPC, OPM	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	CFO, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM	
s 19	Power to carry out or permit the carrying out of works	CFO, CPG, CPV, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, SLH, TLCWH, TLRFH	
s 20(1)	Duty to set aside areas for the interment of human remains	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	CFO, MGI	
s 20(3)	Power to set aside areas for those things in paragraphs (a) - (e)	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	CFO, MGI	
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	CFO, DIO, MGI, OPM	Subject to the approval of the Minister

Cemeteries and Crematoria Act 2003			
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
s 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	CFO, GC, GCO, GMPO, MGI	
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 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	CFO, GC, GCO, GMPO, MGI	Report must contain the particulars listed in s 57(2)
s 59	Duty to keep records for each public cemetery	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 60(1)	Duty to make information in records available to the public for historical or research purposes	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 60(2)	Power to charge fees for providing information	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 64B(d)	Power to permit interments at a reopened cemetery	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	CFO, GC, MGI	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	CFO, GC, GCO, GMPO, GPBSO, MGI	
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	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 70(2)	Duty to make plans of existing place of interment available to the public	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 71(2)	Power to dispose of any memorial or other structure removed	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 72(2)	Duty to comply with request received under s 72	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 73(1)	Power to grant a right of interment	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 73(2)	Power to impose conditions on the right of interment	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	CFO, CPM, GC, GCO, GMPO, GPBSO, MGI	

Cemeteries and Crematoria Act 2003			
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	CFO, GC, GCO, GMPO, GPBSO, MGI	
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	CFO, MGI	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 80(2)	Function of recording transfer of right of interment	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment (sole holder)	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	CFO, GC, GCO, GMPO, GPBSO, MGI	
s.85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	CFO, GC, GCO, GMPO, GPBSO, MGI	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	CFO, GC, GCO, GMPO, GPBSO, MGI	Does not apply where right of interment relates to remains of a deceased veteran.
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.	CFO, CPV, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, SLH, TLCWH, TLRFH	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	CFO, CPV, DIO, GC, GCO, GMPO, GPBSO, MGI, SLH, TLCWH, TLRFH	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	CFO, CPG, CPV, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, SLH, TLCWH, TLRFH	
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	CFO, CPG, CPV, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, SLH, TLCWH, TLRFH	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	CFO, CPG, CPV, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, SLH, TLCWH, TLRFH	

Cemeteries and Crematoria Act 2003			
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
s.86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains	CFO, CPG, CPV, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, SLH, TLCWH, TLRFH	
s.86(5)	duty to provide notification before taking action under s.86(4)	CFO, CPG, CPV, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, SLH, TLCWH, TLRFH	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	CFO, CPG, CPV, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, SLH, TLCWH, TLRFH	
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	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 91(1)	Power to cancel a right of interment in accordance with s 91	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 91(3)	Duty to publish notice of intention to cancel right of interment	CFO, GC, GCO, GMPO, GPBSO, MGI	
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	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	CFO, GC, GCO, GMPO, GPBSO, MGI	
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	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 100(1)	Power to require a person to remove memorials or places of interment	CFO, CPV, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, SLH, TLCWH, TLRFH	
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)	CFO, CPV, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, SLH, TLCWH, TLRFH	
s 100(3)	Power to recover costs of taking action under s 100(2)	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 102(1)	Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 103(1)	Power to require a person to remove a building for ceremonies	CFO, DIO, MGI, OPM	

Cemeteries and Crematoria Act 2003			
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	CFO, DIO, MGI, OPM	
s 103(3)	Power to recover costs of taking action under s 103(2)	CFO, GC, GCO, GMPO, GPBSO, MGI	
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	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 106(2)	Power to require the holder of the right of interment to provide for an examination	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	CFO, GC, GCO, GMPO, GPBSO, MGI	
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	CFO, CPV, DIO, GC, GCO, GMPO, GPBSO, MGI, SLH, TLCWH, TLRFH	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	CFO, DIO, MGI, OPM	
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	CFO, DIO, MGI, OPM	
s 108	Power to recover costs and expenses	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 109(1)(a)	Power to open, examine and repair a place of interment	CFO, DIO, MGI, OPM	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	CFO, DIO, MGI, OPM	Where the holder of right of interment or responsible person cannot be found
s 109(2)	Power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	CFO, DIO, MGI, OPM	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	CFO, GC, GCO, GMPO, GPBSO, MGI	
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	CFO, DIO	
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	CFO, DIO, MGI, OPM	

Cemeteries and Crematoria Act 2003			
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 112	Power to sell and supply memorials	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 119	Power to set terms and conditions for interment authorisations	CFO, GC, GCO, GMPO, GPBSO, MGI	
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)
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	CFO, DIO, MGI, OPM	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	CFO, DIO, MGI, OPM	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	CFO, DIO, MGI, OPM	
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	CFO, DIO, MGI, OPM	
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	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 151	Function of receiving applications to inter or cremate body parts	CFO, GC, GCO, GMPO, GPBSO, MGI	
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	CFO, GC, GCO, GMPO, GPBSO, MGI	
Domestic Animals Act 1994			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 41A(1)	Power to declare a dog to be a menacing dog	CSC, CSM, DComm	Council may delegate this power to a Council authorised officer
Environment Protection Act 1970			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 53M(3)	Power to require further information	CSM, DComm, EHC, EHO, SEHO	

Environment Protection Act 1970			
s 53M(4)	Duty to advise applicant that application is not to be dealt with	CSM, DComm, EHC, EHO, SEHO	
s 53M(5)	Duty to approve plans, issue permit or refuse permit	CSM, DComm, EHC, EHO, SEHO	Refusal must be ratified by Council or it is of no effect
s 53M(6)	Power to refuse to issue septic tank permit	CSM, DComm, EHC, EHO, SEHO	Refusal must be ratified by Council or it is of no effect
s 53M(7)	Duty to refuse to issue a permit in circumstances in (a)-(c)	CSM, DComm, EHC, EHO, SEHO	Refusal must be ratified by Council or it is of no effect
Food Act 1984			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	CSM, DComm, EHC, EHO, SEHO	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	CSM, DComm, EHC, EHO, SEHO	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	CSM, DComm, EHC	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, and (ii) inform the public by notice in a published newspaper or otherwise	CSM, DComm, EHC, EHO, SEHO	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	CSM, DComm, EHC, EHO, SEHO	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	CSM, DComm, EHC, EHO, SEHO	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).	To be retained by Council	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	To be retained by Council	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution

Food Act 1984			
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	To be retained by Council	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	CSM, DComm, EHC, EHO, SEHO	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	CSM, DComm, EHC, EHO, SEHO	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	CSM, DComm, EHC, EHO, SEHO	Where Council is the registration authority
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	CSM, DComm, EHC, EHO, SEHO	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	CSM, DComm, EHC, EHO, SEHO	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	CSM, DComm, EHC, EHO, SEHO	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	CSM, DComm, EHC, EHO, SEHO	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	CSM, DComm, EHC, EHO, SEHO	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	CSM, DComm, EHC, EHO, SEHO	Where Council is the registration authority
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	CSM, DComm, EHC, EHO, SEHO	Where Council is the registration authority
	Power to register, renew or transfer registration	CSM, DComm, EHC, EHO, SEHO	Where Council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see s 58A(2))
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	CSM, DComm, EHC, EHO, SEHO	Where Council is the registration authority

Food Act 1984			
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)	CSM, DComm, EHC, EHO, SEHO	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	CSM, DComm, EHC, EHO, SEHO	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	CSM, DComm, EHC, EHO, SEHO	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	CSM, DComm, EHC, EHO, SEHO	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	CSM, DComm, EHC, EHO, SEHO	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	CSM, DComm, EHC, EHO, SEHO	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	CSM, DComm, EHC, EHO, SEHO	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	CSM, DComm, EHC, EHO, SEHO	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	CSM, DComm, EHC, EHO, SEHO	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	CSM, DComm, EHC, EHO, SEHO	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	CSM, DComm, EHC, EHO, SEHO	Where Council is the registration authority
s 39A	Power to register, renew or transfer food premises despite minor defects	CSM, DComm, EHC, EHO, SEHO	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
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	CSM, DComm, EHC, EHO, SEHO	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	CSM, DComm, EHC, EHO, SEHO	Where Council is the registration authority

Food Act 1984			
s 40D(1)	Power to suspend or revoke the registration of food premises	CSM, DComm, EHC	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	CSM, DComm, EHC, EHO, SEHO	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	CSM, DComm, EHC, EHO, SEHO	Where Council is the registration authority
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	CSM, DComm, EHC, EHO, SEHO	Where Council is the registration authority
Heritage Act 2017			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 116	Power to sub-delegate Executive Director's functions, duties or powers	DComm, PAEM	Must first obtain Executive Director's written consent Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation
Local Government Act 1989			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 181H	Power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge	To be retained by the CEO	The Chief Executive Officer must not delegate the power delegated to the CEO under subsection 181H to any other person
s 185L(4)	Power to declare and levy a cladding rectification charge	CFO, DComm, MBS, MFCP	
Planning and Environment Act 1987			
Provision	Item Delegated	Delegate	Conditions and Limitations
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	CStrP, DComm, PAEM	
s 4H	Duty to make amendment to Victoria Planning Provisions available	CStrP, DComm, PAEM	
s 4I	Duty to keep Victorian Planning Provisions and other documents available	CStrP, DComm, PAEM	

Planning and Environment Act 1987			
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	CStrP, DComm, PAEM	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	CStrP, DComm, PAEM	
s 8A(5)	Function of receiving notice of the Minister's decision	CStrP, DComm, PAEM	
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	CStrP, DComm, PAEM	
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	
s 12A(1)	Duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s19 of the Planning and Environment (Planning Schemes) Act 1996)	To be retained by Council	
s 12B(1)	Duty to review planning scheme	CStrP, DComm, PAEM	
s 12B(2)	Duty to review planning scheme at direction of Minister	CStrP, DComm, PAEM	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	CStrP, DComm, PAEM	
s 14	duties of a Responsible Authority as set out in s 14(a) to (d)	CStrP, DComm, MPP, PAEM	
s 17(1)	Duty of giving copy amendment to the planning scheme	CStrP, DComm, MPP, PAEM	
s 17(2)	Duty of giving copy s 173 agreement	CStrP, DComm, MPP, PAEM	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	CStrP, DComm, MPP, PAEM	
s 18	Duty to make amendment etc. available	CStrP, DComm, MPP, PAEM	
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	To be retained by Council	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	To be retained by Council	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	To be retained by Council	

Planning and Environment Act 1987			
s 21(2)	Duty to make submissions available	CStrP, DComm, MPP, PAEM	
s 21A(4)	Duty to publish notice	CStrP, DComm, MPP, PAEM	
s 22	Duty to consider all submissions	CStrP, DComm, MPP, PAEM	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	CStrP, PAEM	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	To be retained by Council	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	CStrP, DComm, MPP, PAEM, PLSP, SPC, SSP, TLSP	
s 26(1)	Power to make report available for inspection	CStrP, DComm, MPP, PAEM, PLSP, SPC, SSP, TLSP	
s 26(2)	Duty to keep report of panel available for inspection	CStrP, DComm, MPP, PAEM, PLSP, SPC, SSP, TLSP	
s 27(2)	Power to apply for exemption if panel's report not received	To be retained by Council	
s 28	Duty to notify the Minister if abandoning an amendment	CStrP, DComm, MPP, PAEM, PLSP, SPC, SSP, TLSP	Note: the power to make a decision to abandon an amendment cannot be delegated
s 30(4)(a)	Duty to say if amendment has lapsed	CStrP, DComm, MPP, PAEM	
s 30(4)(b)	Duty to provide information in writing upon request	CStrP, DComm, MPP, PAEM	
s 32(2)	Duty to give more notice if required	CStrP, DComm, MPP, PAEM	
s 33(1)	Duty to give more notice of changes to an amendment	CStrP, DComm, MPP, PAEM	
s 36(2)	Duty to give notice of approval of amendment	CStrP, DComm, MPP, PAEM	
s 38(5)	Duty to give notice of revocation of an amendment	CStrP, DComm, MPP, PAEM	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	CStrP, DComm, MPP, PAEM	
s 40(1)	Function of lodging copy of approved amendment	CStrP, DComm, MPP, PAEM	
s 41	Duty to make approved amendment available	CStrP, DComm, MPP, PAEM	
s 42	Duty to make copy of planning scheme available	CStrP, DComm, MPP, PAEM	
s 46AW	Function of being consulted by the Minister	CStrP, DComm, PAEM, SPC	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy Power to endorse the draft Statement of Planning Policy	CStrP, DComm, PAEM, SPC	Where Council is a responsible public entity

Planning and Environment Act 1987			
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	CStrP, DComm, MPP, PAEM	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	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	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	CStrP, DComm, MPP, PAEM, PLSP, SPC, TLSP	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	CStrP, DComm, PAEM, SPC	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	CStrP, DComm, PAEM, SPC	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	CStrP, DComm, PAEM, SPC	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	CStrP, DComm, PAEM, SPC	
s 46GP	Function of receiving a notice under s 46GO	CStrP, DComm, PAEM, SPC	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	CStrP, DComm, PAEM, SPC	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	CStrP, DComm, PAEM, SPC	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	CStrP, DComm, PAEM, SPC	
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	CStrP, DComm, PAEM, SPC	
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	CStrP, DComm, PAEM, SPC	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	CStrP, DComm, PAEM, SPC	

Planning and Environment Act 1987			
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	CStrP, DComm, PAEM, SPC	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	CStrP, DComm, PAEM, SPC	
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	CStrP, DComm, PAEM, SPC	
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	CStrP, DComm, PAEM, SPC	Where Council is the collecting agency
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	CStrP, DComm, PAEM, SPC	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	CStrP, DComm, PAEM, SPC	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	CStrP, DComm, MPP, PAEM, PLSP, SPC, TLSP	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	CStrP, DComm, PAEM, SPC	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	CStrP, DComm, PAEM, SPC	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 1989	CStrP, DComm, PAEM, SPC	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

Planning and Environment Act 1987			
			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	CStrP, DComm, PAEM	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
s 46GZ(2)(b)	Function of receiving the monetary component	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	CFO, CStrP, DComm, MFCP, PAEM, TLPES	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	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

Planning and Environment Act 1987			
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	CFO, CStrP, DComm, MFCP, PAEM, TLPES	If any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s 46GV(4) Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s 46GZ(9)	Function of receiving the fee simple in the land	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	CStrP, DComm, PAEM, SPC	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 1989	CStrP, DComm, MPP, PAEM, PLSP, SPC, TLSP	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)	CStrP, DComm, PAEM, SPC	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	CStrP, DComm, PAEM	If the VPA is the collecting agency under an approved infrastructure contributions plan Where Council is a development agency under an approved infrastructure contributions plan
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	CStrP, DComm, PAEM, SPC	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)	CStrP, DComm, PAEM, SPC	Where Council is the collecting agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	CStrP, DComm, PAEM	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	CFO, DComm, MFCP, PAEM	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	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)	CStrP, DComm, PAEM, SPC	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)	CStrP, DComm, PAEM, SPC	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	s 46GZF(3)(a) function of receiving proceeds of sale	DComm	Where Council is the collection agency under an approved infrastructure contributions plan This provision does not apply where Council is also the development agency
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	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

Planning and Environment Act 1987			
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	CFO, DComm, MFCP, PAEM	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
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	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	CStrP, DComm, MPP, PAEM, PLSP, SPC, TLSP	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DComm, PAEM	
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	DComm, DMBS, MBS, PAEM, SBS	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	DComm, PAEM	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	CStrP, DComm, MPP, PAEM, PLSP, SPC, TLSP	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	CStrP, DComm, MPP, PAEM, PLSP, SPC, TLSP	
s 46Q(1)	Duty to keep proper accounts of levies paid	CFO, MFCP	
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 or plan preparation costs incurred by a development agency	CFO, CStrP, DComm, MFCP, PAEM, TLPES	
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	CFO, DIO, MES, MFCP	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	DComm, PAEM	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	CFO, DComm, MFCP, PAEM	Must be done within six months of the end of the period required by the development

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	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)		contributions plan and with the consent of, and in the manner approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	CStrP, DComm, MPP, PAEM	Must be done in accordance with Part 3
s46Q(4)(e)	Duty to expend that amount on other works etc.	CES, CFO, DIO, MCWD, MES, MFCP	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	CFO, DComm, MFCP, PAEM	
s 46QD	Duty to prepare report and give a report to the Minister	DComm, PAEM	Where Council is a collecting agency or development agency
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	CStrP, DComm, MPP, PAEM	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	CES, DComm, DIO, MES, PAEM	
s 47	Power to decide that an application for a planning permit does not comply with that Act	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, SUBO, TLSP	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, SUBO, TLPES, TLSP	
s 49(2)	Duty to make register available for inspection	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, SUBO, TLPES, TLSP	
s 50(4)	Duty to amend application	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, SUBO, TLSP	
s 50(5)	Power to refuse to amend application	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 50(6)	Duty to make note of amendment to application in register	DComm, PAEM, PLSP, SPC, TLSP	
s 50A(1)	Power to make amendment to application	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	

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s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 50A(4)	Duty to note amendment to application in register	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 51	Duty to make copy of application available for inspection	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
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	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
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	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
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	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 52(3)	Power to give any further notice of an application where appropriate	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	

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s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 54(1)	Power to require the applicant to provide more information	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 54(1B)	Duty to specify the lapse date for an application	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
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	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
s 57(5)	Duty to make available for inspection copy of all objections	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 57A(5)	Power to refuse to amend application	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	

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s 57A(6)	Duty to note amendments to application in register	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
s 57B(1)	Duty to determine whether and to whom notice should be given	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 57C(1)	Duty to give copy of amended application to referral authority	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 58	Duty to consider every application for a permit	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 58A	Power to request advice from the Planning Application Committee	DComm, PAEM, PLSP, SPC, TLSP	
s 60	Duty to consider certain matters	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 60(1A)	Duty to consider certain matters	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO	
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, MPP, PAEM, PLSP, SPC, TLSP	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, MPP, PAEM, PLSP, SPC, TLSP	
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, PAEM, SPC, TLSP	

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s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	DComm, MPP, PAEM, PLSP, SPC, TLSP	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	DComm, MPP, PAEM, PLSP, SPC, TLSP	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DComm, MPP, PAEM, PLSP, SPC, TLSP	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	DComm, MPP, PAEM, PLSP, SPC, TLSP	
s 62(2)	Power to include other conditions	DComm, MPP, PAEM, PLSP, SPC, TLSP	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DComm, MPP, PAEM, PLSP, SPC, TLSP	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	DComm, MPP, PAEM, PLSP, SPC, TLSP	
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, MPP, PAEM, PLSP, SPC, TLSP	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	DComm, MPP, PAEM, PLSP, SPC, TLSP	
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, MPP, PAEM, PLSP, SPC, TLSP	
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, MPP, PAEM, PLSP, SPC, TLSP	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	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	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	This provision applies also to a decision to grant an amendment to a permit - see s 75

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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	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	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	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	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	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	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	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
s 69(1A)	Function of receiving application for extension of time to complete development	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
s 69(2)	Power to extend time	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
s 70	Duty to make copy permit available for inspection	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	

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s 71(1)	Power to correct certain mistakes	DComm, MPP, PAEM, PLSP, SPC, TLSP	
s 71(2)	Duty to note corrections in register	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
s 73	Power to decide to grant amendment subject to conditions	DComm, MPP, PAEM, PLSP, SPC, TLSP	
s 74	Duty to issue amended permit to applicant if no objectors	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	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	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	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	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	

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s 83	Function of being respondent to an appeal	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
s 83B	Duty to give or publish notice of application for review	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DComm, MPP, PAEM, PLSP, SPC, TLSP	
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, MPP, PAEM, PLSP, SPC, TLSP	
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, MPP, PAEM, PLSP, SPC, TLSP	
s 84(6)	Duty to issue permit on receipt of advice within 3 working days	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
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 working days	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	DComm, PAEM, PPIO, SPC	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	DComm, PAEM, PIO, PPIO, SPC	
s 91(2)	Duty to comply with the directions of VCAT	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	DComm, MPP, PAEM, PIO, PLSP, PPIO, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
s 93(2)	Duty to give notice of VCAT order to stop development	DComm, MPP, PAEM, PIO, PLSP, PPIO, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	

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s 95(3)	Function of referring certain applications to the Minister	DComm, PAEM, PLSP, SPC, TLSP	
s 95(4)	Duty to comply with an order or direction	DComm, MPP, PAEM, PIO, PLSP, PPIO, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	DComm, PAEM, PLSP, SPC, TLSP	
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, PAEM, PLSP, SPC, TLSP	
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	
s 96H(3)	Power to give notice in compliance with Minister's direction	CStrP, DComm, MPP, PAEM, PLSP, SPC, SSP, StatP, TLSP	
s 96J	Power to issue permit as directed by the Minister	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
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	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
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	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	

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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	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 97G(6)	Duty to make a copy of permits issued under s 97F available for inspection	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	CStrP, DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
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	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 97Q(4)	Duty to comply with directions of VCAT	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLSP	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	DComm, PAEM, SPC	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	DComm, PAEM, SPC	
s 101	Function of receiving claim for expenses in conjunction with claim	DComm, PAEM, SPC	
s 103	Power to reject a claim for compensation in certain circumstances	DComm, PAEM, SPC	
s.107(1)	function of receiving claim for compensation	DComm, PAEM, SPC	

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s 107(3)	Power to agree to extend time for making claim	DComm, PAEM, SPC	
s 114(1)	Power to apply to the VCAT for an enforcement order	DComm, PAEM, PIO, PPIO, SPC	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	DComm, PAEM, PIO, PPIO, SPC	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	DComm, PAEM, PIO, PPIO, SPC	
s 123(1)	Power to carry out work required by enforcement order and recover costs	DComm, PAEM, PIO, PPIO, SPC	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	DComm, PAEM, SPC	Except Crown Land
s 129	Function of recovering penalties	DComm, PAEM, PIO, PPIO, SPC	
s 130(5)	Power to allow person served with an infringement notice further time	DComm, PAEM, PIO, PPIO, SPC	
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, PAEM, SPC	
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 ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	CStrP, DComm, PAEM, SPC	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	CStrP, DComm, PAEM, SPC	
s 171(2)(g)	Power to grant and reserve easements	DComm, PAEM, SPC	
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

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s 173(1)	Power to enter into agreement covering matters set out in s 174	DComm, PAEM	
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, PAEM	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, PAEM, PLSP, SPC, TLSP	
	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, PAEM, PLSP, SPC, TLSP	
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, PAEM, SPC	
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, PAEM, SPC	
s 178A(1)	Function of receiving application to amend or end an agreement	DComm, PAEM, SPC	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	DComm, PAEM, SPC	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	DComm, PAEM, SPC	
s 178A(5)	Power to propose to amend or end an agreement	DComm, PAEM, SPC	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	DComm, PAEM, SPC	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	DComm, PAEM, SPC	
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, PAEM, SPC	
s 178C(4)	Function of determining how to give notice under s 178C(2)	DComm, PAEM, SPC	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	DComm, PAEM, SPC	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	DComm, PAEM, SPC	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DComm, PAEM, SPC	If no objections are made under s 178D Must consider matters in s 178B

Planning and Environment Act 1987			
s 178E(2)(c)	Power to refuse to amend or end the agreement	DComm, PAEM, SPC	If no objections are made under s 178D Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	DComm, PAEM, SPC	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, PAEM, SPC	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, PAEM, SPC	After considering objections, submissions and matters in s.178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	DComm, PAEM, SPC	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, PAEM, SPC	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	DComm, PAEM, SPC	
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, PAEM, SPC	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	DComm, PAEM, SPC	
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, PAEM, SPC	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DComm, PAEM, SPC	
s 179(2)	Duty to make available for inspection copy agreement	DComm, PAEM, SPC, TLPES	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	DComm, PAEM, SPC	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	DComm, PAEM, SPC	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	DComm, PAEM, SPC	
s 182	Power to enforce an agreement	DComm, PAEM, PIO, PPIO, SPC	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	DComm, PAEM, SPC	
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, PAEM, SPC	

Planning and Environment Act 1987			
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, PAEM, SPC	
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, PAEM, SPC	
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, PAEM, SPC	
s 184G(2)	Duty to comply with a direction of the Tribunal	DComm, PAEM, SPC	
s 184G(3)	Duty to give notice as directed by the Tribunal	DComm, PAEM, SPC	
s 198(1)	Function to receive application for planning certificate	DComm, PAEM, SPC, TLPES	
s 199(1)	Duty to give planning certificate to applicant	DComm, PAEM, SPC, TLPES	
s 201(1)	Function of receiving application for declaration of underlying zoning	CStrP, DComm, PAEM, SPC, TLSP	
s 201(3)	Duty to make declaration	DComm, PAEM, PLSP, SPC, TLSP	
	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, MPP, PAEM, PLSP, SPC, TLSP	
	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, MPP, PAEM, PLSP, SPC, TLSP	
	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, MPP, PAEM, PLSP, SPC, TLSP	
	Power to give written authorisation in accordance with a provision of a planning scheme	DComm, MPP, PAEM, PLSP, SPC, TLSP	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	CStrP, DComm, MPP, PAEM, PLSP, SPC, TLSP	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	CStrP, DComm, MPP, PAEM, PLSP, SPC, TLSP	
Rail Safety (Local Operations) Act 2006			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 33	Duty to comply with a direction of the Safety Director under s 33	CES, DIO, DComm, MCWD, MES, OPM	Where Council is a utility under s 3

Rail Safety (Local Operations) Act 2006			
s 33A	Duty to comply with a direction of the Safety Director to give effect to arrangements under s 33A	CES, DIO, DComm, MCWD, MES, OPM	Duty of Council as a road authority under the Road Management Act 2004
s 34	Duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under s 33(1)	CES, CWME, DIO, DComm, MCWD, MES, OPM	Where Council is a utility under s 3
s 34C(2)	Function of entering into safety interface agreements with rail infrastructure manager	CES, DIO, DComm, MCWD, MES, MSA, OPM	Where Council is the relevant road authority
s 34D(1)	Function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	CCW, CES, CWME, DIO, DComm, MCWD, MES, OPM	Where Council is the relevant road authority
s 34D(2)	Function of receiving written notice of opinion	CES, DIO, DComm, MCWD, MES, OPM	Where Council is the relevant road authority
s 34D(4)	Function of entering into safety interface agreement with infrastructure manager	CES, DIO, DComm, MCWD, MES, MSA, OPM	Where Council is the relevant road authority
s 34E(1)(a)	Duty to identify and assess risks to safety	CCW, CES, CWME, DIO, DComm, MES, OPM	Where Council is the relevant road authority
s 34E(1)(b)	Duty to determine measures to manage any risks identified and assessed having regard to items set out in s 34E(2)(a)-(c)	CES, CWME, DIO, DComm, MES, OPM	Where Council is the relevant road authority
s 34E(3)	Duty to seek to enter into a safety interface agreement with rail infrastructure manager	CES, DIO, DComm, MES, MSA, OPM	Where Council is the relevant road authority
s 34F(1)(a)	Duty to identify and assess risks to safety, if written notice has been received under s 34D(2)(a)	CES, CWME, DIO, DComm, MES, OPM	Where Council is the relevant road authority
s 34F(1)(b)	Duty to determine measures to manage any risks identified and assessed, if written notice has been received under s 34D(2)(a)	CES, CWME, DIO, DComm, MES, OPM	Where Council is the relevant road authority
s 34F(2)	Duty to seek to enter into a safety interface agreement with rail infrastructure manager	CES, DIO, DComm, MES, MSA, OPM	Where Council is the relevant road authority
s 34H	Power to identify and assess risks to safety as required under s 34B, 34C, 34D, 34E or 34F in accordance with s 34H(a)-(c)	CES, CWME, DIO, DComm, MES, OPM	Where Council is the relevant road authority
s 34I	Function of entering into safety interface agreements	CES, DIO, DComm, MES, MSA, OPM	Where Council is the relevant road authority
s 34J(2)	Function of receiving notice from Safety Director	CES, DIO, DComm, MES, OPM	Where Council is the relevant road authority
s 34J(7)	Duty to comply with a direction of the Safety Director given under s 34J(5)	CES, CWME, DIO, DComm, MES, OPM	Where Council is the relevant road authority

Rail Safety (Local Operations) Act 2006			
s 34K(2)	Duty to maintain a register of items set out in s 34K(a)-(b)	CAP, CCW, CWME, DIO, DComm, MES, MSA, OPM	Where Council is the relevant road authority
Residential Tenancies Act 1997			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 142D	Function of receiving notice regarding an unregistered rooming house	CSM, DComm, EHC, EHO, EHT, SEHO	
s 252	Power to give tenant a notice to vacate rented premises if s 252(1) applies	CFO, CPM, DComm, DMBS, MBS, MCS, SBS	Where Council is the landlord
s 142G(1)	Duty to enter required information in Rooming House Register for each rooming house in municipal district	CSM, DComm, DMBS, EHC, EHO, EHT, MBS, SBS, SEHO	
s 262(1)	Power to give tenant a notice to vacate rented premises	CFO, CPM, DComm, DMBS, MBS, MCS, SBS, CSM	Where Council is the landlord
s 142G(2)	Power to enter certain information in the Rooming House Register	CSM, DComm, EHC, EHO, EHT, SEHO	
s 262(3)	Power to publish its criteria for eligibility for the provision of housing by Council	CFO, CPM, DComm, DMBS, MBS, MCS, SBS, CSM	
s 142I(2)	Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	CSM, DComm, EHC, EHO, EHT, SEHO	
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	CSM, DComm, DMBS, EHC, EHO, EHT, MBS, SBS, SEHO	
s 522(1)	Power to give a compliance notice to a person	CSM, DComm, DMBS, EHC, EHO, EHT, MBS, SBS, SEHO	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	CSM, DComm	
s 525(4)	Duty to issue identity card to authorised officers	CSM, DBIC, DComm, MPC, PLT	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	CSM, DComm	
s 526A(3)	Function of receiving report of inspection	CSM, DComm, MBS	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CP, CSM, DComm, EHC, EHT, PO, SEHO	
Road Management Act 2004			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	CFO, GC, GCO, MGI	Obtain consent in circumstances specified in s 11(2)

Road Management Act 2004			
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	CFO, GC, GCO, MGI	
s 11(9)(b)	Duty to advise Registrar	CFO, GC, GCO, GLA, MGI	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	CFO, GC, GCO, GLA, MGI	Subject to s 11(10A)
s 14(4)	Function of receiving notice from VicRoads	CFO, DIO, MGI, MSA	
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	CFO, GC, GCO, GLA, MGI	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	To be retained by Council	Where Council is the coordinating road authority
s 14(7)	Power to appeal against decision of VicRoads	CFO, DIO, MGI, MSA	
s 12(4)	Power to publish, and provide copy, notice of proposed discontinuance	CFO, GC, GLA, MGI	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(5)	Duty to consider written submissions received within 28 days of notice	CFO, GC, GLA, MGI	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(6)	Function of hearing a person in support of their written submission	To be retained by Council	Function of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	CFO, GC, GLA, MGI	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(10)	Duty to notify of decision made	CFO, MGI	Duty of coordinating road authority where it is the discontinuing body Does not apply where an exemption is specified by the regulations or given by the Minister
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	CFO, DIO, GC, GLA, MGI, MSA	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate

Road Management Act 2004			
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	CES, DIO, MSA, OPM	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	DIO, MSA, OPM	
s 15(2)	Duty to include details of arrangement in public roads register	CAP, DIO, MSA	
s 16(7)	Power to enter into an arrangement under s 15	DIO, MSA, OPM	
s 16(8)	Duty to enter details of determination in public roads register	CAP, DIO, MSA	
s 17(2)	Duty to register public road in public roads register	CAP, DIO, MSA	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	CAP, DIO, MSA	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, DIO, MSA	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, CFO, DIO, MGI, MSA	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, DIO, MSA	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	CAP, DIO, MSA	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	CAP, DIO, MSA	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, DIO, MSA	
s 19(4)	Duty to specify details of discontinuance in public roads register	CAP, DIO, MSA	
s 19(5)	Duty to ensure public roads register is available for public inspection	CAP, DIO, MSA	
s 21	Function of replying to request for information or advice	CAP, DIO, MSA	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	CAP, DIO, MSA	
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, DIO, MSA	
s 22(5)	Duty to give effect to a direction under s 22	CAP, DIO, MSA	
s 40(1)	Duty to inspect, maintain and repair a public road.	CCI, CCW, CES, CS, CWME, CWPM, CWSPM,	

Road Management Act 2004			
		DIO, MCWD, MES, MSA, OPM	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	CCW, CES, CWME, DIO, MES, OPM	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	CCI, CCW, CES, CS, CWME, CWPM, CWSPM, DIO, MCWD, MES, MSA, OPM	
s 42(1)	Power to declare a public road as a controlled access road	CAP, DIO, MSA	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, DIO, MSA	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with VicRoads before road is specified	CAP, DIO, MSA	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	CES, DIO, MES	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, DIO, MSA	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, DIO, MSA	
s 49	Power to develop and publish a road management plan	CAP, DIO, MSA	
s 51	Power to determine standards by incorporating the standards in a road management plan	CAP, DIO, MSA	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CAP, DIO, MSA	
s 54(2)	Duty to give notice of proposal to make a road management plan	CAP, DIO, MSA	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	CAP, DIO, MSA	
s 54(6)	Power to amend road management plan	CAP, DIO, MSA	
s 54(7)	Duty to incorporate the amendments into the road management plan	CAP, DIO, MSA	

Road Management Act 2004			
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	CAP, DIO, MSA	
s 63(1)	Power to consent to conduct of works on road	CCW, CES, CS, CWME, DIO, MCWD, MES, MSA, OPM	Where Council is the coordinating road authority
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	CCW, CES, CS, CWME, DIO, MCWD, MES, MSA, OPM	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	CES, DIO, MES, OPM	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	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	DIO, MES, MSA, OPM	Where Council is the coordinating road authority
s 68(2)	Power to request information	DIO, MCWD, MES, MSA, OPM	Where Council is the coordinating road authority
s 119(2)	Function of consulting with VicRoads	CCI, CCW, COS, CPG, CPV, CS, CWME, CWPM, CWSPM, DIO, MCWD, MES, MSA, OPM	
s 71(3)	Power to appoint an authorised officer	CEO, DIO	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of VicRoads)	CCI, CCW, COS, CPG, CPV, CS, CWME, CWPM, CWSPM, DIO, MCWD, MES, MSA, OPM	
s 72	Duty to issue an identity card to each authorised officer	DBIC, DIO, HRA, MCWD, MES, MPC, MSA, OPM, SHRA	
s 120(2)	Duty to seek consent of VicRoads to exercise road management functions before exercising power in s 120(1)	COS, CPG, CPV, DIO, MCWD, MES, MSA, OPM	
s 85	Function of receiving report from authorised officer	CCW, COS, CPG, CPV, CWME, DIO, MCWD, MES, MSA, OPM	
s 86	Duty to keep register re s 85 matters	DIO, MCWD, MES, MSA, OPM	

Road Management Act 2004			
s 87(1)	Function of receiving complaints	CCW, COS, CPG, CPV, CWME, DIO, MCWD, MES, MSA, OPM	
s 87(2)	Duty to investigate complaint and provide report	CCW, COS, CPG, CPV, CWME, DIO, MCWD, MES, MSA, OPM	
s 112(2)	Power to recover damages in court	CFO, DIO, MCWD, MES, MFCP, MSA, OPM	
s 116	Power to cause or carry out inspection	CCI, CCW, CS, CWME, CWPM, CWSPM, DIO, MCWD, MES, MSA, OPM	
sch 2 cl 4	Function of receiving details of proposal from VicRoads	CES, DComm, DIO, MCWD, MES, MSA, PAEM, SIC	
s 121(1)	Power to enter into an agreement in respect of works	DIO, MCWD, MES, MSA, OPM	
s 122(1)	Power to charge and recover fees	DIO, MCWD, MES, MSA, OPM	
s 123(1)	Power to charge for any service	DIO, MCWD, MES, MSA, OPM	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	DIO, MES, MSA	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	DIO, MES, MSA	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	DIO, MES, MSA	
sch 2 cl 5	Duty to publish notice of declaration	CES, DIO, MES, MSA	
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	CES, DIO, MCWD, MES, MSA	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	CES, DIO, MCWD, MES, MSA, OPM	Where Council is the infrastructure manager or works manager
sch 7 cla 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	CES, DIO, MCWD, MES, MSA, OPM	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure

Road Management Act 2004			
	proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works		
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	CES, DIO, MCWD, MES, MSA, SIC	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, CCW, CES, CWME, DIO, MCWD, MES, MSA, OPM	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	CES, DIO, MCWD, MES, MSA	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	CES, DIO, MCWD, MES, MSA	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	CCI, CS, CWPM, CWSPM, DIO, MCWD, MES, MSA	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	DIO, MCS, MCWD, MES, MSA, OPM	Where Council is the coordinating road authority
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)	CES, DIO, MCWD, MES, MSA, OPM	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	CES, DIO, MCWD, MES, MSA, OPM	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, MCWD, MES, OPM	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	CES, DIO, MCWD, MES, OPM	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	CAP, CES, DIO, MCWD, MES, MSA, OPM	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	CES, DIO, MCWD, MES, OPM	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	CES, DIO, MCWD, MES, OPM	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	CES, DIO, MCWD, MES, OPM	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	CES, DIO, MCWD, MES, OPM	Where Council is the coordinating road authority

Road Management Act 2004			
sch 7 cl18(1)	Power to enter into an agreement	CES, DIO, MCWD, MES, OPM	Where Council is the coordinating road authority
sch7 cl 19(1)	Power to give notice requiring rectification of works	CES, DIO, MCWD, MES, OPM	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	CCW, CES, CWME, DIO, MCWD, MES, OPM	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	CES, DIO, MCWD, MES, OPM	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	CCI, CCW, CES, COS, CWME, DIO, MCWD, MES, OPM	Power of responsible road authority where it is the coordinating road authority 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	CES, DIO, MCWD, MES	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	CES, DIO, MCWD, MES	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	CES, DIO, MCWD, MES	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 Councils appointed as a cemetery trust under section 5 of the Cemeteries and Crematoria Act 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Provision	Item Delegated	Delegate	Conditions and Limitations
r 24	Duty to ensure that cemetery complies with depth of burial requirements	CFO, CPG, CPV, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, OSMO, SLH, TLCWH, TLRFH	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	CFO, CPG, CPV, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, OSMO, SLH, TLCWH, TLRFH	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	CFO, CPV, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, OSMO, TLCWH, TLRFH	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	CFO, CPG, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, OSMO, SLH, TLCWH, TLRFH	

Cemeteries and Crematoria Regulations 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the Cemeteries and Crematoria Act 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	CFO, DIO, MGI, OPM	
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	CFO, CPG, CPV, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, SLH, TLCWH, TLRFH	
	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	CFO, CPG, DIO, MGI, OPM	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	CFO, GC, GCO, GMPO, GPBSO, MGI	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	CFO, GC, GCO, GMPO, GPBSO, MGI	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	CFO, CPG, CPV, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, SLH, TLCWH, TLRFH	See note above regarding model rules
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	CFO, CPG, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, SLH, TLCWH, TLRFH	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	CFO, CPG, CPV, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, SLH, TLCWH, TLRFH	See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	CFO, CPG, CPV, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, SLH, TLCWH, TLRFH	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	CFO, CPG, CPV, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, SLH, TLCWH, TLRFH	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	CFO, CPG, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, SLH, TLCWH, TLRFH	See note above regarding model rules
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	CFO, GC, GCO, GMPO, GPBSO, MGI	See note above regarding model rules
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	CEO, MGI	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, MGI	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	CFO, CPG, CPV, DIO, GC, GCO, GMPO, GPBSO, MGI, OPM, SLH, TLCWH, TLRFH	See note above regarding model rules

Planning and Environment Regulations 2015			
Provision	Item 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	CStrP, DComm, PAEM	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	DComm, MPP, PAEM, PLSP, SPC, TLSP	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	where Council is the responsible authority
r.25(b)	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	DComm, MPP, PAEM, PLSP, SPC, SPTO, SSP, StatP, SUBO, TLPES, TLSP	where Council is not the responsible authority but the relevant land is within Council's municipal district
r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	CStrP, DComm, PAEM, SSTRP, StrP	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	Item Delegated	Delegate	Conditions and Limitations
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	CStrP, DComm, PAEM	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DComm, PAEM, PLSP, SPC, TLSP	
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	CStrP, DComm, PAEM, PLSP, SPC, TLSP	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010			
Provision	Item Delegated	Delegate	Conditions and Limitations

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010			
r 7	Function of entering into a written agreement with a caravan park owner	CFO, CPM, CSM, DComm, DMBS, EHC, EHO, EHT, MBS, MCS, SBS, SEHO	EHC and MBS in a coordinated approach
r 11	Function of receiving application for registration	CSM, DComm, EHC, EHO, EHT, SEHO	
r 13(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	CSM, DComm, EHC, EHO, EHT, SEHO	
r 13(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	CSM, DComm, EHC, EHO, EHT, SEHO	
r.13(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CSM, DComm, EHC	
r 13(4) & (5)	Duty to issue certificate of registration	CSM, DComm, EHC, EHO, EHT, SEHO	
r 15(1)	Function of receiving notice of transfer of ownership	CSM, DComm, EHC, EHO, EHT, SEHO	
r 15(3)	Power to determine where notice of transfer is displayed	CSM, DComm, EHC, EHO, EHT, SEHO	
r 16(1)	Duty to transfer registration to new caravan park owner	CSM, DComm, EHC, EHO, EHT, SEHO	
r 16(2)	Duty to issue a certificate of transfer of registration	CSM, DComm, EHC	
r 17(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	CSM, DComm, EHC	
r 18	Duty to keep register of caravan parks	CSM, DComm, EHC	
r 19(4)	Power to determine where the emergency contact person's details are displayed	CSM, DComm, EHC, EHO, EHT, SEHO	
r 19(6)	Power to determine where certain information is displayed	CSM, DComm, EHC, EHO, EHT, SEHO	
r 22A(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	CSM, DComm, DMBS, EHC, EHO, EHT, MBS, SBS, SEHO	
r 22A(2)	Duty to consult with relevant emergency services agencies	CSM, DComm, DMBS, EHC, EHO, EHT, MBS, SBS, SEHO	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	CSM, DComm, EHC, EHO, EHT, SEHO	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	CSM, DComm, DMBS, EHC, EHO, EHT, MBS, SBS, SEHO	
r 25(3)	Duty to consult with relevant floodplain management authority	CSM, DComm, EHC, EHO, EHT, MFPO, SEHO	EHO, EHT, SEHO, EHC and MBS in coordinated approach
r 26	Duty to have regard to any report of the relevant fire authority	CSM, DComm, DMBS, EHC, MBS, MFPO, SBS, SEHO	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010			
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	CSM, DComm, EHC, EHO, EHT, SEHO	
r 39	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	CSM, DComm, DMBS, EHC, MBS, SBS, SEHO	
r 39(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	CSM, DComm, DMBS, EHC, MBS, SBS, SEHO	
r 40(4)	Function of receiving installation certificate	CSM, DComm, DMBS, EHC, MBS, SBS, SEHO	
r 42	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	CSM, DComm, DMBS, EHC, MBS, SBS, SEHO	
sch 3 cl4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	CSM, DComm, DMBS, EHC, MBS, SBS, SEHO	
Road Management (General) Regulations 2016			
Provision	Item Delegated	Delegate	Conditions and Limitations
r 8(1)	Duty to conduct reviews of road management plan	CAP, DIO, MSA	
r 9(2)	Duty to produce written report of review of road management plan and make report available	CAP, DIO, MSA	
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)	DIO, MSA	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, DIO, MSA	
r 13(1)	Duty to publish notice of amendments to road management plan	CAP, DIO, MSA	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, DIO, MSA	
r 16(3)	Power to issue permit	CES, CWME, DIO, MES, OPM	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	CES, CWME, DIO, MES, OPM	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	CES, DIO, MES, MSA	Where Council is the coordinating road authority

Road Management (General) Regulations 2016			
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	CES, CFO, DIO, MES, MFCP, MSA	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	CCW, CES, CWME, DIO, MES, OPM	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))	CCW, CES, CWME, DIO, MES, OPM	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	CES, CFO, DIO, MES, MFCP, OPM	
Road Management (Works and Infrastructure) Regulations 2015			
Note: these regulations commenced on 20 June 2015, replacing the Roads Management (works & infrastructure) Regulations 2005, which expired on 21 June 2015.			
Provision	Item 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	CES, CWME, DIO, MES, OPM	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	CES, CWME, DIO, MES, OPM	Where Council is the coordinating road authority