

COUNCIL MEETING AGENDA 2023/CM11 Monday 21 August 2023



THE COUNCIL MEETING

Welcome to this Meeting of the Frankston City Council

The Council appreciates residents, ratepayers and other visitors taking their places in the Public Gallery, as attendance demonstrates an interest in your Council and community affairs. Community spirit is encouraged.

This information sheet is designed to help you to understand the procedures of Council and help you to gain maximum value from your attendance.

The law regarding the conduct of Council meetings enables the public to observe the session. However, to ensure the manageability of Council meetings, opportunities for public participation are limited to Question Time and registered submissions in accordance with Council's guidelines, which are available from Council's Councillors Office (call 9768 1632) and on our website, www.frankston.vic.gov.au. It is not possible for any visitor to participate in any Council debate unless specifically requested by the Chairperson to do so.

If you would like to have contact with Councillors or Officers, arrangements can be made for you to do so separately to the meeting. Call the Councillors Office on 9768 1632 and ask for the person you would like to meet with, to arrange a time of mutual convenience.

When are they held?

Generally speaking, the Council meets formally every three (3) weeks on a Monday and meetings start at 7.00 pm, unless advertised otherwise. **This Council Meeting will be held in the Council Chambers, Frankston Civic Centre, 30 Davey Street (entry via Young Street).** Livestream footage can be viewed via our website, www.frankston.vic.gov.au.

Council meeting dates are posted at Young Street entrance to the Civic Centre (upper level) and also on our website, www.frankston.vic.gov.au.

Frankston City Council Governance Rules (adopted 31 August 2020 and amended 5 September 2022)

25. Chair's Duty

Any motion which is determined by the *Chair* to be:

- 25.1 *defamatory of or embarrassing to any Councillor, member of Council staff or other person;*
- 25.2 *abusive or objectionable in language or nature;*
- 25.3 *a direct negative of the question before the Chair;*
- 25.4 *vague or unclear in intention;*
- 25.5 *outside the powers of Council; or*
- 25.6 *irrelevant to the item of business on the agenda and has not been admitted as*

79. Chair May Remove

- 79.1 *The Chair may order and cause the removal of any person, including a Councillor, who disrupts any meeting or fails to comply with a direction given under sub-Rule 78.2, or cause the removal of any object or material that is deemed by the Chair as being objectionable or disrespectful.*
- 79.2 *Any person removed from the meeting under sub-Rule 79.1 must not return to the meeting without the approval of the Chair or Council.*

It is intended that this power be exercisable by the Chair, without the need for any Council resolution. The Chair may choose to order the removal of a person whose actions immediately threaten the stability of the meeting or wrongly threatens his or her authority in chairing the meeting.

The Governance Local Law 2020 creates the following offences in relation to behaviour at Council meetings:

- Refusing to leave a meeting when requested to do so by the Chair (following improper or disorderly conduct)
- Failing to comply with a direction of the Chair

Each of these offences carries a penalty of 2 penalty units.

Live Streaming of Council Meetings

Frankston City Council is now Live Streaming its Council Meetings.

Council is encouraging residents to view the meetings via the live streaming.

Live Streaming allows you to watch and listen to the meeting in real time, giving you greater access to Council decision making and debate and improving openness and transparency.

Every care will be taken to maintain privacy and, as far as practically possible, it is not intended that there be either live or recorded footage of the public or Media personnel, however, there might be incidental capture; for example footage of a person exiting the building depending on which camera is being used at the time, or audio recording of a person who interjects the meeting. Council officers who address Council will be heard on the live audio stream, and audio of them speaking will be recorded.

As per Council's Governance Rules 77.2 – the proceedings will be live streamed and recordings of the proceedings will be retained and will be published on Council's website within 24 hours from the end of the meeting.

Council will make every reasonable effort to ensure that a live stream and recording is available. However technical difficulties may arise in relation to live streaming or access to Council's website.

Appropriate signage will be placed at the entrance to the meeting location notifying all attendees that the meeting will be streamed live and recorded. Please note that it is not intended that public speakers will be visible in a live stream of a meeting and care is taken to maintain a person's privacy as an attendee in the gallery, however they may be unintentionally captured in the recording. If public speakers do not wish to be audio recorded they will need to contact the Councillors Office on telephone (03) 9768 1632 or via email councillors.office@frankston.vic.gov.au to discuss alternative options prior to the meeting.

The Council Meeting cont.....

In the event Council encounters technical issues with the livestreaming, the meeting will be adjourned for up to 30 minutes until the matter is resolved. If the matter cannot be resolved, the meeting will be postponed to another evening.

The Formal Council Meeting Agenda

The Council meeting agenda is available for public inspection immediately after it is prepared, which is normally on the Thursday afternoon two (2) business days before the meeting. It is available from the Reception desk at the Civic Centre (upper level), on our website www.frankston.vic.gov.au or a copy is also available for you in the chamber before the meeting.

The following information is a summary of the agenda and what each section means:-

- **Items Brought Forward**

These are items for discussion that have been requested to be brought forward by a person, or a group of people, who have a particular item on the Agenda and who are present in the Public Gallery.

- **Presentation of Written Questions from the Gallery**

Question Time forms are available from the Civic Centre and our website, www.frankston.vic.gov.au.

“Questions with Notice” are to be submitted before 12 noon on the Friday before the relevant Ordinary Meeting either in person at the Frankston Civic Centre, online using the Question Time web form or via email to questions@frankston.vic.gov.au.

“Questions without Notice” are to be submitted between 12 noon on the Friday before the relevant Ordinary Meeting up until 4pm on the day of the relevant Council Meeting either in person via the designated Question Time box located at the Frankston Civic Centre front reception or the after-hours mail box or via email to questions@frankston.vic.gov.au.

A maximum of 3 questions may be submitted by any one person at one meeting. There is no opportunity to enter into debate from the Gallery.

More detailed information about the procedures for Question Time is available from Council’s Councillors Office (call 9768 1632) and on our website, www.frankston.vic.gov.au.

- **Presentation of Petitions and Joint Letters**

These are formal requests to the Council, signed by a number of people and drawing attention to matters of concern to the petitioners and seeking remedial action from the Council. Petitions received by Councillors and presented to a Council meeting are usually noted at the meeting, then a report is prepared for consideration at the next available meeting.

- **Presentation of Reports**

Matters requiring a Council decision are dealt with through officer reports brought before the Council for consideration. When dealing with each item, as with all formal meeting procedures, one Councillor will propose a motion and another Councillor will second the motion before a vote is taken. If the members of the public wish to clarify any of the items on the Agenda, please contact the relevant manager by phoning 1300 322 322.

- **Presentation of Delegate Reports**

A Councillor or member of Council staff who is a delegate may present to Council on the deliberations of the external body, association, group or working party in respect of which he or she is a delegate or an attendee at a Council approved conference / seminar.

- **Urgent Business**

The Council Meeting cont.....

These are matters that Councillors believe require attention and action by Council. Before an item can be discussed, there must be a decision, supported by the majority of Councillors present, for the matter to be admitted as "Urgent Business".

- **Closed Meetings**

Because of the sensitive nature of some matters, such as personnel issues, contractual matters or possible legal action, these matters are dealt with confidentially at the end of the meeting.

Opportunity to address Council

Any person who wishes to address Council must pre-register their intention to speak before 4.00pm on the day of the meeting, by telephoning Council's Councillors Office (call 9768 1632) or by submitting the online web form or by using the application form both available on the website, www.frankston.vic.gov.au.

The submissions process is conducted in accordance with guidelines which are available from Council's Councillors Office and on our website. All submissions will be limited to 3 minutes in duration, except for Section 223 submitters, who have a maximum of 5 minutes. No more than ten (10) members of the public are to be permitted to address the Council. Further speakers will be permitted to address the meeting at the discretion of the Chair. All speakers need to advise if they are speaking on behalf of an organisation and it is deemed that they have been appropriately authorised by that said organisation.

Public submissions and any subsequent discussion will be recorded as part of the meeting. The proceedings will be live streamed and recordings of Council meetings will be made available to members of the public within 24 hours of the meeting.

Members of the public who address the Council will be heard on the live stream and audio of them speaking will be recorded. It is not intended that submitters or members of the public in the gallery will be visible in the live streaming or recording of the meeting. If a submitter does not wish to be recorded they must advise the Chair at the commencement of their public submission or prior to the Council Meeting.

Disclosure of Conflict of Interest

If a Councillor considers that they have, or might reasonably be perceived to have, a direct or indirect interest in a matter before the Council or a special committee of Council, they will declare their interest and clearly state its nature before the matter is considered. This will be done on every occasion that the matter is considered by the Council or special committee.

If a Councillor has an interest in a matter they will comply with the requirements of the Local Government Act, which may require that they do not move or second the motion and that they leave the room in which the meeting is being held during any vote on the matter and not vote on the matter.

If a Councillor does not intend to be at the meeting, he or she will disclose the nature of the interest to the Chief Executive Officer, Mayor or Chairperson prior to the meeting commencing.

MAYOR



NOTICE PAPER

ALL COUNCILLORS

NOTICE is hereby given that a Council Meeting of the Council will be held at the Civic Centre, Davey Street, Frankston, on 21 August 2023 at 7.00 pm.

COUNCILLOR STATEMENT

All members of this Council pledge to the City of Frankston community to consider every item listed on this evening's agenda:

- *Based on the individual merits of each item;*
- *Without bias or prejudice by maintaining an open mind; and*
- *Disregarding Councillors' personal interests so as to avoid any conflict with our public duty.*

Any Councillor having a conflict of interest in an item will make proper, prior disclosure to the meeting and will not participate in the debate or vote on the issue.

OPENING WITH PRAYER

Almighty God, we ask for your blessing upon this Council. Direct and prosper its deliberations to the advancement of your glory and the true welfare of the people of Frankston City. Amen.

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

I acknowledge the Traditional Custodians of the land on which we meet today, the Bunurong People of the Kulin Nation, and pay my respect to Elders past, present and future. I would like to extend that respect to Elders of other communities who may be here today.

BUSINESS

- 1. APOLOGIES**
- 2. COUNCILLOR APPRECIATION AWARDS**
 - 2.1 Councillor Appreciation Award to BAM Arts Inc
- 3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**
Council Meeting No. CM10 held on 31 July 2023.
- 4. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST**
- 5. PUBLIC QUESTIONS**
- 6. HEARING OF SUBMISSIONS**
- 7. ITEMS BROUGHT FORWARD**
- 8. PRESENTATIONS / AWARDS**
- 9. PRESENTATION OF PETITIONS AND JOINT LETTERS**
- 10. DELEGATES' REPORTS**
- 11. CONSIDERATION OF CITY PLANNING REPORTS**
 - 11.1 Statutory Planning Progress Report - June 2023.....2
- 12. CONSIDERATION OF REPORTS OF OFFICERS**
 - 12.1 Governance Matters Report for 21 August 2023.....38
 - 12.2 Adoption of Mobile Food Van Procurement Guidelines.....262
 - 12.3 Award of Contract CN11141 - Native Vegetation Maintenance Panel.....298
 - 12.4 Award of Contract CN11129 - Building Services Panel.....302
- 13. RESPONSE TO NOTICES OF MOTION**
- 14. NOTICES OF MOTION**
- 15. REPORTS NOT YET SUBMITTED**
- 16. URGENT BUSINESS**
- 17. CONFIDENTIAL ITEMS**

Phil Cantillon

CHIEF EXECUTIVE OFFICER

16/08/2023

Executive Summary

11.1 Statutory Planning Progress Report - June 2023

Enquiries: (Sam Clements: Communities)

Council Plan

Level 1:	4. Well Planned and Liveable City
Level 2:	4.1 Integrate land use planning and revitalise and protect the identity and character of the City

Purpose

To provide Council with an update on the exercise of planning delegations by Council officers for the month of June 2023.

Recommendation (Director Communities)

That Council:

1. Receives the Statutory Planning Progress Report for the month of June 2023;
2. Notes in the month of June, 84% of applications determined were within the statutory timeframe, above the target of 70%;
3. Notes in the 2022-2023 Financial Year overall, 70% of applications were decided within the statutory timeframe. Over the course of the financial year, the outstanding volume of applications has been reduced from 359 in July 2022 to 251 in June 2023, which has been achieved through progressive efforts to fill staff vacancies and the assistance of additional resourcing;
4. Notes the work of the Major Development Coordinator and other Council officers in improving the efficiency by which major planning applications in the Frankston City Centre and other locations in the municipality are considered; and
5. Resolves that Attachment B (Major Development Updates) remain confidential indefinitely on the grounds that it contains land use planning information and private commercial information (*Local Government Act 2023, s.3(1)(c) and (g)*). These grounds apply because it contains private information and would, if prematurely released, impact the reputation of Councillors and Council.

Key Points / Issues

Statutory Planning Progress Report

- This report is provided in accordance with Council's resolution of 29 January 2018 requiring that:
Council receives Town Planning Progress Reports no later than two months after the cessation of a given months.
- The report provides Council with an update on the exercise of planning delegations by Council officers on the following items:
 - Planning applications received;
 - Planning decisions;
 - Subdivision applications received;
 - Subdivision decisions;
 - VCAT appeal register; and

11.1 Statutory Planning Progress Report - June 2023**Executive Summary**

- VCAT decisions.
- In June 2023, eighty-three applications for planning permits, amendments to permits and consents were received, and ninety-one (91) applications determined. A total of 84% of permit decisions were made within the statutory timeframe. The percentage determined within timeframe was above the target of 70%.
- As at the time of preparation of this report, there are 251 undecided planning permits, amendment to planning permits, and plan approval applications currently with Council.
- During the period 11 decisions related to multi-dwelling applications. Four of these applications complied with the Multi-Dwelling Visitor Car Parking Guidelines.
- Four VCAT decisions were reported during the period.
- At the start of the Financial Year, Council had a high number of outstanding applications (359 at July 2022), a number of staff vacancies, and a consequently lower number of applications being determined within the statutory timeframe (60% in July 2022). Council's officers have progressively worked to fill out the team with new staff, and with the assistance of additional resourcing during 2022-2023, progressively reduced the volume of outstanding applications from 359 to 251, as at the date of this report. The percentage of applications determined within the statutory timeframe has also increased from 60% to 84%. Indeed, the percentage of applications determined within the statutory timeframe averaged 83% during the fourth quarter of the financial year, well above target. The team is now well placed to make further improvements to service quality to drive better outcomes for the community.
- Also included in this progress report is the list of 'Major Development Updates' at Attachment B for Council's reference. As agreed with Council, the purpose of providing this report is to enable Councillors to understand progress on current or future major applications and potential timings for decision making.

Financial Impact

Where a party seeks review of Council's decision at the Victorian Civil and Administrative Tribunal, Council will incur representation costs. Often, Council is represented by its officers and these costs are managed within Council's adopted budget. However, where a matter is complex or involves legal issues, or where Council decides an application at variance with the officer's recommendation, an external representative will be engaged. The type and cost of the representative engaged will vary depending on the nature of the application and issues in contention.

Indicatively, costs to engage a planning consultant representative for a VCAT case typically range between \$4,000 and \$8,000 (depending on hearing length), and between \$10,000 and \$50,000+ for legal representation (again, depending on hearing length and potential engagement of expert witnesses).

11.1 Statutory Planning Progress Report - June 2023**Executive Summary****Consultation**

This report provides details of all planning applications and decisions that are required to be considered in accordance with the Frankston Planning Scheme and the Planning and Environment Act (1987).

Consultation occurs with the community as part of the planning process of each application that requires public advertising.

Analysis (Environmental / Economic / Social Implications)

This report does not result in any identified environmental, economic or social impacts.

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

The Charter of Human Rights and Responsibilities has been considered in the preparation of this report but is not relevant to the content of the report.

Legal

No legal implications.

Policy Impacts

No policy impacts.

Officer's Declaration of Interests

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

Risk Mitigation

There are no identified risks noted in relation to the preparation of this report.

Conclusion

This report provides Council with an overview of the activities and decisions made on planning applications in the month of June 2023.

ATTACHMENTS

Attachment A: [↓](#) Statutory Planning - Progress Report - June 2023

Attachment B: Councillor Major Development Updates - June 2023 -
CONFIDENTIAL

Progress Report – Planning Applications Received				
For The Application Date: From 1/06/2023 To 30/06/2023				
Application No	Ward	Property Address	Application Description	Date
93/2023/P/VS	North-East	2 Bushy Court, Langwarrin 3910	To construct an outbuilding and crossover within the Tree Protection Zone of Substantial tree within a Significant Landscape Overlay Schedule 1 (SLO1)	1/06/2023
418/2023/P	North-East	21-23 Colemans Road, Carrum Downs 3201	Re-align the Common Boundary along median of existing wall and removal of easement E-5 on PS544071R	5/06/2023
421/2023/P	North-East	97 Ballarto Road, Carrum Downs 3201	To construct a double storey dwelling adjacent to an existing dwelling and to subdivide the land into two (2) lots in a General Residential Zone (RIZ) and to subdivide land and create and alter access to a road in a Transport Zone 2	6/06/2023
431/2023/P	North-East	100 Ballarto Road, Carrum Downs 3201	To construct building and works to an existing building	6/06/2023
435/2023/P	North-East	5 Tasman Court, Carrum Downs 3201	To construct two (2) double storey dwellings to the rear of the existing dwelling (three (3) dwellings) in a General Residential Zone (GRZ). To demolish an existing garage and construct a new attached garage to the existing dwelling on the site.	8/06/2023
99/2023/P/VS	North-East	13 Flinders Chase, Sandhurst 3977	To remove one (1) substantial tree in an Significant Landscape Overlay Schedule 2 (SLO2)	9/06/2023
447/2023/P	North-East	30 Bellbird Court, Langwarrin 3910	Buildings and works to an existing dwelling within a Low Density Residential Zone (LDRZ) and a Design and Development Overlay Schedule 4 (DDO4)	14/06/2023
107/2023/P/VS	North-East	110 Frankston Gardens Drive, Carrum Downs 3201	To construct buildings and works in an Industrial 1 Zone (IN1Z)	19/06/2023
478/2023/P	North-East	36 Apple Berry Avenue, Langwarrin 3910	To subdivide the land into fifteen (15) lots in a General Residential Zone (GRZ)	20/06/2023
475/2023/P	North-East	24 Edward Street, Langwarrin 3910	To construct four (4) double storey dwellings on a lot in a General Residential Zone (R1Z)	21/06/2023
108/2023/P/VS	North-East	7 Duiker Court, Langwarrin 3910	To construct a building in an Industrial 1 Zone (IN1Z)	21/06/2023

110/2023/P/VS	North-East	52 Grassmere Road, Langwarrin 3910	To construct an outbuilding in a Design and Development Overlay Schedule 4 (DDO4) and to construct works within the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 1 (SLO1)	23/06/2023
North East Ward - 12				
94/2023/P/VS	North-West	161 McMahons Road, Frankston 3199	To construct buildings and works associated with a Section 2 use in a General Residential Zone 1 (GRZ1) and in a Special Building Overlay (SBO)	1/06/2023
96/2023/P/VS	North-West	47 Campbell Street, Frankston 3199	Two (2) lot subdivision in a General Residential Zone (GRZ)	1/06/2023
97/2023/P/VS	North-West	1 Kananook Avenue, Seaford 3198	Two (2) lot subdivision in a General Residential Zone (GRZ)	1/06/2023
414/2023/P	North-West	Shop 4/129-133 Beach Street, Frankston 3199	To use the land to sell and consume liquor (Restaurant and Cafe Licence)	5/06/2023
416/2023/P	North-West	29 Stanley Street, Frankston 3199	To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	5/06/2023
427/2023/P	North-West	14 Bragge Street, Frankston 3199	To subdivide the land into six (6) lots in a Residential Growth Zone (RG1Z), Design and Development Overlay Schedule 12 (DDO12) and Special Building Overlay (SBO)	5/06/2023
433/2023/P	North-West	1-3, 4 & 5 Wells Road, Seaford 3198	To remove a sewer easement from Lot 1 PS339231Q and consolidate four (4) lots in an Industrial 1 Zone (IN1Z)	8/06/2023
432/2023/P	North-West	18-20 Kookaburra Street, Frankston 3199	To use the land as an indoor recreation facility, to construct buildings and works to an existing building and to erect and display business identification signage in a Commercial 2 Zone (C2Z)	8/06/2023
434/2023/P	North-West	196 Nepean Highway, Seaford 3198	To construct two (2) triple storey dwellings and four (4) double storey dwellings (six (6) dwellings on a lot) within a General Residential Zone 3 (GRZ3), to construct buildings and works in a Land Subject to Inundation Overlay (LSIO) and Design and Development Overlay Schedule 6 (DDO6) and alteration to access to a road in a Transport Zone 2 (TRZ2)	13/06/2023

448/2023/P	North-West	6 Forest Drive, Frankston North 3200	Three (3) lot subdivision and creation of easements in a General Residential Zone (GRZ)	13/06/2023
101/2023/P/VS	North-West	12C Kananook Avenue, Seaford 3198	To construct a single storey dwelling in a Special Building Overlay (SBO)	13/06/2023
450/2023/P	North-West	11 Minton Drive, Frankston 3199	To construct a front fence in a Special Building Overlay (SBO)	15/06/2023
476/2023/P	North-West	105 Austin Road, Seaford 3198	To construct four (4) double storey dwellings in a General Residential Zone (GRZ)	15/06/2023
463/2023/P	North-West	21 Brunel Road, Seaford 3198	To subdivide the land into three (3) lots in a General Residential Zone (GRZ)	16/06/2023
104/2023/P/VS	North-West	2B Wisewould Avenue, Seaford 3198	To construct an extension to an existing dwelling (verandah)	16/06/2023
106/2023/P/VS	North-West	131 Fortescue Avenue, Seaford 3198	To subdivide the land into two (2) lots in a General Residential Zone (GRZ) and a Special Building Overlay (SBO)	16/06/2023
462/2023/P	North-West	48 Railway Parade, Seaford 3198	To construct four (4) double storey dwellings on a lot in a General Residential Zone (GRZ)	19/06/2023
109/2023/P/VS	North-West	16 Fortescue Avenue, Seaford 3198	To subdivide the land into two (2) lots in a General Residential Zone (GRZ)	20/06/2023
473/2023/P	North-West	5 Webb Street, Seaford 3198	To construct four (4) double storey dwellings on a lot in an General Residential Zone (R1Z)	21/06/2023
477/2023/P	North-West	14 Elliott Street, Seaford 3198	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) and to subdivide the land into two (2) lots in a General Residential Zone (R1Z) and Special Building Overlay (SBO).	22/06/2023
506/2023/P	North-West	55 Brunel Road, Seaford 3198	To construct building and works (seven (7) warehouses) within an Industrial 1 Zone (IN1Z) and reduce the number of car parking spaces required under Clause 52.06 of the Frankston Planning Scheme	29/06/2023
505/2023/P	North-West	3-5 Rutherford Road, Seaford 3198	To construct building and works to an existing building and change of access to a road in a Transport Zone 2 under Clause 52.29 in an Industrial 1 Zone (IN1Z)	29/06/2023
496/2023/P	North-West	7 Attunga Crescent, Seaford 3198	To construct three (3) dwellings (two double-storey and one-single storey) within a General Residential Zone 1 (GRZ)	30/06/2023
North-West Ward - 23				

158/2022/P/VS	South	28 Beach Street, Frankston 3199	Buildings and works to the façade of a shopping centre in a Commercial 1 Zone.	1/06/2023
417/2023/P	South	8 Bader Court, Frankston South 3199	To subdivide the land into two (2) lots in a General Residential Zone (R1Z) and Design and Development Overlay Schedule 9 (DDO9).	2/06/2023
442/2023/P	South	67 Highfield Drive, Langwarrin South 3911	To construct an outbuilding within a Low Density Residential Zone (LDRZ) and Design and Development Overlay Schedule 4 (SLO4)	8/06/2023
58/2023/P/VS	South	109 Overport Road, Frankston South 3199	To remove one (1) substantial tree in a Significant Landscape Overlay Schedule 3 (SLO3)	9/06/2023
100/2023/P/VS	South	195 Humphries Road, Frankston South 3199	To remove one (1) tree in an Significant Landscape Overlay Schedule 3 (SLO3)	12/06/2023
440/2023/P	South	6 Lomatia Close, Frankston South 3199	Buildings and works to an existing dwelling in a General Residential Zone 1 (GRZ1)	13/06/2023
103/2023/P/VS	South	27 Tristania Street, Frankston South 3199	To remove one (1) tree in a Significant Landscape Overlay Schedule 4 (SLO4)	13/06/2023
102/2023/P/VS	South	1 Wattle Drive, Frankston 3199	Plan to put an expanding container/granny flat pre made. Where the double carport currently in. There will be still room for 2 car parks. This will be to house my daughter, who is currently renting but can no longer afford. They can't share with others due to allergies.	14/06/2023
464/2023/P	South	20 Seaview Road, Frankston South 3199	To construct one (1) single storey dwelling in front of the existing dwelling (two (2) dwellings) in a General Residential Zone (GRZ), to construct buildings and works in a Design and Development Overlay Schedule 1 (DDO1) and to construct buildings and works in the Tree Protection Zone of substantial tree(s) in a Significant Landscape Overlay Schedule 3 (SLO3).	15/06/2023
105/2023/P/VS	South	4 Murndal Court, Frankston South 3199	To construct building and works (deck) within the TPZ of a significant tree in a Significant Landscape Overlay Schedule 4 (SLO4)	18/06/2023
472/2023/P	South	10 McComb Boulevard, Frankston South 3199	Extension to an existing dwelling in a Design and Development Overlay Schedule (DDO9)	21/06/2023
481/2023/P	South	1-3/144 Cranbourne-Frankston Road & 1-2/2 John Street, Langwarrin 3910	To construct one (1) single dwelling per lot (total five (5) dwellings) and remove two (2) trees in a Heritage Overlay (HO34)	21/06/2023

488/2023/P	South	4 Villiers Street, Frankston South 3199	To remove substantial trees in a Significant Landscape Overlay Schedule 4 (SLO4)	28/06/2023
500/2023/P	South	14 The Ridge, Frankston South 3199	To construct building and works to an existing dwelling in a Significant Landscape Overlay Schedule 6 (SLO6)	29/06/2023
112/2023/P/VS	South	4 Lawson Avenue, Frankston South 3199	To construct buildings and works associated with an existing dwelling in a General Residential Zone 1 (GRZ)	30/06/2023
South Ward - 15				
Total - 50				

Progress Report – Amendments to Planning Permits Received For The Application Date: From 1/06/2023 To 30/06/2023				
Application No	Ward	Property Address	Application Description	Date
132/2008/P/B	North-East	4 Sahra Grove, Carrum Downs 3201	Construct a factory and office	5/06/2023
103/2002/P/A	North-East	510 Hall Road, Skye 3977	Section 72 - Highway Service Centre	7/06/2023
135/2021/P/E	North-East	2A Brabham Way, Langwarrin 3910	Extension of time - To subdivide the land into seven (7) lot subdivision (Stage 5) in a Rural Conservation Zone (RCZ4)	9/06/2023
222/2021/P/C	North-East	6 Goshawk Court, Carrum Downs 3201	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	9/06/2023
661/2018/P/B	North-East	117 Lyrebird Drive, Carrum Downs 3201	Extension of Time - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	13/06/2023
7/2022/P/B	North-East	6 Pimmys Court, Skye 3977	Section 72 - To construct community care accommodation in a General Residential Zone (GRZ)	16/06/2023
381/2014/P/H	North-East	50 Aqueduct Road & 2/52 Aqueduct Road, Langwarrin 3910	Secondary Consent - The construction of nine dwellings, the construction of an extension (carport) to the existing dwelling and the removal of native vegetation	19/06/2023
162/2015/P/H	North-East	20 McCormicks Road, Skye 3977	Extension of time - To use the site for a primary school and advertising signage associated with the church and primary school	20/06/2023
227/2021/P/A	North-East	Buggy Tracks 75 Sandhurst Boulevard, Sandhurst 3977	Secondary Consent - To construct buildings and works (pergola and timber screens) within the existing outdoor area adjacent to the Sandhurst Club in a Comprehensive Development Zone Schedule 1 (CDZ1)	20/06/2023
11/2021/P/B	North-East	9 Gateway Drive, Carrum Downs 3201	Extension of time - To construct a warehouse in an Industrial 1 Zone (IN1Z)	21/06/2023
690/2022/P/A	North-East	66 Anthony Street, Langwarrin 3910	Section 72 - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings) on a lot within a General Residential Zone (GRZ) and to construct buildings and works in a Bushfire Management Overlay (BMO)	26/06/2023
North-East Ward - 11				

471/2019/P/C	North-West	3 Anderson Street, Frankston 3199	To construct three (3) double storey dwellings on a lot in a General Residential Zone (GRZ)	1/06/2023
441/2020/P/B	North-West	4 Austin Road, Seaford 3198	To construct two (2) single storey dwellings on a lot in a General Residential Zone (GRZ) and to construct and building and construct and carry out works in a Special Building Overlay (SBO)	2/06/2023
187/2023/P/A	North-West	1 & 2/32 Newton Street and 50R Clovelly Parade, Seaford 3198	Section 72 - To remove native vegetation under Clause 52.17 Native Vegetation of the Frankston Planning Scheme	6/06/2023
615/2007/P/G	North-West	163 Frankston-Dandenong Road, Frankston 3199	Section 72 - Development of twenty nine (29) dwellings and removal of native vegetation Amendment: - Amend the Endorsed Offset Management Plan - Amend Condition 17	13/06/2023
190/2020/P/B	North-West	29A Hadley Street, Seaford 3198	Extension of Time - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ), To construct buildings and works in a Special Building Overlay (SBO)	15/06/2023
357/2018/P/C	North-West	27 Havana Crescent, Frankston 3199	Extension of Time - Development of three (3) two (2) storey dwellings	20/06/2023
478/2020/P/A	North-West	19 Windoo Street, Frankston North 3200	Extension of Time - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	20/06/2023
33/2019/P/D	North-West	21 Wynden Drive, Frankston 3199	Extension of Time - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	21/06/2023
286/2023/P/A	North-West	92 Nepean Highway, Seaford 3198	Section 72 - To subdivide the land into five (5) lots in a General Residential Zone (R1Z) and a Design and Development Overlay Schedule 6 (DDO6)	21/06/2023
252/2018/P/C	North-West	13-15 Bouvardia Crescent, Frankston North 3200	Extension of Time - Construction of five double storey dwellings in the General Residential Zone, Buildings and works associated with accommodation in the Bushfire Management Overlay	26/06/2023
21/2021/P/E	North-West	67-68 Nepean Highway, Seaford 3198	Secondary Consent - To construct twelve (12) triple storey dwellings on a lot in a General Residential Zone (GRZ) and to construct and carry out works in a Design and Development Overlay Schedule 6 (DDO6)	26/06/2023

216/2017/P/C	North-West	49 Dandenong Road East, Frankston 3199	Extension of Time - Subdivision removing windmill reservation	27/06/2023
37/2021/P/C	North-West	2 Omaroo Road, Frankston 3199	Extension of Time - To construct two (2) double storey dwellings on a lot in a General Residential Zone (GRZ)	29/06/2023
North-West - 13				
44/2016/P/G	South	56 High Street, Frankston 3199	Construction of eight (8) two storey dwellings and one building for common use and to construct or carry out buildings and works greater than 7 metres in height in the Design and Development Overlay Schedule 6	5/06/2023
97/2021/P/C	South	28 Beach Street, Frankston 3199	To construct buildings and works to the existing shopping centre in a Commercial 1 Zone (C1Z)	7/06/2023
19/2023/P/A	South	6 Canning Street, Frankston South 3199	To construct buildings and works (garage and pool house) in a Design and Development Overlay Schedule 9 (DDO9).	9/06/2023
533/2017/P/E	South	159 Kars Street, Frankston South 3199	Section 72 - To construct a front fence (retrospective) and to construct buildings and works in association with extensions to an existing dwelling	13/06/2023
874/2022/P/A	South	8/145 Frankston-Flinders Road, Frankston 3199	Section 72 - To construct building and works in a Commercial 1 Zone (C1Z)	15/06/2023
241/2007/P/C	South	490 Warrandyte Road, Langwarrin South 3911	Section 72 - Alterations and additions to existing poultry processing facility	21/06/2023
699/2022/P/B	South	Sweetwater Creek Lower 28R Fenton Crescent, Frankston South 3911	Section 72 - To construct or carry out works within the Tree Protection Zone of substantial trees within the Significant Landscape Overlay Schedule 4 (SLO4)	26/06/2023
312/2018/P/E	South	15 West Road, Langwarrin South 3911	S72 - To construct an extension to an existing dwelling, two (2) outbuildings (shed and horse stables) , use of horse stables and remove one (1) native tree	27/06/2023
371/2018/P/D	South	17 Gweno Avenue, Frankston 3199	Secondary Consent - Extension and alterations to an existing dwelling exceeding 7m in height.	29/06/2023
South Ward - 9				
Total - 33				

Progress Report – Planning Application Decisions For The Application Date: From 1/06/2023 To 30/06/2023					
Application	Ward	Property Address	Application Description	Status	Date
719/2022/P	North-East	50 Lyrebird Drive, Carrum Downs 3201	To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ).	Permit Approved	8/06/2023
78/2020/P/VS	North-East	123 Hall Road, Carrum Downs 3201	Adjustment to existing easements providing carriageway and car parking to a third party and a reduction in car parking	Application Withdrawn	14/06/2023
67/2023/P/VS	North-East	2/75 Clifton Grove, Carrum Downs 3201	To construct buildings and works (mezzanine) to an existing building in an Industrial 1 Zone (IN1Z)	Permit Approved	15/06/2023
891/2022/P	North-East	64 Hillcrest Drive, Langwarrin 3910	To construct an outbuilding in a Design and Development Overlay Schedule 4 (DDO4), to remove and construct buildings and works in the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 1 (SLO1) and to remove native vegetation under Clause 52.17 Native Vegetation	Application Refused	27/06/2023
North-East Ward - 4					
2/2023/P	North-West	43 Kareela Road, Frankston 3199	Community Care Accommodation	Certificate of Compliance Approved	2/06/2023
763/2022/P	North-West	48 Fairway Street, Frankston 3199	To construct four (4) double storey dwellings in a General Residential Zone (R1Z).	Application Refused	2/06/2023
94/2023/P/VS	North-West	161 McMahons Road, Frankston 3199	To construct buildings and works associated with a Section 2 use in a General Residential Zone 1 (GRZ1) and in a Special Building Overlay (SBO)	Permit Approved	6/06/2023
96/2023/P/VS	North-West	47 Campbell Street, Frankston 3199	Two (2) lot subdivision in a General Residential Zone (GRZ)	Permit Approved	6/06/2023

343/2022/P	North-West	116-118 Dandenong Road West, Frankston 3199	To construct buildings and works including a building, associated works and internally illuminated business identification signage in a Commercial 2 Zone (C2Z) To alter access to a road in a Transport Zone 2 (TRZ2) To construct buildings and works including signage in a Public Acquisition Overlay Schedule 1 (PAO1)	Permit Approved	7/06/2023
849/2022/P	North-West	13 Forest Drive, Frankston North 3200	To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	Permit Approved	7/06/2023
670/2022/P	North-West	11 McRae Street, Seaford 3198	To construct two (2) double storey dwellings on a lot in a General Residential Zone (GRZ).	Permit Approved	7/06/2023
309/2023/P	North-West	125 Excelsior Drive, Frankston North 3200	To construct a single dwelling in a Bushfire Management Overlay Schedule 1 (BMO1)	Permit Approved	9/06/2023
791/2021/P	North-West	2/6 Jubilee Avenue, Seaford 3198	To construct one (1) single storey dwelling on a lot less than 300 square meters in a General Residential Zone (GRZ) and to construct one (1) dwelling within a Special Building Overlay Schedule (SBO).	Permit Approved	9/06/2023
286/2023/P	North-West	92 Nepean Highway, Seaford 3198	To subdivide the land into five (5) lots in a General Residential Zone (R1Z) and a Design and Development Overlay Schedule 6 (DDO6)	Permit Approved	9/06/2023
772/2022/P	North-West	9 Monterey Boulevard, Frankston North 3200	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	Permit Approved	16/06/2023
875/2022/P	North-West	7 Mereweather Avenue, Frankston 3199	To construct two (2) double storey dwellings to the side of the existing apartment building (contains four dwellings) and one dwelling (seven (7) dwellings) in a Mixed Use Zone (MUZ), Design Development Overlay Schedule 5 (DDO5) and Special Building Overlay (SBO)	Application Withdrawn	16/06/2023

97/2023/P/VS	North-West	1 Kananook Avenue, Seaford 3198	Two (2) lot subdivision in a General Residential Zone (GRZ)	Application Withdrawn	19/06/2023
401/2023/P	North-West	24 Centenary Street, Seaford 3198	To subdivide the land into eight (8) lots in a General Residential Zone (R1Z)	Permit Approved	20/06/2023
274/2023/P	North-West	30 Leonard Street, Frankston 3199	To construct a double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ).	Permit Approved	22/06/2023
129/2023/P	North-West	194 Seaford Road, Seaford 3198	To construct four (4) double storey dwellings on a lot in a General Residential Zone (GRZ), to construct buildings and works in a Special Building Overlay (SBO) and to alter access to a road in a Transport Zone 2	Permit Approved	22/06/2023
130/2022/P	North-West	7 Kelvin Avenue, Seaford 3198	To construct three (3) double storey dwellings in a General Residential Zone (GRZ).	Permit Approved	23/06/2023
786/2022/P	North-West	1A Neville Avenue, Seaford 3198	To construct two (2) double storey dwellings in a General Residential Zone (GRZ), a Special Building Overlay (SBO) and create access to a road in a Transport Zone 2.	Application Lapsed	26/06/2023
486/2022/P	North-West	18 Eel Race Road, Seaford 3198	To construct two (2) double storey dwellings on a lot in a General Residential Zone (GRZ)	Application Refused	27/06/2023
109/2023/P/VS	North-West	16 Fortescue Avenue, Seaford 3198	To subdivide the land into two (2) lots in a General Residential Zone (GRZ)	Permit Approved	28/06/2023
70/2023/P/VS	North-West	3 Silver Avenue, Frankston North 3200	Two (2) lot subdivision in a General Residential Zone (GRZ)	Permit Approved	28/06/2023
North-West Ward - 21					
513/2022/P	South	122 Overport Road, Frankston South 3199	To subdivide the land into two (2) lots in a General Residential Zone (GRZ) and Design and Development Overlay Schedule 1 (DDO1). To remove substantial trees and undertake works in a Significant Landscape Overlay Schedule 3 (SLO3).	Permit Approved	1/06/2023

824/2022/P	South	22 Bergman Road, Langwarrin 3910	To construct a single dwelling in a Bushfire Management Overlay (BMO), undertake buildings and works within 20 metres of a road frontage and 10 metres of another boundary in a Design and Development Overlay (DDO4) and to undertake works within the Tree Protection Zone of Substantial Trees within a Significant Landscape Overlay (SLO1)	Permit Approved	2/06/2023
31/2023/P	South	33 Leawarra Parade, Frankston 3199	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	Permit Approved	6/06/2023
292/2023/P	South	9 Gould Street, Frankston 3199	To subdivide the land into three (3) lots in a General Residential Zone (R1Z)	Permit Approved	6/06/2023
80/2023/P/VS	South	14 Baileyana Street, Frankston South 3199	To construct a domestic swimming pool in a Design and Development Overlay Schedule 9 (DDO9)	Permit Approved	7/06/2023
111/2023/P	South	30 Dunstan Street, Frankston South 3199	To construct buildings and works (extension and garage) in a Design and Development Overlay Schedule 9 (DDO9) and to construct buildings and works within the Tree Protection Zone of substantial trees in a Significant Landscape Overlay Schedule 4 (SLO4).	Permit Approved	8/06/2023
463/2022/P	South	6A Orchard Grove, Frankston South 3199	To construct one (1) double storey dwelling on a lot under 300 square metres in a General Residential Zone (R1Z), to construct buildings and works in a Design and Development Overlay Schedule 9 (DDO9) and to construct buildings and works in the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 4 (SLO4).	Permit Approved	8/06/2023
417/2023/P	South	8 Bader Court, Frankston South 3199	To subdivide the land into two (2) lots in a General Residential Zone (R1Z) and Design and Development Overlay Schedule 9 (DDO9).	Permit Approved	9/06/2023

45/2023/P/VS	South	4 Gulls Way, Frankston South 3199	To construct an extension to an existing dwelling (deck and pergola) in a Design and Development Overlay Schedule 2 (DDO2)	Application Lapsed	9/06/2023
58/2023/P/VS	South	109 Overport Road, Frankston South 3199	To remove one (1) substantial tree in a Significant Landscape Overlay Schedule 3 (SLO3)	Conditions approved	9/06/2023
158/2022/P/VS	South	28 Beach Street, Frankston 3199	Buildings and works to the façade of a shopping centre in a Commercial 1 Zone.	Secondary Consent Approved	13/06/2023
701/2022/P	South	24 Idon Avenue, Frankston South 3199	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ), to construct buildings and works in a Design and Development Overlay Schedule 9 (DDO9) and to construct buildings and works in the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 4 (SLO4)	Application Lapsed	14/06/2023
546/2022/P	South	10-12 Olive Grove, Frankston 3199	To construct twelve (12) double storey dwellings in a Residential Growth Zone Schedule 1 (RGZ1), Design and Development Overlay Schedule 12 (DDO12) and Special Building Overlay (SBO)	Application Lapsed	14/06/2023
858/2022/P	South	108 Foot Street, Frankston South 3199	To construct two (2) double storey dwellings on a lot in a General Residential Zone (GRZ) and Design and Development Overlay Schedule 9 (DDO9), to construct a front fence, to construct buildings and works in the tree protection zone of substantial trees and to remove substantial trees in a Significant Landscape Overlay Schedule 4 (SLO4)	Permit Approved	15/06/2023
731/2022/P	South	152 Gould Street, Frankston 3199	To construct a three storey dwelling with a height more than 7 metres in a Design and Development Overlay Schedule 6 (DDO6)	Application Refused	16/06/2023

112/2022/P	South	22 McComb Boulevard, Frankston South 3199	To construct three (3) double storey dwellings in a General Residential Zone (GRZ) to undertake buildings and works within Schedule 9 to the Design and Development Overlay (DDO9) and to undertake works within Schedule 4 to the Significant Landscape Overlay (SLO4)	Permit Approved	16/06/2023
254/2023/P	South	150 Weeroona Road, Langwarrin South 3911	To construct an outbuilding in a Design and Development Overlay Schedule 4 (DDO4) and the Bushfire Management Overlay (BMO)	Permit Approved	20/06/2023
102/2023/P/VS	South	1 Wattle Drive, Frankston 3199	Plan to put an expanding container/granny flat pre made. Where the double carport currently in. There will be still room for 2 car parks. This will be to house my daughter, who is currently renting but can no longer afford. They can't share with others due to allergies.	Application Withdrawn	21/06/2023
857/2022/P	South	7 Olsen Street, Frankston 3199	To use the land to sell packaged liquor and to erect and display business identification signage in a Commercial 1 Zone (C1Z)	Permit Approved	22/06/2023
85/2023/P/VS	South	26 Liddesdale Avenue, Frankston South 3199	To construct a domestic swimming pool in a Design and Development Overlay Schedule 9 (DDO9) and to carry out works in the Tree Protection Zone of substantial trees in a Significant Landscape Overlay Schedule 4 (SLO4).	Permit Approved	22/06/2023
77/2023/P/VS	South	13 Murawa Street, Frankston 3199	To subdivide the land into two (2) lots in a General Residential Zone (GRZ)	Permit Approved	22/06/2023
379/2023/P	South	43 Culcairn Drive, Frankston South 3199	To subdivide the land into six (6) lots in a General Residential Zone (GRZ).	Permit Approved	23/06/2023
369/2023/P	South	312 Centre Road, Langwarrin 3910	To construct buildings and works to an existing dwelling in a Design and Development Overlay Schedule 4 (DDO4)	Permit Approved	26/06/2023

625/2022/P	South	McMahons Reserve 19F McMahons Road, Frankston 3199	The development of buildings and works associated with community care accommodation located in a Mixed Use Zone (MUZ) and Special Building Overlay (SBO) and to alter access to a Transport Road Zone 2 (TRZ2)	Permit Approved	26/06/2023
83/2023/P/VS	South	143 Humphries Road, Frankston South 3199	To construct an outbuilding in a Design and Development Overlay Schedule 1 (DDO1), and carry out works within the Tree Protection Zone of Substantial Trees within a Significant Landscape Overlay Schedule 3 (SLO3)	Permit Approved	26/06/2023
367/2022/P	South	302-308 & 310 Nepean Highway, Frankston 3199	To use and construct a childcare centre, office and medical centre in a Mixed Use Zone (MUZ) To construct buildings and works in a Design and Development Overlay Schedule 5 (DDO5) and Land Subject to Inundation Overlay (LSIO) To create access to a road in a Transport Zone 2 (TRZ2)	Application Withdrawn	28/06/2023
309/2020/P	South	37 Alicudi Avenue, Frankston South 3199	To construct an extension to an existing dwelling and an outbuilding in a Design and Development Overlay Schedule 1 (DDO1). To construct buildings and works within the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 3 (SLO3).	Application Refused	28/06/2023
440/2023/P	South	6 Lomatia Close, Frankston South 3199	Buildings and works to an existing dwelling in a General Residential Zone 1 (GRZ1)	Application Withdrawn	29/06/2023
279/2023/P	South	2/24 Bembridge Avenue, Frankston South 3199	To construct a single dwelling and associated works in a Bushfire Management Overlay (BMO), Significant Landscape Overlay (SLO4) and Design Development Overlay (DDO9).	Application Withdrawn	29/06/2023
72/2023/P	South	63 Coogee Avenue, Frankston 3199	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	Permit Approved	29/06/2023

74/2023/P/VS	South	8 Kim Close, Frankston South 3199	To construct buildings and works (verandah) in a Design and Development Overlay Schedule 9 (DDO9)	Permit Approved	29/06/2023
South Ward - 31					
Total - 56					

Progress Report – Amendments to Planning Application Decisions For The Application Date: From 1/06/2023 To 30/06/2023					
Application	Ward	Property Address	Application Description	Status	Date
431/2019/P/D	North-East	2/91B Aqueduct Road, Langwarrin 3910	Secondary Consent - To construct two (2) double storey dwellings on a lot in a General Residential Zone (GRZ) and to carry out buildings and works in the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 1 (SLO1)	Secondary Consent Approved	2/06/2023
152/2018/P/J	North-East	57 McCormicks Road, Carrum Downs 3201	Secondary Consent - Use and development of a child care centre; associated business identification signage and access to a Road Zone 1.	Secondary Consent Approved	2/06/2023
647/2014/P/E	North-East	16 Paddington Avenue, Carrum Downs 3201	Extension of Time - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Extension of Time Approved	5/06/2023
82/2021/P/B	North-East	4 Fernwood Drive, Langwarrin 3910	Section 72 - To subdivide the land into two (2) lots in a General Residential Zone (GRZ)	Permit Approved	6/06/2023
512/2022/P/C	North-East	3 Turner Road, Langwarrin 3910	Secondary Consent - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	Secondary Consent Approved	9/06/2023
222/2021/P/C	North-East	6 Goshawk Court, Carrum Downs 3201	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	Secondary Consent Approved	16/06/2023
238/2008/P/C	North-East	48 Broderick Road, Carrum Downs 3201	Secondary Consent - Construct six (6) double storey and five (5) single storey dwellings	Secondary Consent Approved	19/06/2023
661/2018/P/B	North-East	117 Lyrebird Drive, Carrum Downs 3201	Extension of Time - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Extension of Time Approved	22/06/2023
162/2015/P/H	North-East	20 McCormicks Road, Skye 3977	Extension of time - To use the site for a primary school and advertising signage associated with the church and primary school	Extension of Time Approved	22/06/2023

152/2018/P/K	North-East	57 McCormicks Road, Carrum Downs 3201	Section 72 - Use and development of a child care centre; associated business identification signage and access to a Road Zone 1.	Permit Approved	23/06/2023
381/2014/P/H	North-East	50 Aqueduct Rd & 2/52 Aqueduct Rd, Langwarrin 3910	Secondary Consent - The construction of nine dwellings, the construction of an extension (carport) to the existing dwelling and the removal of native vegetation	Secondary Consent Approved	29/06/2023
300/2022/P/B	North-East	13 Quarrion Drive, Carrum Downs 3201	Secondary consent - To construct one (1) double storey dwelling to the rear of the existing dwelling and subdivide the land into two (2) lots in a General Residential 1 Zone (GRZ)	Secondary Consent Approved	29/06/2023
North-East Ward - 12					
338/2022/P/B	North-West	15 Park Street, Seaford 3198	Secondary Consent - To construct two (2) double storey dwellings on a lot in a General Residential Zone (GRZ).	Secondary Consent Approved	1/06/2023
11/2023/P/B	North-West	17 Catron Street, Seaford 3198	Secondary Consent - To construct one (1) double storey dwelling in a Land Subject to Inundation Overlay (LSIO).	Secondary Consent Approved	2/06/2023
16/2020/P/VS	North-West	159 Fortescue Avenue, Seaford 3198	Extension of Time - To construct an outbuilding and front fence in a Special Building Overlay (SBO)	Application Withdrawn	8/06/2023
378/2019/P/B	North-West	45 Fortescue Avenue, Seaford 3198	Section 72 - To construct one (1) single storey and one (1) double storey dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	Application Withdrawn	9/06/2023
680/2018/P/E	North-West	8 Lorna Street, Seaford 3198	Construction of three (3) double storey dwellings	Extension of Time Approved	14/06/2023
471/2019/P/C	North-West	3 Anderson Street, Frankston 3199	To construct three (3) double storey dwellings on a lot in a General Residential Zone (GRZ)	Extension of Time Approved	16/06/2023
132/2022/P/C	North-West	5 Hannah Street, Seaford 3198	Secondary consent - To construct two (2) double storey dwellings in a General Residential Zone and a Special Building Overlay (SBO)	Secondary Consent Approved	16/06/2023

190/2020/P/B	North-West	29A Hadley Street, Seaford 3198	Extension of Time - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ), To construct buildings and works in a Special Building Overlay (SBO)	Extension of Time Refused	19/06/2023
24/2022/P/VS	North-West	6 Elsie Avenue, Seaford 3198	Secondary Consent - To construct one (1) double storey dwelling in a Special Building Overlay (SBO)	Secondary Consent Approved	20/06/2023
441/2020/P/B	North-West	4 Austin Road, Seaford 3198	To construct two (2) single storey dwellings on a lot in a General Residential Zone (GRZ) and to construct and building and construct and carry out works in a Special Building Overlay (SBO)	Extension of Time Approved	23/06/2023
North-West Ward - 10					
120/2019/P/VS	South	193 Humphries Road, Frankston South 3199	Secondary Consent - To construct or carry out buildings or works in a Design and Development Overlay Schedule 1 (DDO1) and works within the Tree Protection Zone of a substantial tree in a Significant Landscape Overlay Schedule 3 (SLO3)	Secondary Consent Approved	2/06/2023
1020/2003/P/B B	South	3 Kite Place, Langwarrin 3910	Secondary consent - One hundred and thirty six (136) lot subdivision and associated vegetation removal	Secondary Consent Approved	8/06/2023
139/2020/P/D	South	19 Foot Street, Frankston 3199	Secondary consent - To construct three (3) double storey dwellings on two lots and common property in a General Residential Zone (GRZ) To subdivide the land from two lots into three (3) lots in a General Residential Zone (GRZ) and removal of carriageway easement.	Secondary Consent Approved	13/06/2023
150/2017/P/G	South	5 Crathie Court, Frankston 3199	Secondary Consent - To construct a total of fifteen (15) dwellings (three (3) single storey and twelve (12) double storey dwellings) and removal of native vegetation	Secondary Consent Refused	14/06/2023

229/2018/P/G	South	40-46 McMahons Road, Frankston 3199	Section 72 - Use and development of the land for a convenience shop and associated works to the existing car park to an existing service station, to use and develop the land for a restricted recreation facility (gymnasium), buildings and works and to use the land for a shop and an associated reduction in the number of car parking spaces required in the Parking Overlay Schedule 1.	Permit Approved	15/06/2023
484/2021/P/A	South	16 Ithaca Road, Frankston South 3199	Section 72 - To construct an extension to an existing dwelling and an outbuilding in a Design and Development Overlay Schedule 9 (DDO9) and to remove one substantial tree in a Significant Landscape Overlay Schedule 4 (SLO4)	Permit Approved	15/06/2023
19/2023/P/A	South	6 Canning Street, Frankston South 3199	To construct buildings and works (garage and pool house) in a Design and Development Overlay Schedule 9 (DDO9).	Secondary Consent Approved	16/06/2023
403/2022/P/B	South	64 Moorooduc Highway, Frankston South 3199	Secondary Consent - To construct alterations and additions to an existing dwelling in a Design and Development Overlay Schedule 1 (DDO1)	Secondary Consent Approved	16/06/2023
349/2020/P/A	South	2 Victoria Parade, Frankston 3199	Section 72 - To use and develop the land for two (2) rooming houses and a two (2) lot subdivision in a General Residential Zone (GRZ); to construct buildings and carry out works in a Design and Development Overlay Schedule 10 (DDO10)	Application Lapsed	21/06/2023
44/2016/P/G	South	56 High Street, Frankston 3199	Construction of eight (8) two storey dwellings and one building for common use and To construct or carry out buildings and works greater than 7 metres in height in the Design and Development Overlay Schedule 6	Extension of Time Approved	23/06/2023

640/2018/P/E	South	1 & 1/2 Plowman Place, Frankston 3199	Secondary Consent - The use and development of the land for a 9 storey building comprising of up to 79 apartments	Secondary Consent Approved	27/06/2023
352/2018/P/E	South	27 Wallace Avenue, Frankston 3199	Secondary consent - To construct two (2) double storey dwellings to the rear of the existing dwelling (three (3) dwellings) and undertake buildings and works to the existing dwelling	Secondary Consent Approved	27/06/2023
487/2021/P/B	South	58 Cliff Road, Frankston 3199	Section 72 - Buildings and works to an existing dwelling in a Design and Development Overlay Schedule 6 (DDO6) and Erosion Management Overlay Schedule 3 (EMO3).	Permit Approved	28/06/2023
South Ward – 13					
Total - 35					

Progress Report – Subdivision Application Received				
For The Application Date: 1/06/2023 To 30/06/2023				
<u>Application No</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Date</u>
64/2023/S	North-East	36 Apple Berry Avenue, Langwarrin 3910	Fifteen (15) lot subdivision in a General Residential Zone (GRZ)	20/06/2023
57/2023/S	North-West	47 Campbell Street, Frankston 3199	Two (2) lot subdivision in a General Residential Zone (GRZ)	1/06/2023
58/2023/S	North-West	1 Kananook Avenue, Seaford 3198	Two (2) lot subdivision in a General Residential Zone (GRZ)	1/06/2023
60/2023/S	North-West	14 Bragge Street, Frankston 3199	To subdivide the land into six (6) lots in a General Residential Zone (R1Z)	5/06/2023
117/2021/S/A	North-West	42 Hadley Street, Seaford 3198	Four (4) lot subdivision	8/06/2023
61/2023/S	North-West	1-3, 4 & 5 Wells Road, Seaford 3198	To consolidate four (4) lots within an Industrial 1 Zone (IN1Z)	8/06/2023
62/2023/S	North-West	6 Forest Drive, Frankston North 3200	Three (3) lot subdivision and creation of easements in a General Residential Zone (GRZ)	13/06/2023
63/2023/S	North-West	131 Fortescue Avenue, Seaford 3198	Two (2) lot subdivision in a General Residential Zone (GRZ)	16/06/2023
65/2023/S	North-West	16 Fortescue Avenue, Seaford 3198	Two (2) lot subdivision in a General Residential Zone (GRZ)	20/06/2023
59/2023/S	South	8 Bader Court, Frankston South 3199	Two (2) lot subdivision in a General Residential Zone (GRZ)	5/06/2023
66/2023/S	South	55A Warrandyte Road, Langwarrin 3910	Twenty Four (24) lot subdivision	29/06/2023
Total - 11				

Progress Report – Subdivision Decisions					
For The Application Date: From 1/06/2023 To 30/06/2023					
Application No	Ward	Property Address	Application Description	Status	Date
22/2021/S	North-East	4 Fernwood Drive, Langwarrin 3910	Two (2) lot subdivision	SOC Issued (M)	13/06/2023
55/2021/S	North-East	26 Brunnings Road, Carrum Downs 3201	Twenty seven (27) lot subdivision	Recertified	13/06/2023
163/2021/S	North-East	60 Yarralumla Drive, Langwarrin 3910	To subdivide the land into two (2) lots in a General Residential Zone (GRZ)	SOC Issued (M)	14/06/2023
116/2021/S	North-East	6 Wesley Close, Skye 3977	Eight (8) lot subdivision	SOC Issued (M)	16/06/2023
14/2023/S	North-East	30 Buontempo Road, Carrum Downs 3201	Two Lot Subdivision	SOC Issued (M)	21/06/2023
29/2022/S	North-East	16 Elm Grove, Langwarrin 3910	To subdivide the land into two (2) lots in a General Residential Zone (GRZ)	Certified	23/06/2023
51/2022/S	North-East	7 Northgateway, Langwarrin 3910	To subdivide the land into three (3) lots in a General Residential Zone (R1Z)	SOC Issued (M)	28/06/2023
99/2022/S	North-West	214 Frankston-Dandenong Road, Seaford 3198	To subdivide the land into three (3) lots in a General Residential Zone (GRZ)	SOC Issued (M)	16/06/2023
104/2021/S	North-West	1 Riversdale Avenue, Seaford 3198	Three (3) lot subdivision	Certification and SOC Issued	20/06/2023
116/2022/S	North-West	262-264 Seaford Road, Seaford 3198	Six (6) lot subdivision	Certification and SOC Issued	23/06/2023
108/2022/S	North-West	60 Fortescue Avenue, Seaford 3198	To subdivide the land into two (2) lots in a General Residential Zone (GRZ)	SOC Issued (M)	26/06/2023
38/2023/S	North-West	116 Dandenong Road West, Frankston 3199	Section 22 (Consolidation)	Certification and SOC Issued	28/06/2023

101/2022/S	South	13 Hopes Rise, Frankston South 3199	Boundary Re-Alignment	Certification and SOC Issued	7/06/2023
76/2022/S	South	667 Nepean Highway, Frankston South 3199	To subdivide the land into two (2) lots in a General Residential Zone (GRZ)	Certified	15/06/2023
54/2022/S	South	2 The Spur, Frankston South 3199	Two (2) lot subdivision in a General Residential Zone (GRZ).	Certified	22/06/2023
173/2021/S	South	9 Peter Chance Crescent, Langwarrin 3910	To subdivide the land into two (2) lots in a General Residential Zone (GRZ)	Certification and SOC Issued	23/06/2023
3/2022/S	South	86-88 Stotts Lane, Frankston South 3199	To subdivide the land into forty four (44) residential lots in a General Residential Zone (GRZ)	Certified	28/06/2023
Total - 17					

Town Planning Applications – Direction To Advertise Issued June 2023				
Application No	Ward	Property Address	Application Description	Application Date
754/2022/P	North-East	60 Valley Road, Langwarrin 3910	To use and develop the land for Extractive Industry (Sand Extraction) in a Rural Conservation Zone Schedule 2 (RCZ2)	28/10/2022
774/2022/P	North-East	60 Cadles Road, Carrum Downs 3201	To construct an extension to an existing dwelling and to construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	4/11/2022
65/2023/P	North-East	1461 Dandenong-Hastings Road, Langwarrin 3910	Buildings and works (extension to an existing dwelling) within the tree protection zone of a substantial tree in an Environmental Significance Overlay (ESO1) and a Significant Landscape Overlay (SLO1)	6/02/2023
265/2023/P	North-East	566 Frankston-Dandenong Road, Carrum Downs 3201	To use the existing building for a restricted recreation facility and to construct buildings and works (mezzanine) in an Industrial 1 Zone (IN1Z)	5/04/2023
152/2018/P/K	North-East	57 McCormicks Road, Carrum Downs 3201	Section 72 - Use and development of a child care centre; associated business identification signage and access to a Road Zone 1. Amendment: - Amend Condition 21 (Operating Hours)	8/05/2023
387/2023/P	North-East	520 Cranbourne-Frankston Road, Langwarrin 3910	To construct a single dwelling and associated outbuilding in a Rural Conservation Zone Schedule 1 (RCZ1)	22/05/2023
North-East Ward - 6				
390/2022/P	North-West	59 Park Street, Seaford 3198	To construct two (2) double storey dwellings and to subdivide the land into two (2) lots in a General Residential Zone (GRZ)	27/05/2022
867/2022/P	North-West	163 Frankston-Dandenong Rd & 7 Skye Rd, Frankston 3199	To construct buildings and works in a Special Use Zone Schedule 1 (SUZ1) and Special Building Overlay (SBO), to construct buildings and works and remove native vegetation in an Environmental Significance Overlay Schedule 1 (ESO1) and to remove native vegetation under Clause 52.17 Native Vegetation	7/12/2022

149/2023/P	North-West	2 Hartnett Drive, Seaford 3198	To use the land for a Medical Centre within an Industrial 1 Zone (Section 2 Use) and reduce the number of car parking spaces required under Clause 52.06-5 of the Frankston Planning Scheme	2/03/2023
486/2016/P/B	North-West	290 Seaford Road, Seaford 3198	Section 72 - To reduce the car parking requirements for a medical consulting rooms (dentist) Amendment: To construct an extension to the existing building and associated reduction in car parking	2/03/2023
182/2023/P	North-West	1 Hilton Court, Frankston 3199	To remove the restrictive covenant contained in Instrument of Transfer number C912119. To construct a front fence in a Special Building Overlay (SBO)	14/03/2023
196/2023/P	North-West	8 Lombard Way, Seaford 3198	To use and develop the land for two (2) retirement units in a General Residential Zone (GRZ)	20/03/2023
280/2023/P	North-West	16 Hodgins Crescent, Frankston North 3200	To construct one (1) single storey dwelling to the rear of an existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)	19/04/2023
281/2023/P	North-West	35 McCulloch Avenue, Seaford 3198	Buildings and works to an existing factory.	21/04/2023
389/2019/P/D	North-West	26 Cricklewood Avenue, Frankston 3199	Section 72 - To construct four (4) double storey dwellings on a lot in a General Residential Zone (GRZ)	1/05/2023
349/2023/P	North-West	3/4 New Street, Frankston 3199	Change of use in a Commercial 2 Zone (C2Z) for A Restricted indoor recreation facility.	10/05/2023
828/2022/P/A	North-West	Shop 37 Armstrongs Road, Seaford 3198	Section 72 - To use the land for the sale and consumption of liquor (Restaurant and Cafe Licence) in a Commercial 1 Zone (C1Z). Amendment: Amend Condition 3 (Liquor hours)	19/05/2023
North-West Ward - 11				
460/2022/P	South	14 John Street, Langwarrin 3910	To use and develop the land for a child care centre and to display business identification signage in a General Residential Zone (GRZ)	7/07/2022
749/2022/P	South	2/6 Lochaber Avenue, Frankston 3199	Construction of a dwelling on a lot less than 300 square metres in a General Residential Zone (GRZ).	27/10/2022

885/2022/P	South	11 Yamala Drive, Frankston South 3199	To construct buildings and works (double storey dwelling and outbuilding) in a Design and Development Overlay (DDO2), to remove substantial trees and to construct buildings and works in the Tree Protection Zone of substantial trees in a Significant Landscape Overlay Schedule 3 (SLO3). Note: This application is being re-advertised as a result of the revised plans that were lodged with Council. The main changes between the previously advertised plans and proposed plans include: - An increase in the extent of built form at the first floor	13/12/2022
130/2023/P	South	618 Nepean Highway, Frankston South 3199	Construction of a deck and spa in a Significant Landscape Overlay Schedule 3 (SLO3), Design and Development Overlay Schedule 2 (DDO2) and Erosion Management Overlay Schedule 1 (EMO1)	23/02/2023
191/2023/P	South	27 Franciscan Avenue, Frankston 3199	To construct a double storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) and subdivide the land into two (2) lots in a General Residential Zone (GRZ)	9/03/2023
211/2020/P/B	South	117 Humphries Road, Frankston South 3199	Section 72 - To construct, use and illuminate a private tennis court within the Tree Protection Zone of substantial trees and to remove two (2) substantial trees and sections of Cypress hedge in a Significant Landscape Overlay Schedule 3 (SLO3) Retrospective Amendments: - Relocation of two (2) tennis court light poles; and - Re-alignment of rear tennis court fencing.	14/03/2023
229/2023/P	South	48 Gould Street, Frankston 3199	To construct buildings and works to an existing dwelling exceeding 7 metres in height in a Design and Development Overlay Schedule 6 (DDO6)	28/03/2023
231/2023/P	South	Level 1, 434 Nepean Highway, Frankston 3199	To use of the land as 'indoor recreation facility' in Commercial 1 Zone and to use the land to sell and consume liquor (52.27)	30/03/2023

176/2021/P/A	South	21 Sussex Road, Frankston South 3199	<p>Section 72 - To construct one (1) double storey dwelling in a Design and Development Overlay Schedule 1 that exceeds a building height of 7m and to undertake buildings and works within the tree protection zone of two substantial trees in a Significant Landscape Overlay Schedule 3</p> <p>Amendments:</p> <ul style="list-style-type: none"> - Reduction in ground and first floors; - Increased side setbacks; - Minor increase of building height; - Relocation of deck to the rear; - Alteration to roof form; - Alteration to facade materials; - Minor internal rearrangements; and - Consequential alterations to fenestration design. 	27/04/2023
369/2023/P	South	312 Centre Road, Langwarrin 3910	To construct buildings and works to an existing dwelling in a Design and Development Overlay Schedule 4 (DDO4)	16/05/2023
South Ward - 10				
Total - 27				

Legend

10 or more dwellings:	Yellow
3 or more lot subdivisions:	Blue
3 or more storey development:	Green
Applications in the CAA:	Pink

Progress Report – Current VCAT Appeals June 2023									
<u>Appeal No</u>	<u>Application Number</u>	<u>Address</u>	<u>Proposal</u>	<u>Lodged at VCAT</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P115/2023	791/2021/P	2/6 Jubilee Avenue, Seaford	To construct one (1) single storey dwelling on a lot less than 300 square meters in a General Residential Zone (GRZ).	14/02/2023	Refusal	Applicant	VACATED	Set Aside	6/06/2023
P1471/2022	112/2022/P	22 McComb Boulevard, Frankston South	To construct three (3) double storey dwellings in a General Residential Zone (GRZ) to undertake buildings and works within Schedule 9 to the Design and Development Overlay (DDO9) and to undertake works within Schedule 4 to the Significant Landscape Overlay (SLO4)	1/11/2022	NOD	Objector	6/07/2023	Varied	15/06/2023
P1642/2022	130/2022/P	7 Kelvin Avenue, Seaford	To construct three (3) double storey dwellings in a General Residential Zone (GRZ).	7/12/2022	NOD	Objector	23/08/2023	Varied	21/06/2023
P54/2023	4/2022/COMP	4 Pildra Court, Seaford	Certificate of Compliance.	13/01/2023	Refusal	Applicant	2/05/2023	Set Aside	20/06/2023
P324/2022	167/2021/P	92 Cadles Road, Carrum Downs	To construct twenty two (22) dwellings on a lot in a General Residential Zone (GRZ) and to remove native vegetation under Clause 52.17 Native Vegetation of the Frankston Planning Scheme	27/04/2022	Refusal	Applicant	7/07/2023		
P1635/2022	329/2021/P	9 Bayview Road, Frankston	To construct two (2) double storey dwellings on a lot in a General Residential Zone (GRZ)	6/12/2022	NOD	Objector	25/10/2023		
P1750/2022	765/2021/P	446-450 Nepean Hwy, Frankston	Construction of a multi-storey mixed use development in a Commercial 1 Zone, Use of the land for Dwellings and Restricted Recreation Facility (Gym and Wellness Centre), alteration of access to a road	21/12/2022	NOD	Objector	19, 20, 21, 22 & 23 June 2023		

			within a Transport Zone 2, a reduction in carparking requirements at Clause 52.06 and the sale and consumption of liquor.						
P1663/2022	383/2022/P	4 Merinda Court, Frankston	To construct four (4) double storey dwellings on a lot in a General Residential Zone (GRZ)	11/12/2022	NOD	Objector	15/09/2023		
P121/2023	656/2022/P	38 McComb Boulevard, Frankston South	To construct two (2) double storey dwellings on a lot in a General Residential Zone (GRZ), to construct a front fence and construct buildings and works in the tree protection zone of substantial trees in a Significant Landscape Overlay Schedule 4 (SLO4) and to construct buildings and works in a Design and Development Overlay Schedule 9 (DDO9)	27/01/2023	NOD	Objector	26/10/2023		
P125/2023	548/2022/P	438-444 Nepean Highway, Frankston	Construction of a sixteen (16) storey building in a Commercial 1 Zone (B1Z), use of land for Dwellings, creation/alteration to access to a road in a Transport Zone 2 and reduction in car parking requirements under Clause 52.06 of the Frankston Planning Scheme	30/01/2023	Failure to Determine	Applicant	5, 6 & 7 July 2023		
P109/2023	773/2021/P	475 Baxter-Tooradin Road, Langwarrin South	To use the land for a poultry farm (production of free-range eggs) and building and works in a Rural Conservation Zone Schedule 1 (RCZ1).	25/01/2023	Review of Conditions	Applicant	17/07/2023		
P539/2023	389/2022/P	3 Coogee Avenue, Frankston	To construct four (4) double storey dwellings in a General Residential Zone (GRZ)	8/05/2023	Notice of Decision	Objector	13-14/12/2023		
P513/2023	19/2022/P	29 Moorhen Crescent, Carrum Downs	To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings on a lot) and to subdivide the land into two (2) lots in a General Residential Zone (GRZ) and Bushfire Management Overlay Schedule 1 (BMO1).	26/04/2023	Refusal	Applicant	11/09/2023		

P614/2023	110/2014/P/F	370 Ballarto Road, Skye	Extension of Time - To construct sixteen (16) double storey dwellings in association with the retention of the existing double storey dwelling (seventeen (17) dwellings).	15/05/2023	Refusal to Extension of Time	Applicant	22/08/2023		
P637/2023	298/2020/P	565 Cranbourne-Frankston Road, Langwarrin	Use the land for landscape gardening supplies and crop raising (section 2 uses) and for buildings and works associated with a section 2 use within a Rural Conservation Zone; Building within 100m of a Transport Zone 2 and land in a Public Acquisition Overlay under the Rural Conservation Zone; Buildings and works within the Tree Protection Zone of a substantial tree and within 5m of native vegetation under the Significant Landscape Overlay Schedule 1; and to create or alter access to a road in Transport Zone 2; and to land in a Public Acquisition Overlay where the transport manager is the acquiring authority for road purposes; under Clause 52.29.	30/05/2023	Refusal	Applicant	29-31/1/2024		
P694/2023	721/2022/P	490 Robinsons Road, Langwarrin South	To construct an outbuilding in a Design and Development Overlay Schedule 4 (DDO4) and a Bushfire Management Overlay Schedule 1 (BMO1) and buildings and works in the tree protection zone of a substantial tree in a Significant Landscape Overlay Schedule 1 (SLO1)	7/06/2023	Approved	Owner	1/02/2024		
P708/2023	657/2021/P	300 Frankston-Dandenong Road, Seaford	To subdivide the land into seventeen (17) lots in stages, to use and develop the land for warehouse, store (self-storage facility), four (4) convenience restaurants, restricted retail premises and restricted recreation facility (gym) in stages in an	19/06/2023	Approved	Applicant	14/11/2023		

			Industrial 1 Zone (IN1Z), to erect and display signage, to reduce the number of car spaces required under Clause 52.06-5 for the store and warehouse, to create and alter access to a road in a Transport Zone 2, to remove easements, to remove native vegetation under Clause 52.17 Native Vegetation						
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Progress Report – VCAT Determination – Policy Implications June 2023			
<u>Appeal No</u>	<u>Application No</u>	<u>Address</u>	<u>VCAT Determination – Policy Implications</u>
P115/2023	791/2021/P	2/6 Jubilee Avenue, Seaford	The applicant had sought a permit to construct a dwelling on land that was potentially subject to flooding. Melbourne Water objected to the granting of a planning permit on the basis that the proposed design did not comply with safety guidelines for development in flood affected areas. Council was obliged to refuse to issue a Permit given Melbourne Waters advice. Prior to the hearing, Melbourne Waters position changed, and it as agreed between all parties that Council’s decision could be set aside, and a permit issued.
P1471/2022	112/2022/P	22 McComb Boulevard, Frankston South	The applicant had sought permission to construct 3 double storey dwellings. Public notice was provided and objections received. Council’s officers determined to issue a Notice of Decision to Grant a Planning Permit. An objecting party sought review of Council’s decision. The permit applicant made changes to the plans and these were discussed at a Compulsory Conference before the VCAT. The parties agreed to the issuance of a permit with varied conditions, and this outcome was endorsed by the VCAT.
P1642/2022	130/2022/P	7 Kelvin Avenue, Seaford	The applicant had sought permission to construct 3 double storey dwellings. Public notice was provided and objections received. Council’s officers determined to issue a Notice of Decision to Grant a Planning Permit. An objecting party sought review of Council’s decision. A Compulsory Conference at the VCAT was scheduled, and at the conference the applicant tabled some potential amendments to the proposal. The parties then agreed to the issuance of a permit with varied conditions, and this outcome was endorsed by the VCAT.
P54/2023	4/2022/COMP	4 Pildra Court, Seaford	The applicant had sought a Certificate of Compliance from Council that a Rooming House (which was under construction) complied with the Frankston Planning Scheme and not did require a planning permit. Council officers considered advice and refused to issue the certificate sought, on the basis that the design did not meet particular tests to be exempt from a planning permit. The applicant sought review of Council’s refusal. Before the VCAT the matters in contest were refined to a key question as to whether external upper floor balcony areas (which were partly enclosed and roofed), should be considered to be part of the floor area of the Rooming House for the purpose of determining whether an exemption applied. The VCAT determined that the balcony areas should not be included within the calculation of floor area, and this meant that the Rooming House complied with exemption provisions. Council was directed to issue a Certificate of Compliance.

Executive Summary

12.1 Governance Matters Report for 21 August 2023

Enquiries: (Brianna Alcock: Corporate and Commercial Services)

Council Plan

Level 1:	6. Progressive and Engaged City
Level 2:	6.5 Support transparent and evidenced based decision making through sharing council data and clear reporting on our measures of success to the community

Purpose

To seek endorsement from Council on the recent Governance matters including current status of resolutions.

Recommendation (Director Corporate and Commercial Services)

That Council:

Council Resolution Status

1. Receives the Council Resolution Status update, including:
 - a. Notice of Motion Cost Summary and Notice of Motion Report for 21 August 2023;
 - b. Notes there are no open Urgent Business actions;
 - c. Notes there are no Notice of Motion actions reported as complete;
 - d. Notes since the Council Meeting, held on 31 July 2023, 9 resolution actions have been completed, as listed in the body of the report;
 - e. Notes there is one report delayed in its presentation Council:
 - Response to 2023/NOM3 - Hall of Fame Revival, delayed to 11 September 2023

Instrument of Delegations

2.
 - a. In the exercise of power conferred by the *Local Government Act 2020* and the other legislation referred to in the S6 Instrument of Delegation from Council to Members of Staff (Instrument), Resolves the powers, duties and functions specified in the Instrument be delegated to staff, subject to the conditions and limitations specified in the Instrument;
 - b. Authorises the Chief Executive Officer to sign the S6 Instrument of Delegation;
 - c. Notes:
 - i. The Instrument will come into force immediately upon signing and will remain in force until Council determines to vary or revoke the Instrument;
 - ii. When the Instrument comes into force, the previous Instrument, which was adopted by Council on 1 May 2023, will be revoked; and
 - iii. The powers, duties and functions set out in the Instrument are exercised in accordance with any guidelines or policies that Council may from time to time adopt;
 - d. Notes that in accordance with the recent updates issued by the Maddocks in July 2023, the S5 Instrument of Delegation from Council to the Chief Executive Officer is not required to be updated; and
3. Resolves that the Attachment C (Closed Actions since 31 July 2023) to remain confidential indefinitely on the grounds that they include confidential meeting

12.1 Governance Matters Report for 21 August 2023**Executive Summary**

information, being the records of meetings closed to the public under section 66(2)(a) (*Local Government Act 2020, s.3(1)(h)*) and that they include personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs (*Local Government Act 2020, s.3(1)(f)*) respectively.

Key Points / Issues**Background**

- In accordance with the Local Government Act 2020, Council's Governance Rules, Policies and Council resolutions, the agenda for each Council Meeting is required to list certain governance and/or administrative matters in addition to other specified items.
- Keeping in mind best practice, good governance principles and transparent reporting it was deemed appropriate to consolidate governance and/or administrative type reports into one standing report to provide a single reporting mechanism for a range of statutory compliance and/or governance matters. This will ensure sharing council data and clear reporting for the community.
- The Governance matters report may include, but is not limited to, the Council resolution Status, Instruments of Appointment & Authorisation, Instruments of Delegations, Audit and Risk Committee matters, Advisory committee matters, and other governance related matters.

Governance Matters reported for this meeting

The matters covered under the Governance Report for this meeting are:

- Council Resolution Status Update; and
- S6 Instrument of Delegation from Council to Members of Staff.

Council Resolution Status Update

- At its meeting on 19 December 2016, Council resolved that:
“That the Chief Executive Officer is directed to provide regular updates to Council on the progress or status of Council’s resolutions resulting from Notices of Motion raised by Councillors. In order to facilitate this, a brief progress report (detailing the status of each outstanding resolution) is required to be presented to Council at each of its Ordinary Meetings in future commencing with Ordinary Meeting 296 (scheduled for the 30 January 2017).”
- Additionally, at its meeting on 22 July 2019, Council resolved that:
*“4. a) Includes in the attached monthly report (Notice of Motion Cost Summary), the number of Urgent business items per councillor
b) Includes the updates of the status of Urgent Business items in the attached monthly report (Notice of Motion Report)”*
- In line with the above resolutions, following reports are attached for 21 August 2023:
 - Notice of Motion Cost Summary (**Attachment A**)
 - Notice of Motion Report (**Attachment B**)

12.1 Governance Matters Report for 21 August 2023**Executive Summary**

- There are currently no Urgent Business actions open, as such, this report has not been included.
- Since the last Council Meeting 2023/CM010 on 31 July 2023, the following 9 resolution actions have been reported as 'complete'. A detailed report has been provided at **Attachment C (Confidential)**.
 - Policies & Planning Progress Report
 - 2021/NOM8 - Humanitarian Support for Fiji
 - Draft Road Discontinuance Policy
 - Lloyd Group Voluntary Administration - Confidential Matters
 - Governance Matters Report for 22 May 2023
 - Governance Matters Report for 10 July 2023
 - Community Satisfaction Survey 2023
 - Response to Petition - Cloth Nappy and Reusable Sanitary Product Rebate
 - Award of Contract CN10829 - FRRRC Green Waste Processing
- Due to various factors, it is sometimes not possible for reports to be brought back before Council in accordance with the time frames resolved. The following report has been delayed from presentation to this Council Meeting:
 - Response to 2023/NOM3 – Hall of Fame RevivalThe Hall of Fame Revival report will be delayed until the 11 September 2023 Council Meeting to allow additional time for further investigations.

S6 Instrument of Delegation from Council to Members of Staff

- Council has the power under the Local Government Act 2020, to delegate to a member of its staff any power, duty or function of a Council under this Act or any other Act.
- Local government cannot operate efficiently if Council does not delegate the majority of its powers, duties and functions to Council staff.
- This update takes into legislative updates received from Maddocks in July 2023, along with position title changes due to a recent realignment to the structure.
- A summary of the legislative change is outlined below:
 - Reference to 'delivery of memorial' has been removed from s 181 of the Planning and Environment Act 1987.
- Updates have been made in the position titles, as required, to reflect organisational changes.
- Both marked up and clean version of the changes to the S6 Instrument of Delegation from Council to members of Council staff are attached as **Attachments D and E**.

Financial Impact

There are no financial implications with this report.

Consultation**1. External Stakeholders**

Nil.

12.1 Governance Matters Report for 21 August 2023**Executive Summary****2. Other Stakeholders**

Nil.

Analysis (Environmental / Economic / Social Implications)

There are no environmental or social implications associated with this report.

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

The Charter of Human Rights and Responsibilities has been considered in the preparation of this report but is not relevant to the content of the report.

Legal

Nil

Policy Impacts

There is no impact on Council policies.

Officer's Declaration of Interests

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

Risk Mitigation

There are no risks identified with this report.

Conclusion

The purpose of this report is to brief, update and seek Council's endorsement on various governance matters listed above.

It is recommended that Council endorses the governance matters raised in this report.

ATTACHMENTS

- Attachment A:[↓](#) Notice of Motion Report - Cost Summary
- Attachment B:[↓](#) Notice of Motion Report for 21 August 2023
- Attachment C: Closed actions since 31 July 2023 - **CONFIDENTIAL**
- Attachment D:[↓](#) DRAFT - Marked Up - S6 Instrument of Delegation - Council to Members of Staff - July 2023
- Attachment E:[↓](#) DRAFT - Clean Version - S6 Instrument of Delegation - Council to Members of Staff - July 2023

Notice of Motion Report - 2023 - CM11 - for the 21 August Council Meeting (A4958773).XLSX

**Notice of Motions Estimated Costs
 By Councillor
 2020 - 2024 Term**

Councillor	Number	Primary Cost	Ongoing Cost	Outcome Cost	Urgent Business
Cr David Asker	0	\$0	\$0	\$0	1
Cr Sue Baker	2	\$500	\$0	\$0	3
Cr Kris Bolam	8	\$10,000	\$0	\$0	1
Cr Nathan Conroy	0	\$0	\$0	\$0	0
Cr Claire Harvey	6	\$7,155	\$0	\$0	2
Cr Brad Hill	4	\$0	\$0	\$0	2
Cr Liam Hughes	2	\$800	\$0	\$0	1
Cr Steven Hughes	3	\$0	\$0	\$0	0
Cr Suzetter Tayler	1	\$0	\$0	\$0	1
TOTAL	26	\$ 18,455	\$ -	\$ -	11

NOTE: There may be occasions when the Ongoing Cost is ALSO reported under Outcome costs: this is on the occasions when the ongoing cost has a KNOWN FINITE total. This is to note for budgeting purposes (for eg: \$121,000 total over 11 years = \$11,000 budgeted per year). Notes/comments are provided in the report when this occurs

Item 12.1 Attachment B: Notice of Motion Report for 21 August 2023

Notice of Motion Report - 2023 - CM11 - for the 21 August Council Meeting (A4958773).XLSX

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary
11-Jul-22	14.1	2022/NOM8 - Outreach Support Service Cr Bolam	<p>Council Decision Moved: Councillor Bolam Seconded: Councillor Hill That Council:</p> <ol style="list-style-type: none"> 1. Acknowledges the work currently being undertaken by organisation/s to provide an outreach service to rough sleepers, whereby contact with the rough sleeper is made within 24 hours of a referral where possible and, 2. Requires a report to be provided at the September 2022 Council Meeting exploring a formalised service agreement with a suitably qualified localised outreach provider to undertake referral advocacy, throughout the municipality, to assist those without a permanent place of abode. <p>The service guarantee is to focus on a prescribed minimum response time (i.e. twenty-four hours) upon the outreach provider being notified of new clients/rough sleepers by the Frankston City Council.</p> <p>Following the initial interaction with new clients/rough sleepers, the service provider is to:</p> <ol style="list-style-type: none"> a) Make clients aware of local and regional support agencies insofar uplift and direct support; b) Collaborate with local and regional support services on behalf of clients and their needs; and c) Conduct ongoing wellbeing audits of clients/rough sleepers, as commissioned by the Frankston City Council. <p>Carried Unanimously</p>	Tammy Beauchamp	28 Jul 2023 1. Work of outreach services currently engaged acknowledged – complete. 2. Officers completed a report responding to NOM for September 2022 Council Meeting, but this report required amendments and was postponed to the October Council Meeting with advice that officers explore further social research. This report has been further postponed to September 2023 to enable officers to engage and work with a consultant to assist with the social research	
22-May-23	14.1	2023/NOM3 - Hall of Fame Revival Cr Bolam	<p>Council Decision Moved: Councillor Bolam Seconded: Councillor Hill That a report be provided to Council to determine if the 'Frankston Hall of Fame' (HoF) be reinstated to recognise individuals and organisations that have significantly impacted and contributed to the Frankston municipality. The report will be presented for consideration to the August 2023 Council Meeting. The report to include focus on:</p> <ul style="list-style-type: none"> • The viability of reinstating the HoF program; • The nomination and assessment process including regularity of awards; • Identify capacity of the new HoF location for additional plaques or determine possible location options to display new inductee plaques; • Costings and staff resourcing associated with the new iteration of HoF including associated costs in regards to plaques, ceremony, and administration of the program. <p>Carried</p>	Fiona McQueen	09 Aug 2023 Report presented at the 21 August Council Meeting to determine if the 'Frankston Hall of Fame' (HoF) be reinstated to recognise individuals and organisations that have significantly impacted and contributed to the Frankston municipality.	
10-Jul-23	14.1	2023/NOM4 - Nat's Track	<p>Council Decision Moved: Councillor Bolam Seconded: Councillor Tayler That Council:</p> <ol style="list-style-type: none"> 1. Commemorates the 30th Anniversary of when the late Frankston residents, Natalie Russell, Elizabeth Stevens and Deborah Fream were tragically taken from their families, friends and schoolmates in June and July 1993; 2. Sends letters of appreciation under the Mayor's signature to the external members of the Nat's Track Working Party who coordinated the 2022 beautification works at this important local track that was dedicated to Natalie's memory: <ul style="list-style-type: none"> • Thomas Cain (Assistant Principal - Monterey Secondary College) • Susan Bolland (VCA Teacher - Monterey Secondary College) • Amir Gabriel (Maintenance - Monterey Secondary College) • Brendan Day (Course Superintendent - Peninsula Kingswood Country Golf Club) • Craig Judkins (Deputy Principal Wellbeing - John Paul College) • Simon Page (Superintendent – Long Island, The National Golf Club) 3. Notes the \$300,000 contributed by Council and the \$65,000 contributed by State Government through the support of MP Paul Edbrooke towards the Nat's Track beautification; and 4. Notes Council's standing commitment to continue the maintenance and upkeep of Nat's Track in memory of Natalie Russell. <p>Carried Unanimously</p>	Angela Hughes	19 July 2023 1. Noted 2. Letters are being prepared 3. Noted 4. Noted	



Frankston City Council

S6 Instrument of Delegation

Council

to

Members of Staff



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

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

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



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



<u>SFOIO</u>	<u>Means</u>	<u>Senior Freedom of Information Officer</u>
SPIO	means	Senior Planning Investigations Officer
SRR	means	Senior Rapid Response
SSCO	means	Senior Safer Communities Officer
SSP	means	Senior Statutory Planner
SSTRP	means	Senior Strategic Planner
StatP	means	Statutory Planner
SPC	means	Statutory Planning Co-ordinator
SIS	means	Strategic Infrastructure Specialist
StrP	means	Strategic Planner
SUBO	means	Subdivisions Officer
TLCWH	means	Team Leader CAA Waterfront Horticulture
TLC	means	Team Leader Cemetery
TLG	means	Team Leader Governance
TLPI	means	Team Leader Planning Investigations
TLRFH	means	Team Leader Roadside and Facility Horticulture
TLSP	means	Team Leader Statutory Planning
TLSPS	means	Team Leader Statutory Planning Support

3. records that on the coming into force of this instrument of Delegation from Council to Members of Staff each delegation under the instrument dated ~~4 April 2022~~ 21 May 2023 is revoked.
4. declares that:
 - 4.1 this Instrument of Delegation is authorised by a resolution of Council passed on the ~~1 May~~ 21 August 2023; and
 - 4.2 the delegation:
 - 4.2.1 comes into force immediately upon execution of this Instrument of Delegation;
 - 4.2.2 remains in force until Council resolves to vary or revoke it;
 - 4.2.3 is subject to any conditions and limitations set out in sub-paragraph 4.3 and the Schedule; and
 - 4.2.4 must be exercised in accordance with any guidelines or policies, which Council from time to time adopts;
 - 4.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 4.3.1 if the issue, action, act or thing is an issue, act or thing which Council has
 - 4.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a



- (a) Policy; or
- (b) strategy adopted by Council; or
- 4.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
- 4.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

This Instrument of Delegation is executed by the Chief Executive Officer on behalf of Frankston City Council under authority conferred by resolution of Council on ~~1 May~~21 August 2023

Signed by:

Phil Cantillon
Chief Executive Officer

In the presence of:

Witness

Date



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SCHEDULE

S6 Instrument of Delegation - Members of Staff

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	DCCS, MG	Where Council is a Class B cemetery trust
s 12(1)	Function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	BSOG, SLH, CemO, TLCWH, CG, CPV, DIO, DCCS, MG, OPM, TLRFH, TLC, GO, TLG,	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	CG, DCCS, MG	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	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG,	
s 14	Power to manage multiple public cemeteries as if they are one cemetery.	DCCS, MG	
s 15(4)	Duty to keep records of delegations	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG,	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 17(1)	Power to employ any persons necessary	DIO, DCCS, MG, OPM	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	BSOG, SLH, CemO, TLCWH, CG, CPV, DIO, DCCS, MG, OPM, TLRFH, TLC, GO, TLG	
s 17(3)	Power to determine the terms and conditions of employment or engagement	DCIA, DIO, DCCS, MG, MPC, OPM	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	BSOG, CemO, CG, DIO, DCCS, MG, OPM, TLC, GO, TLG,	
s 19	Power to carry out or permit the carrying out of works	BSOG, SLH, CemO, TLCWH, CG, CPV, DIO, DCCS, MG, OPM, TLRFH, TLC, GO, TLG,	
s 20(1)	Duty to set aside areas for the interment of human remains	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG,	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	DCCS, MG	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 20(3)	Power to set aside areas for those things in paragraphs (a) - (e)	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	DCCS, MG	
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	DIO, DCCS, MG, OPM	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	To be retained by Council	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	CemO, CG, DCCS, MG, TLC, TLG,	
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	To be retained by Council	Provided the street was constructed pursuant to the Local Government Act 1989
s 52	Duty to submit a report to the Secretary in relation to any public cemetery for which the cemetery trust is responsible for each financial year in respect of which it manages that cemetery	DCCS, MG, TLC, CemO	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	CemO, CG, DCCS, MG, TLC, TLG,	Report must contain the particulars listed in s 57(2)
s 59	Duty to keep records for each public cemetery	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG,	
s 60(1)	Duty to make information in records available to the public for historical or research purposes	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG,	
s 60(2)	Power to charge fees for providing information	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG,	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG,	
s 64B(d)	Power to permit interments at a reopened cemetery	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG,	
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	CG, DCCS, MG	The application must include the requirements listed in s 66(2)(a)-(d)

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG,	
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	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 70(2)	Duty to make plans of existing place of interment available to the public	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 71(2)	Power to dispose of any memorial or other structure removed	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 72(2)	Duty to comply with request received under s 72	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 73(1)	Power to grant a right of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 73(2)	Power to impose conditions on the right of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 74(3)	Duty to offer a perpetual right of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	Provision commences on 1 March 2022 unless proclaimed earlier
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 77(4)	Power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	DCCS, MG	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 80(2)	Function of recording transfer of right of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 84F(2)(d)	Function of receiving notice of decision to vary or force the surrender of a right of interment under s 84C(2), (3) or (5)	CemO, DCCS, MG, TLC, TLG	
s 84H(4)	Power to exercise the rights of a holder of a right of interment	CemO, DCCS, MG, TLC, TLG	
s 84I(4)	Power to exercise the rights of a holder of a right of internment	CemO, DCCS, MG, TLC	
s 84I(5)	Duty to pay refund to the previous holder or holders of the right of interment	CemO, DCCS, MG, TLC, TLG	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84(6)(a)	Power to remove any memorial on the place of interment	CemO, DCCS, MG, TLC, TLG	
s 84(6)(b)	Power to grant right of interment under s 73	CemO, DCCS, MG, TLC, TLG	
s.85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	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	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	Does not apply where right of internment 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.	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	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	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
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	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG,	
s.86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s.86(5)	duty to provide notification before taking action under s.86(4)	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
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	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 91(1)	Power to cancel a right of interment in accordance with s 91	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 91(3)	Duty to publish notice of intention to cancel right of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
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	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	BSOG, CemO, CG, DCCS, MG, TLC, TLG,	
s 100(1)	Power to require a person to remove memorials or places of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG,	
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)	BSOG, CemO, CG, DCCS, MG, TLC, TLG,	
s 100(3)	Power to recover costs of taking action under s 100(2)	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 102(1)	Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 103(1)	Power to require a person to remove a building for ceremonies	DIO, DCCS, MG, OPM	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	DIO, DCCS, MG, OPM	
s 103(3)	Power to recover costs of taking action under s 103(2)	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
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	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 106(2)	Power to require the holder of the right of interment to provide for an examination	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	DCCS, MG	
s 107(2)	Power to repair or take down, remove and dispose any building for ceremonies if notice under s 107(1) is not complied with	DCCS, MG	
s 108	Power to recover costs and expenses	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 109(1)(a)	Power to open, examine and repair a place of interment	DCCS, MG	Where the holder of right of interment or responsible person cannot be found
s 109(1)(b)	Power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	DCCS, MG	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	DCCS, MG	Where the holder of right of interment or responsible person cannot be found

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 110(1A)	Power to maintain, repair or restore the place of interment if unable to find any of the other holders after diligent inquiries and with the consent of the Secretary	DCCS, MG, TLC	Provision commences on 1 March 2022
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	DIO, DCCS	
s 110A	Power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	DCCS, MG	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 112	Power to sell and supply memorials	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 119	Power to set terms and conditions for interment authorisations	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
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)

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	DIO, DCCS, MG, OPM	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	DCCS, MG	Subject to the approval of the Secretary
s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	DCCS, MG	
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	DCCS, MG	
s 150 & 152(1)	Power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 151	Function of receiving applications to inter or cremate body parts	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	

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

Food Act 1984			
Provision	Power and Functions 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	SEHO, EHCCEHCEH , EHO	If s 19(1) applies
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	SEHO, EHCCEHCEH , EHO	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	CEO, EHCCEHCEH , DComm, MDS	If s 19(1) applies Only in relation to temporary food premises or mobile food premises

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	CEO, EHCCEHCEH , DComm, MDS	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	SEHO, EHCCEHCEH , EHO	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	SEHO, EHCCEHCEH , EHO	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	CEO, EHCCEH , DComm, MDS	Where Council is the registration authority
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	CEO, EHCCEH , DComm, MDS	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	CEO, EHCCEH , DComm, MDS	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19CB(4)(b)	Power to request copy of records	SEHO, EHCCEH , EHO	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	SEHO, EHCCEH , EHO	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	SEHO, EHCCEH , EHO	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	SEHO, EHCCEH , EHO	Where Council is the registration authority
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	SEHO, EHCCEH , EHO	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	SEHO, EHCCEH , EHO	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	SEHO, EHCCEH , EHO	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19N(2)	Function of receiving notice from the auditor	EHT, SEHO, EHCCEH , EHO, EHSOBSOEH	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	SEHO, EHCCEH , EHO	Where Council is the registration authority
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	SEHO, EHCCEH , DComm, MDS	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	SEHO, EHCCEH , DComm, MDS	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	SEHO, EHCCEH , EHO	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	SEHO, EHCCEH , EHO	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	SEHO, EHCCEH , EHO	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Power to register or renew the registration of a food premises	SEHO, EHCCEH , EHO, DComm, MDS	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	SEHO, EHCCEH , EHO	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	EHCCEH , DComm, MDS	Where Council is the registration authority
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	SEHO, EHCCEH , EHO	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	SEHO, EHCCEH , EHO, DComm, MDS	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	SEHO, EHCCEH , EHO	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	SEHO, EHCCEH , EHO	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	SEHO, EHCCEH , EHO	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	SEHO, EHCCEH , EHO	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	SEHO, EHCCEH , EHO	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	SEHO, EHCCEH , EHO	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	SEHO, EHCCEH , EHO	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	SEHO, EHCCEH , EHO	Where Council is the registration authority not exceeding the prescribed time limit defined under s 38E(5)

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38E(4)	Duty to register the food premises when conditions are satisfied	SEHO, EHCCEH , EHO	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	SEHO, EHCCEH , EHO	Where Council is the registration authority
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	SEHO, EHCCEH , EHO	Where Council is the registration authority
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	EHT, SEHO, EHCCEH , EHO, EHBSOBSOEH	Where Council is the registration authority
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	SEHO, EHCCEH , EHO	Where Council is the registration authority
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	EHT, SEHO, EHCCEH , EHO	
s 39A	Power to register, or renew the registration of a food premises despite minor defects	SEHO, EHCCEH , EHO	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)

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

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 43	Duty to maintain records of registration	EHCCEH	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering or renewing registration of a component of a food business	SEHO, EHCCEH , EHO	Where Council is the registration authority
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	SEHO, EHCCEH , EHO	Where Council is the registration authority
s 45AC	Power to bring proceedings	CP, SEHO, EHCCEH , EHO	
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	SEHO, EHCCEH , EHO, DComm, MDS	Where Council is the registration authority

Heritage Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 116	Power to sub-delegate Executive Director's functions, duties or powers	DComm, MDS, MCF	Must first obtain Executive Director's written consent Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 185L(4)	Power to declare and levy a cladding rectification charge	DMBS, MFIP, DComm, DCCS, MBS	

Planning and Environment Act 1987			
Provision	Power and Functions 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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	CStP, DComm, MCF	
s 4H	Duty to make amendment to Victoria Planning Provisions available in accordance with public availability requirements	CStP, DComm, MCF	
s 4I(2)	Duty to make and copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	CStP, DComm, MCF	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	CStP, DComm, MCF	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	CStP, DComm, MCF	
s 8A(5)	Function of receiving notice of the Minister's decision	CStP, DComm, MCF	
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	CStP, DComm, MCF	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	To be retained by Council	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	To be retained by Council	
s 12B(1)	Duty to review planning scheme	CStP, DComm, MCF	
s 12B(2)	Duty to review planning scheme at direction of Minister	CStP, DComm, MCF	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	CStP, DComm, MCF	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	CStP, DComm, MCF	
s 17(1)	Duty of giving copy amendment to the planning scheme	CStP, DComm, MDS, SPC, MCF, CMD	
s 17(2)	Duty of giving copy s 173 agreement	CStP, DComm, MDS, SPC, MCF, CMD	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	CStP, DComm, MDS, SPC, MCF, CMD	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18	Duty to make amendment etc. available in accordance with public availability requirements	CStP, DComm, MDS, SPC, MCF, CMD	Until the proposed amendment is approved or lapsed
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	CStP, DComm, MCF	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	CStP, DComm, MCF	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	CStP, DComm, MCF	Where Council is a planning authority
s 21(2)	Duty to make submissions available in accordance with public availability requirements	CStP, DComm, MDS, SPC, MCF, CMD	Until the end of 2 months after the amendment comes into operation or lapses
s 21A(4)	Duty to publish notice	CStP, DComm, MDS, SPC, MCF, CMD	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 22(1)	Duty to consider all submissions received before the date specified in the notice	CStP, DComm, MDS, SPC, MCF, CMD	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 22(2)	Power to consider a late submission. Duty to consider a late submission, if directed by the Minister	DComm, MDS, SPC, TLSP, PLSP	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	CStP, DComm, MCF	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	DComm, MCF	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	SSP, CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	SSP, CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	SSP, CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	During the inspection period
s 27(2)	Power to apply for exemption if panel's report not received	DComm, MCF	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 28(1)	Duty to notify the Minister if abandoning an amendment	SSP, CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	Note: the power to make a decision to abandon an amendment cannot be delegated
s 28(2)	Duty to publish notice of the decision on Internet site	CStP, MCF	
s 28(4)	Duty to make notice of the decision available on Council’s Internet site for a period of at least 2 months	CStP, MCF	
s 30(4)(a)	Duty to say if amendment has lapsed	CStP, DComm, MCF	
s 30(4)(b)	Duty to provide information in writing upon request	CStP, DComm, MCF	
s 32(2)	Duty to give more notice if required	CStP, DComm, MCF	
s 33(1)	Duty to give more notice of changes to an amendment	CStP, DComm, MCF	
s 36(2)	Duty to give notice of approval of amendment	CStP, DComm, MCF	
s 38(5)	Duty to give notice of revocation of an amendment	CStP, DComm, MCF	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	CStP, DComm, MCF	
s 40(1)	Function of lodging copy of approved amendment	CStP, DComm, MCF	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	CStP, DComm, MCF	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	CStP, MCF	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	CStP, DComm, MCF	
s 46AW	Function of being consulted by the Minister	CStP, DComm, MDS, SPC, MCF, CMD	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	CStP, DComm, MDS, SPC, MCF, CMD	Where Council is a responsible public entity

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	CStP, DComm, MCF	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	Where Council is a responsible public entity
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	CStP, DComm, MCF	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	CStP, DComm, MCF	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	CStP, DComm, MCF	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	CStP, DComm, MCF	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	CStP, DComm, MCF	
s 46GP	Function of receiving a notice under s 46GO	CStP, DComm, MCF	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	CStP, DComm, MCF	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	CStP, DComm, MCF	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	CStP, DComm, MCF	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	CStP, DComm, MCF	
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	CStP, DComm, MCF	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	CStP, DComm, MCF	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	CStP, DComm, MCF	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	CStP, DComm, MCF	
s 46GU	Duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	CStP, DComm, MCF	
s 46GV(3)	f\Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution Power to specify the manner in which the payment is to be made	CStP, DComm, MCF	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	DComm	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DComm	Where Council is the development agency
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DComm	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	CStP, DComm, MCF	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	CStP, DComm, MCF	Where Council is the collecting agency
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	CStP, DComm, MCF	Where Council is the collecting agency
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	CStP, DComm, MCF	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GY(1)	Duty to keep proper and separate accounts and records	CStP, DComm, MCF	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	CStP, DComm, MCF	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	DComm	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component	DComm	Where the Council is the planning authority This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan, as responsible for those works, services or facilities	CStP, DComm, MCF	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(2)(b)	Function of receiving the monetary component	DComm	Where Council is the development agency under an approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	DComm	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	CStP, MFIP, DComm, DCCS, MCF	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
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			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	DComm	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	CStP, MFIP, DComm, DCCS, MCF	<p>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)</p> <p>Where Council is the collecting agency under an approved infrastructure contributions plan</p> <p>This duty does not apply where Council is also the development agency</p>
s 46GZ(9)	Function of receiving the fee simple in the land	DComm	<p>Where Council is the development agency under an approved infrastructure contributions plan</p> <p>This duty does not apply where Council is also the collecting agency</p>

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZA(1)	Duty to keep proper and separate accounts and records	CStP, DComm, MCF	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	CStP, DComm, MCF	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	CStP, DComm, MCF	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	CStP, DComm, MCF	If the VPA is the collecting agency under an approved infrastructure contributions plan Where Council is a development agency under an approved infrastructure contributions plan
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	CStP, DComm, MCF	Where Council is the development agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	CStP, DComm, MCF	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	CStP, DComm, MCF	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	MFIP, DComm, DCCS, MCF	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	CStP, DComm, MCF	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	DComm	Where Council is the development agency under an approved infrastructure contributions plan
s.46GZF(3)	Duty, if land is sold under s.46GZF(2)(b), to follow the steps in s.46GZF(3)(a) and (b)	CStP, DComm, MCF	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Function of receiving proceeds of sale	DComm	Where Council is the collection agency under an approved infrastructure contributions plan 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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	DComm	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	DComm	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	MFIP, DComm, DCCS, MCF	Where Council is a collecting agency or development agency
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	DComm	Where Council is a collecting agency or development agency
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	DComm	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DComm, MDS, MCF	
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	SBS, DMBS, DComm, MBS, MDS, MCF	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	DComm, MDS, MCF	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
s 46Q(1)	Duty to keep proper accounts of levies paid	MFIP, DCCS	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	TLSPS, CStP, MFIP, DComm, DCCS, MDS, SPC, MCF, CMD	
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	DIO, MFIP, DComm, DCCS, MES, MDS	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	DComm, MDS, MCF	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	MFIP, DComm, DCCS, MDS, MCF	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	CStP, DComm, MDS, MCF	Must be done in accordance with Part 3
s46Q(4)(e)	Duty to expend that amount on other works etc.	DIO, MCWD, MFIP, DCCS, CES, CEStr	With the consent of, and in the manner approved by, the Minister

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46QC	Power to recover any amount of levy payable under Part 3B	MFIP, DComm, DCCS, MDS, MCF	
s 46QD	Duty to prepare report and give a report to the Minister	DComm, MDS, MCF	Where Council is a collecting agency or development agency
s 47	Power to decide that an application for a planning permit does not comply with that Act	SSP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	SSP, TLSPS, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	SSP, TLSPS, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 50(4)	Duty to amend application	SSP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50(5)	Power to refuse to amend application	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 50(6)	Duty to make note of amendment to application in register	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 50A(1)	Power to make amendment to application	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 50A(4)	Duty to note amendment to application in register	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 52(3)	Power to give any further notice of an application where appropriate	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 54(1)	Power to require the applicant to provide more information	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 54(1B)	Duty to specify the lapse date for an application	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	To be retained by Council	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 57A(5)	Power to refuse to amend application	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 57A(6)	Duty to note amendments to application in register	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 57B(1)	Duty to determine whether and to whom notice should be given	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57C(1)	Duty to give copy of amended application to referral authority	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 58	Duty to consider every application for a permit	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 58A	Power to request advice from the Planning Application Committee	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 60	Duty to consider certain matters	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 60(1A)	Duty to consider certain matters	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, PLSP, MCF, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DComm, MDS, SPC, TLSP, CMD, PP	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 62(2)	Power to include other conditions	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(3)	Duty not to issue a permit until after the specified period	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	This provision applies also to a decision to grant an amendment to a permit - see s 75A

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s 69(1)	Function of receiving application for extension of time of permit	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 69(1A)	Function of receiving application for extension of time to complete development	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 69(2)	Power to extend time	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 70	Duty to make copy permit available for inspection in accordance with the public availability requirements	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 71(1)	Power to correct certain mistakes	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 71(2)	Duty to note corrections in register	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 73	Power to decide to grant amendment subject to conditions	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 74	Duty to issue amended permit to applicant if no objectors	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 76D	Duty to comply with direction of Minister to issue amended permit	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 83	Function of being respondent to an appeal	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 83B	Duty to give or publish notice of application for review	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 84AB	Power to agree to confining a review by the Tribunal	DComm	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	TLPI, DComm, MDS, SPC, CMD	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD	
s 91(2)	Duty to comply with the directions of VCAT	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	SPIO, SSP, StatP, TLPI, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, PIO, CMD, PP	
s 93(2)	Duty to give notice of VCAT order to stop development	SPIO, SSP, StatP, TLPI, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, PIO, CMD, PP	
s 95(3)	Function of referring certain applications to the Minister	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 95(4)	Duty to comply with an order or direction	SPIO, SSP, StatP, TLPI, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, PIO, CMD, PP	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	SSP, StatP, CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
s 96J	Duty to issue permit as directed by the Minister	SSP, StatP, TLSPS, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 96K	Duty to comply with direction of the Minister to give notice of refusal	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 97C	Power to request Minister to decide the application	To be retained by Council	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with the public availability requirements	SSP, StatP, TLSPS, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 97L	Duty to include Ministerial decisions in a register kept under s 49	SSP, StatP, TLSPS, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	To be retained by Council	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	SSP, StatP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	SSP, StatP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	SSP, StatP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 97Q(4)	Duty to comply with directions of VCAT	SSP, StatP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	DComm, MDS, SPC, CMD	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	DComm, MDS, SPC, CMD	
s 101	Function of receiving claim for expenses in conjunction with claim	DComm, MDS, SPC, CMD	
s 103	Power to reject a claim for compensation in certain circumstances	DComm, MDS, SPC, CMD	
s.107(1)	function of receiving claim for compensation	DComm, MDS, SPC, CMD	
s 107(3)	Power to agree to extend time for making claim	DComm, MDS, SPC, CMD	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	DComm, MDS	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 114(1)	Power to apply to the VCAT for an enforcement order	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD	
s 123(1)	Power to carry out work required by enforcement order and recover costs	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	DComm, MDS, SPC, CMD	Except Crown Land
s 129	Function of recovering penalties	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD	
s 130(5)	Power to allow person served with an infringement notice further time	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD	
s 149A(1)	Power to refer a matter to the VCAT for determination	To be retained by Council	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	DComm, MDS, SPC, CMD	
s 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)	CStP, DComm, MDS, SPC, CMD	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	CStP, DComm, MDS, SPC, CMD	
s 171(2)(g)	Power to grant and reserve easements	DComm, MDS, SPC, CMD	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	DComm	Where Council is a development agency specified in an approved infrastructure contributions plan
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	DComm	Where Council is a collecting agency specified in an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	DComm	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	DComm, MDS	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	DComm, MDS	Where Council is the relevant responsible authority
	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
	Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DComm, MDS, SPC, CMD	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178	power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DComm, MDS, SPC, CMD	
s 178A(1)	Function of receiving application to amend or end an agreement	DComm, MDS, SPC, CMD	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	DComm, MDS, SPC, CMD	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	DComm, MDS, SPC, CMD	
s 178A(5)	Power to propose to amend or end an agreement	DComm, MDS, SPC, CMD	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	DComm, MDS, SPC, CMD	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	DComm, MDS, SPC, CMD	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	DComm, MDS, SPC, CMD	
s 178C(4)	Function of determining how to give notice under s 178C(2)	DComm, MDS, SPC, CMD	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	DComm, MDS, SPC, CMD	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	DComm, MDS, SPC, CMD	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DComm, MDS, SPC, CMD	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	DComm, MDS, SPC, CMD	If no objections are made under s 178D Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	DComm, MDS, SPC, CMD	After considering objections, submissions and matters in s 178B

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DComm, MDS, SPC, CMD	After considering objections, submissions and matters in s 178B
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	DComm, MDS, SPC, CMD	After considering objections, submissions and matters in s.178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	DComm, MDS, SPC, CMD	After considering objections, submissions and matters in s 178B
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	DComm, MDS, SPC, CMD	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	DComm, MDS, SPC, CMD	
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	DComm, MDS, SPC, CMD	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	DComm, MDS, SPC, CMD	
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	DComm, MDS, SPC, CMD	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DComm, MDS, SPC, CMD	
s 179(2)	Duty to make copy of each agreement available in accordance with the public availability requirements	TLSPS, DComm, MDS, SPC, CMD	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar General	DComm, MDS, SPC, CMD	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	DComm, MDS, SPC, CMD	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	DComm, MDS, SPC, CMD	
s 182	Power to enforce an agreement	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	DComm, MDS, SPC, CMD	
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	DComm, MDS, SPC, CMD	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	DComm, MDS, SPC, CMD	
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	DComm, MDS, SPC, CMD	
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	DComm, MDS, SPC, CMD	
s 184G(2)	Duty to comply with a direction of the Tribunal	DComm, MDS, SPC, CMD	
s 184G(3)	Duty to give notice as directed by the Tribunal	DComm, MDS, SPC, CMD	
s 185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	SSP, StatP, TLSPS, ParaP, MDS, SPC, TLSP, PLSP, PP	
s 198(1)	Function to receive application for planning certificate	TLSPS, DComm, MDS, SPC, CMD	
s 199(1)	Duty to give planning certificate to applicant	TLSPS, DComm, MDS, SPC, CMD	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 201(1)	Function of receiving application for declaration of underlying zoning	CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
s 201(3)	Duty to make declaration	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
	Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
	Power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
	Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
	Power to give written authorisation in accordance with a provision of a planning scheme	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	

Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	SBS, EHT, SEHO, DMBS, EHCCEH , EHO, DComm, MBS, MDS	
s 522(1)	Power to give a compliance notice to a person	SBS, EHT, SEHO, DMBS, EHCCEH , EHO, MBS	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	CEO	
s 525(4)	Duty to issue identity card to authorised officers	DCIA, CBP, DComm, MPC, CPS, MDS	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	DComm, MDS	

Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 526A(3)	Function of receiving report of inspection	EHT, SEHO, DMBS, EHCCEH , EHO, DComm, MBS, MDS	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CEO	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	CG, DCCS, MG, TLG	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	CG, DCCS, MG, TLG	
s 11(9)(b)	Duty to advise Registrar	CG, DCCS, MG, PLA, TLG,	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	CG, DCCS, MG, PLA, TLG,	Subject to s 11(10A)

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	CG, DCCS, MG, PLA, TLG,	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	To be retained by Council	Where Council is the coordinating road authority
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	CG, DCCS, MG, PLA,	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	CG, DCCS, MG, PLA,	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	CG, DCCS, MG, PLA, FOILO	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 12(10)	Duty to notify of decision made	DCCS, MG	Duty of coordinating road authority where it is the discontinuing body Does not apply where an exemption is specified by the regulations or given by the Minister
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	MSA, CG, DIO, DCCS, MG, PLA,	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	MSA, DIO, DCCS, MG, MES	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	MSA, DIO, DCCS, MG, MES	
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	MSA, DIO, MES, OPM, CES, CEStr	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	MSA, DIO, MES, OPM	
s 15(2)	Duty to include details of arrangement in public roads register	CAP, MSA, DIO	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 16(7)	Power to enter into an arrangement under s 15	MSA, DIO, OPM	
s 16(8)	Duty to enter details of determination in public roads register	CAP, MSA, DIO	
s 17(2)	Duty to register public road in public roads register	CAP, MSA, DIO	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	CAP, MSA, DIO	Where Council is the coordinating road authority
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	CAP, MSA, DIO	Where Council is the coordinating road authority
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	CAP, MSA, DIO, DCCS, MG, MES	Where Council is the coordinating road authority
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	CAP, MSA, DIO	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	CAP, MSA, DIO, CEStr	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18(3)	Duty to record designation in public roads register	CAP, MSA, DIO	Where Council is the coordinating road authority
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	CAP, MSA, DIO	
s 19(4)	Duty to specify details of discontinuance in public roads register	CAP, MSA, DIO	
s 19(5)	Duty to ensure public roads register is available for public inspection	CAP, MSA, DIO	
s 21	Function of replying to request for information or advice	CAP, MSA, DIO	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	CAP, MSA, DIO	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	CAP, MSA, DIO	
s 22(5)	Duty to give effect to a direction under s 22	CAP, MSA, DIO	
s 40(1)	Duty to inspect, maintain and repair a public road.	CAP, MSA, CWME, CCW, DIO, CCI, CS, MCWD, MES, OPM, CES, CWPM, CWSPM, CEStr, PMMP	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	CAP, MSA, CWME, CCW, DIO, MES, OPM, CES, CEStr	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	MSA, CWME, CCW, DIO, CCI, CS, MCWD, MES, OPM, CES, CWPM, CWSPM, CEStr, PMMP	
s 42(1)	Power to declare a public road as a controlled access road	CAP, MSA, DIO	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	CAP, MSA, DIO	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	CAP, MSA, DIO	Where Council is the coordinating road authority If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	MSA, DIO, MES, CES, CEStr	Where Council is the coordinating road authority If road is a municipal road or part thereof and where road is to be specified a freight road

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	CAP, MSA, DIO, MES	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	CAP, MSA, DIO	
s 49	Power to develop and publish a road management plan	CAP, MSA, DIO	
s 51	Power to determine standards by incorporating the standards in a road management plan	CAP, MSA, DIO	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CAP, MSA, DIO	
s 54(2)	Duty to give notice of proposal to make a road management plan	CAP, MSA, DIO	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	CAP, MSA, DIO	
s 54(6)	Power to amend road management plan	CAP, MSA, DIO	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 54(7)	Duty to incorporate the amendments into the road management plan	CAP, MSA, DIO	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	CAP, MSA, DIO	
s 63(1)	Power to consent to conduct of works on road	MSA, CWME, CCW, DIO, CCI, CS, MCWD, MES, OPM, CES, CWPM, CWSPM, CEStr, PMMP	Where Council is the coordinating road authority
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	MSA, CWME, CCW, DIO, CCI, CS, MCWD, MES, OPM, CES, CWPM, CWSPM, CEStr, PMMP	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	MSA, DIO, MES, OPM, CES, CEStr	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	MSA, DIO, MES, OPM	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	DIO, MES, OPM	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 67(3)	Power to request information	MSA, DIO, MCWD, MES, OPM	Where Council is the coordinating road authority
s 68(2)	Power to request information	MSA, DIO, CCI, MCWD, MES, OPM, PMMP	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	CEO	Refer to S11 Instrument
s 72	Duty to issue an identity card to each authorised officer	MSA, DCIA, DIO, CBP, HRBP PCBP, MCWD, MES, MPC, OPM	
s 85	Function of receiving report from authorised officer	MSA, CWME, CPV, CCW, DIO, MCWD, MES, OPM, COS	
s 86	Duty to keep register re s 85 matters	MSA, DIO, MCWD, MES, OPM	
s 87(1)	Function of receiving complaints	MSA, CWME, CPV, CCW, DIO, MCWD, MES, OPM, COS	
s 87(2)	Duty to investigate complaint and provide report	MSA, CWME, CPV, CCW, DIO, MCWD, MES, OPM, COS	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 96	Power to authorise a person for the purpose of instituting legal proceedings	To be retained by the CEO	Refer to s11 Instrument
s 112(2)	Power to recover damages in court	MSA, DIO, MCWD, MFIP, DCCS, MES, OPM	
s 116	Power to cause or carry out inspection	MSA, CWME, CCW, DIO, CCI, CS, MCWD, MES, OPM, CWPM, CWSPM, PMMP	
s 119(2)	Function of consulting with the Head, Transport for Victoria	MSA, CWME, CPV, CCW, DIO, CCI, CS, MCWD, MES, OPM, COS, CWPM, CWSPM, PMMP	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	MSA, CWME, CPV, CCW, DIO, CCI, CS, MCWD, MES, OPM, COS, CWPM, CWSPM, PMMP	
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	MSA, CPV, DIO, MCWD, MES, OPM, COS	
s 121(1)	Power to enter into an agreement in respect of works	MSA, DIO, MCWD, MES, OPM	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 122(1)	Power to charge and recover fees	MSA, DIO, MCWD, MES, OPM	
s 123(1)	Power to charge for any service	MSA, DIO, MCWD, MES, OPM	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	MSA, DIO, MES	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	MSA, DIO, MES	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	MSA, DIO, MES	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	MSA, DIO, MCWD, DComm, MES, CES, CEStr	
sch 2 cl 5	Duty to publish notice of declaration	CAP, MSA, DIO, MES, CES, CEStr	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	CAP, MSA, DIO, CCI, MCWD, MES, COS, CES, CWPM, CWSPM, CEStr, PMMP	Where Council is the infrastructure manager or works manager

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	CAP, MSA, DIO, CCI, MCWD, MES, OPM, COS, CES, CWPM, CWSPM, CEStr, PMMP	Where Council is the infrastructure manager or works manager
sch 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	CAP, MSA, DIO, CCI, MCWD, MES, OPM, COS, CES, CWPM, CWSPM, CEStr, PMMP	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	CAP, MSA, DIO, CCI, MCWD, MES, OPM, COS, CES, CWPM, CWSPM, CEStr, PMMP	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	CAP, MSA, CWME, CCW, DIO, CCI, MCWD, MES, OPM, COS, CES, CWPM, CWSPM, CEStr, PMMP	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	CAP, MSA, DIO, CCI, MCWD, MES, COS, CES, CWPM, CWSPM, CEStr, PMMP	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	CAP, MSA, DIO, CCI, MCWD, MES, COS, CES, CWPM, CWSPM, PMMP	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	MSA, DIO, CCI, CS, MCWD, MES, COS, CWPM, CWSPM, PMMP	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	MSA, MPPR, DIO, MCWD, MFIP, DCCS, MES, OPM	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	MSA, DIO, CCI, MCWD, MES, OPM, COS, CES, CWPM, CWSPM, CEStr, PMMP	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	MSA, DIO, CCI, MCWD, MES, OPM, COS, CES, CEStr, PMMP	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	DIO, CCI, MCWD, MES, OPM, COS, PMMP	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 16(4)	Duty to consult	CAP, MSA, DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	CWME, CCW, DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DIO, MCWD, CWLA, MES, OPM, COS, CES, CWPM, CWSPM, CEStr	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	CWME, CCW, DIO, CCI, MCWD, CWLA, MES, OPM, COS, CES, CWPM, CWSPM, CEStr, PMMP	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	DIO, CCI, MCWD, MES, COS, CES, CEStr, PMMP	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas	DIO, CCI, MCWD, MES, COS, CES, CEStr, PMMP	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4	DIO, CCI, MCWD, MES, COS, CES, CEStr, PMMP	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 24	Duty to ensure that cemetery complies with depth of burial requirements	BSOG, CemO, CG, DIO, DCCS, MG, TLC, GO, TLG	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	BSOG, CemO, CG, DIO, DCCS, MG, TLC, TLG	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	BSOG, CemO, CG, DIO, DCCS, MG, TLC, TLG,	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	BSOG, CemO, CG, DIO, DCCS, MG, TLC, TLG,	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	DIO, DCCS, MG, 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	BSOG, CemO, CG, CPV, DIO, DCCS, MG, OPM,	
	Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules	Note only	

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	DIO, DCCS, MG, 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	BSOG, CemO, CG, DCCS, MG, GO,	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	BSOG, CemO, CG, DCCS, MG, GO,	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	BSOG, CemO, CG, DIO, DCCS, MG, TLC, GO, TLG,	See note above regarding model rules
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	BSOG, CemO, CG, DIO, DCCS, MG, TLC, GO, TLG,	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	BSOG, CemO, CG, DIO, DCCS, MG, TLC, GO, TLG,	See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	BSOG, CemO, CG, DIO, DCCS, MG, TLC, GO, TLG,	See note above regarding model rules

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 11(2)	Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	BSOG, CemO, CG, DIO, DCCS, MG, TLC, GO, TLG,	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	BSOG, CemO, CG, DIO, DCCS, MG, TLC, GO, TLG,	See note above regarding model rules
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	BSOG, CemO, CG, DIO, DCCS, MG, TLC, GO, TLG,	See note above regarding model rules
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	CEO, DCCS, MG	See note above regarding model rules
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	CEO, DCCS, MG	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	BSOG, SLH, CemO, TLCWH, CG, CPV, DIO, DCCS, MG, OPM, TLRFH, GO	See note above regarding model rules

Planning and Environment Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	CStP, DComm, MDS, MCF	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) in accordance with the public availability requirements	SSP, StatP, TLSPS, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	where Council is the responsible authority
r.25(b)	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available in accordance with the public availability requirements	SSP, StatP, TLSPS, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	where Council is not the responsible authority but the relevant land is within Council's municipal district

Planning and Environment Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	CStP, StrP, SSTRP, DComm, MDS, ESPCSP , MCF	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.

Planning and Environment (Fees) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	CStP, DComm, MCF	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	CStP, DComm, MCF	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r 19 or 20	CStP, DComm, MCF	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 7	Function of entering into a written agreement with a caravan park owner	SBS, MPPR, CPM, EHT, SEHO, DMBS, EHCCEH , EHO, DComm, DCCS, MBS, MDS	EHCCEH and MBS in a coordinated approach
r 10	Function of receiving application for registration	EHT, SEHO, EHCCEH , EHO	
r 11	Function of receiving application for renewal of registration	SBS, EHT, SEHO, DMBS, EHCCEH , EHO, MBS	Approach to be coordinated between EHCCEH and MBS
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	EHT, SEHO, EHCCEH , EHO	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	EHT, SEHO, EHCCEH , EHO	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	EHT, SEHO, EHCCEH , EHO	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	DMBS, EHCCEH , DComm, MBS, MDS	Approach to be coordinated between EHCCEH and MBS

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	EHT, SEHO, DMBS, EHCCEH , EHO, MBS	Approach to be coordinated between EHCCEH and MBS
r 12(4) & (5)	Duty to issue certificate of registration	EHCCEH , DComm, MDS	
r 14(1)	Function of receiving notice of transfer of ownership	EHT, SEHO, EHCCEH , EHO	
r 14(3)	Power to determine where notice of transfer is displayed	EHT, SEHO, EHCCEH , EHO	
r 15(1)	Duty to transfer registration to new caravan park owner	EHT, SEHO, EHCCEH , EHO	
r 15(2)	Duty to issue a certificate of transfer of registration	EHCCEH , DComm, MDS	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	EHCCEH , DComm, MDS	
r 17	Duty to keep register of caravan parks	EHCCEH , DComm, MDS	
r 18(4)	Power to determine where the emergency contact person's details are displayed	EHT, SEHO, EHCCEH , EHO	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 18(6)	Power to determine where certain information is displayed	EHT, SEHO, EHCCEH , EHO	
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	SBS, EHT, SEHO, DMBS, EHCCEH , EHO, DComm, MBS, MDS	
r 22(2)	Duty to consult with relevant emergency services agencies	SBS, EHT, SEHO, DMBS, EHCCEH , EHO, DComm, MBS, MDS	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	EHT, SEHO, EHCCEH , EHO, DComm, MDS	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	SBS, EHT, SEHO, DMBS, EHCCEH , EHO, DComm, MBS, MDS	
r 25(3)	Duty to consult with relevant floodplain management authority	EHT, SEHO, EHCCEH , EHO, DComm, MBS, MDS, MFPO	EHO, EHT, SEHO, EHCCEH and MBS in coordinated approach
r 26	Duty to have regard to any report of the relevant fire authority	SBS, EHT, SEHO, DMBS, EHCCEH , EHO, DComm, MBS, MDS, MFPO	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	EHT, SEHO, EHCCEH , EHO, DComm, MDS	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	SBS, SEHO, DMBS, EHCCEH , DComm, MBS, MDS	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	SBS, SEHO, DMBS, EHCCEH , DComm, MBS, MDS	
r 41(4)	Function of receiving installation certificate	SBS, EHT, SEHO, DMBS, EHCCEH , EHO, DComm, MBS, MDS	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	SBS, EHT, SEHO, DMBS, EHCCEH , EHO, DComm, MBS, MDS	
sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	SBS, EHT, SEHO, DMBS, EHCCEH , EHO, DComm, MBS, MDS	

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

Road Management (General) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 9(2)	Duty to produce written report of review of road management plan and make report available	CAP, MSA, DIO	
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	CAP, MSA, DIO	Where Council is the coordinating road authority
r.10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	CAP, MSA, DIO	
r 13(1)	Duty to publish notice of amendments to road management plan	CAP, MSA, DIO	where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	CAP, MSA, DIO	
r 16(3)	Power to issue permit	CWME, DIO, MES, OPM, CES, CEStr	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	CWME, DIO, MES, OPM, CES	Where Council is the coordinating road authority

Road Management (General) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 23(2)	Power to make submission to Tribunal	MSA, DIO, MES, CES, CEStr	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	MSA, DIO, MFIP, DCCS, MES, CES, CEStr	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	CWME, CCW, DIO, CCI, CS, MCWD, MES, OPM, CES, CEStr, PMMP	Where Council is the responsible road authority
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	CWME, CCW, DIO, MES, OPM, CES, CEStr	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	DIO, MFIP, DCCS, MES, OPM, CES, CEStr	

Road Management (Works and Infrastructure) Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	CWME, DIO, MES, OPM, CES, CEStr	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	CWME, DIO, MES, OPM, CES, CEStr	Where Council is the coordinating road authority



Frankston City Council

S6 Instrument of Delegation

Council

to

Members of Staff



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

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

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



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



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

3. records that on the coming into force of this instrument of Delegation from Council to Members of Staff each delegation under the instrument dated 1 May 2023 is revoked.
4. declares that:
 - 4.1 this Instrument of Delegation is authorised by a resolution of Council passed on the 21 August 2023; and
 - 4.2 the delegation:
 - 4.2.1 comes into force immediately upon execution of this Instrument of Delegation;
 - 4.2.2 remains in force until Council resolves to vary or revoke it;
 - 4.2.3 is subject to any conditions and limitations set out in sub-paragraph 4.3 and the Schedule; and
 - 4.2.4 must be exercised in accordance with any guidelines or policies, which Council from time to time adopts;
 - 4.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 4.3.1 if the issue, action, act or thing is an issue, act or thing which Council has
 - 4.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) Policy; or
 - (b) strategy adopted by Council; or
 - 4.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or



- 4.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

This Instrument of Delegation is executed by the Chief Executive Officer on behalf of Frankston City Council under authority conferred by resolution of Council on 21 August 2023

Signed by:

Phil Cantillon
Chief Executive Officer

In the presence of:

Witness

_____ Date



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SCHEDULE

S6 Instrument of Delegation - Members of Staff

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	DCCS, MG	Where Council is a Class B cemetery trust
s 12(1)	Function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	BSOG, SLH, CemO, TLCWH, CG, CPV, DIO, DCCS, MG, OPM, TLRFH, TLC, GO, TLG,	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	CG, DCCS, MG	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	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG,	
s 14	Power to manage multiple public cemeteries as if they are one cemetery.	DCCS, MG	
s 15(4)	Duty to keep records of delegations	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG,	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 17(1)	Power to employ any persons necessary	DIO, DCCS, MG, OPM	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	BSOG, SLH, CemO, TLCWH, CG, CPV, DIO, DCCS, MG, OPM, TLRFH, TLC, GO, TLG	
s 17(3)	Power to determine the terms and conditions of employment or engagement	DCIA, DIO, DCCS, MG, MPC, OPM	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	BSOG, CemO, CG, DIO, DCCS, MG, OPM, TLC, GO, TLG,	
s 19	Power to carry out or permit the carrying out of works	BSOG, SLH, CemO, TLCWH, CG, CPV, DIO, DCCS, MG, OPM, TLRFH, TLC, GO, TLG,	
s 20(1)	Duty to set aside areas for the interment of human remains	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG,	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	DCCS, MG	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 20(3)	Power to set aside areas for those things in paragraphs (a) - (e)	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	DCCS, MG	
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	DIO, DCCS, MG, OPM	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	To be retained by Council	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	CemO, CG, DCCS, MG, TLC, TLG,	
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	To be retained by Council	Provided the street was constructed pursuant to the Local Government Act 1989
s 52	Duty to submit a report to the Secretary in relation to any public cemetery for which the cemetery trust is responsible for each financial year in respect of which it manages that cemetery	DCCS, MG, TLC, CemO	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	CemO, CG, DCCS, MG, TLC, TLG,	Report must contain the particulars listed in s 57(2)
s 59	Duty to keep records for each public cemetery	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG,	
s 60(1)	Duty to make information in records available to the public for historical or research purposes	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG,	
s 60(2)	Power to charge fees for providing information	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG,	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG,	
s 64B(d)	Power to permit interments at a reopened cemetery	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG,	
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	CG, DCCS, MG	The application must include the requirements listed in s 66(2)(a)-(d)

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG,	
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	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 70(2)	Duty to make plans of existing place of interment available to the public	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 71(2)	Power to dispose of any memorial or other structure removed	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 72(2)	Duty to comply with request received under s 72	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 73(1)	Power to grant a right of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 73(2)	Power to impose conditions on the right of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 74(3)	Duty to offer a perpetual right of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	Provision commences on 1 March 2022 unless proclaimed earlier
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 77(4)	Power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	DCCS, MG	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 80(2)	Function of recording transfer of right of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 84F(2)(d)	Function of receiving notice of decision to vary or force the surrender of a right of interment under s 84C(2), (3) or (5)	CemO, DCCS, MG, TLC, TLG	
s 84H(4)	Power to exercise the rights of a holder of a right of interment	CemO, DCCS, MG, TLC, TLG	
s 84I(4)	Power to exercise the rights of a holder of a right of interment	CemO, DCCS, MG, TLC	
s 84(5)	Duty to pay refund to the previous holder or holders of the right of interment	CemO, DCCS, MG, TLC, TLG	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84(6)(a)	Power to remove any memorial on the place of interment	CemO, DCCS, MG, TLC, TLG	
s 84(6)(b)	Power to grant right of interment under s 73	CemO, DCCS, MG, TLC, TLG	
s.85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	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	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	Does not apply where right of internment 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.	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	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	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
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	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG,	
s.86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s.86(5)	duty to provide notification before taking action under s.86(4)	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
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	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 91(1)	Power to cancel a right of interment in accordance with s 91	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 91(3)	Duty to publish notice of intention to cancel right of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
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	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	BSOG, CemO, CG, DCCS, MG, TLC, TLG,	
s 100(1)	Power to require a person to remove memorials or places of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG,	
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)	BSOG, CemO, CG, DCCS, MG, TLC, TLG,	
s 100(3)	Power to recover costs of taking action under s 100(2)	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 102(1)	Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 103(1)	Power to require a person to remove a building for ceremonies	DIO, DCCS, MG, OPM	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	DIO, DCCS, MG, OPM	
s 103(3)	Power to recover costs of taking action under s 103(2)	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
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	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 106(2)	Power to require the holder of the right of interment to provide for an examination	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	DCCS, MG	
s 107(2)	Power to repair or take down, remove and dispose any building for ceremonies if notice under s 107(1) is not complied with	DCCS, MG	
s 108	Power to recover costs and expenses	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 109(1)(a)	Power to open, examine and repair a place of interment	DCCS, MG	Where the holder of right of interment or responsible person cannot be found
s 109(1)(b)	Power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	DCCS, MG	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	DCCS, MG	Where the holder of right of interment or responsible person cannot be found

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 110(1A)	Power to maintain, repair or restore the place of interment if unable to find any of the other holders after diligent inquiries and with the consent of the Secretary	DCCS, MG, TLC	Provision commences on 1 March 2022
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	DIO, DCCS	
s 110A	Power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	DCCS, MG	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 112	Power to sell and supply memorials	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 119	Power to set terms and conditions for interment authorisations	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
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)

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	DIO, DCCS, MG, OPM	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	DCCS, MG	Subject to the approval of the Secretary
s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	DCCS, MG	
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	DCCS, MG	
s 150 & 152(1)	Power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 151	Function of receiving applications to inter or cremate body parts	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	BSOG, CemO, CG, DCCS, MG, TLC, GO, TLG	

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

Food Act 1984			
Provision	Power and Functions 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	SEHO, CEHCEH, EHO	If s 19(1) applies
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	SEHO, CEHCEH, EHO	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	CEO, CEHCEH, DComm, MDS	If s 19(1) applies Only in relation to temporary food premises or mobile food premises

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	CEO, CEHCEH, DComm, MDS	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	SEHO, CEHCEH, EHO	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	SEHO, CEHCEH, EHO	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	CEO, CEH, DComm, MDS	Where Council is the registration authority
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	CEO, CEH, DComm, MDS	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	CEO, CEH, DComm, MDS	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19CB(4)(b)	Power to request copy of records	SEHO, CEH, EHO	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	SEHO, CEH, EHO	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	SEHO, CEH, EHO	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	SEHO, CEH, EHO	Where Council is the registration authority
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	SEHO, CEH, EHO	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	SEHO, CEH, EHO	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	SEHO, CEH, EHO	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19N(2)	Function of receiving notice from the auditor	EHT, SEHO, CEH, EHO, BSOEH	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	SEHO, CEH, EHO	Where Council is the registration authority
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	SEHO, CEH, DComm, MDS	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	SEHO, CEH, DComm, MDS	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	SEHO, CEH, EHO	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	SEHO, CEH, EHO	Where Council is the registration authority
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	SEHO, CEH, EHO	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Power to register or renew the registration of a food premises	SEHO, CEH, EHO, DComm, MDS	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	SEHO, CEH, EHO	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	CEH, DComm, MDS	Where Council is the registration authority
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	SEHO, CEH, EHO	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	SEHO, CEH, EHO, DComm, MDS	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	SEHO, CEH, EHO	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	SEHO, CEH, EHO	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	SEHO, CEH, EHO	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	SEHO, CEH, EHO	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	SEHO, CEH, EHO	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	SEHO, CEH, EHO	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	SEHO, CEH, EHO	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	SEHO, CEH, EHO	Where Council is the registration authority not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	SEHO, CEH, EHO	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	SEHO, CEH, EHO	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	SEHO, CEH, EHO	Where Council is the registration authority
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	EHT, SEHO, CEH, EHO, BSOEH	Where Council is the registration authority
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	SEHO, CEH, EHO	Where Council is the registration authority
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	EHT, SEHO, CEH, EHO	
s 39A	Power to register, or renew the registration of a food premises despite minor defects	SEHO, CEH, EHO	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 39A (6)	Duty to comply with a direction of the Secretary	SEHO, CEH, EHO	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	CEH	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008	SEHO, CEH, EHO, DComm, MDS	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	SEHO, CEH, EHO, DComm, MDS	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	CEH, DComm, MDS	Where Council is the registration authority
s 40E	Duty to comply with direction of the Secretary	CEH	
s 40F	Power to cancel registration of food premises	SEHO, CEH, EHO, MDS	Where Council is the registration authority
s 43	Duty to maintain records of registration	CEH	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering or renewing registration of a component of a food business	SEHO, CEH, EHO	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	SEHO, CEH, EHO	Where Council is the registration authority
s 45AC	Power to bring proceedings	CP, SEHO, CEH, EHO	
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	SEHO, CEH, EHO, DComm, MDS	Where Council is the registration authority

Heritage Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 116	Power to sub-delegate Executive Director's functions, duties or powers	DComm, MDS, MCF	Must first obtain Executive Director's written consent Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 185L(4)	Power to declare and levy a cladding rectification charge	DMBS, MFIP, DComm, DCCS, MBS	

Planning and Environment Act 1987			
Provision	Power and Functions 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	CStP, DComm, MCF	
s 4H	Duty to make amendment to Victoria Planning Provisions available in accordance with public availability requirements	CStP, DComm, MCF	
s 4I(2)	Duty to make and copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	CStP, DComm, MCF	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	CStP, DComm, MCF	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	CStP, DComm, MCF	
s 8A(5)	Function of receiving notice of the Minister's decision	CStP, DComm, MCF	
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	CStP, DComm, MCF	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	To be retained by Council	
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	To be retained by Council	
s 12B(1)	Duty to review planning scheme	CStP, DComm, MCF	
s 12B(2)	Duty to review planning scheme at direction of Minister	CStP, DComm, MCF	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	CStP, DComm, MCF	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	CStP, DComm, MCF	
s 17(1)	Duty of giving copy amendment to the planning scheme	CStP, DComm, MDS, SPC, MCF, CMD	
s 17(2)	Duty of giving copy s 173 agreement	CStP, DComm, MDS, SPC, MCF, CMD	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	CStP, DComm, MDS, SPC, MCF, CMD	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	CStP, DComm, MDS, SPC, MCF, CMD	Until the proposed amendment is approved or lapsed
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	CStP, DComm, MCF	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	CStP, DComm, MCF	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	CStP, DComm, MCF	Where Council is a planning authority
s 21(2)	Duty to make submissions available in accordance with public availability requirements	CStP, DComm, MDS, SPC, MCF, CMD	Until the end of 2 months after the amendment comes into operation or lapses
s 21A(4)	Duty to publish notice	CStP, DComm, MDS, SPC, MCF, CMD	
s 22(1)	Duty to consider all submissions received before the date specified in the notice	CStP, DComm, MDS, SPC, MCF, CMD	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 22(2)	Power to consider a late submission. Duty to consider a late submission, if directed by the Minister	DComm, MDS, SPC, TLSP, PLSP	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	CStP, DComm, MCF	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	DComm, MCF	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	SSP, CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	SSP, CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	SSP, CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	During the inspection period
s 27(2)	Power to apply for exemption if panel's report not received	DComm, MCF	
s 28(1)	Duty to notify the Minister if abandoning an amendment	SSP, CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	Note: the power to make a decision to abandon an amendment cannot be delegated
s 28(2)	Duty to publish notice of the decision on Internet site	CStP, MCF	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	CStP, MCF	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 30(4)(a)	Duty to say if amendment has lapsed	CStP, DComm, MCF	
s 30(4)(b)	Duty to provide information in writing upon request	CStP, DComm, MCF	
s 32(2)	Duty to give more notice if required	CStP, DComm, MCF	
s 33(1)	Duty to give more notice of changes to an amendment	CStP, DComm, MCF	
s 36(2)	Duty to give notice of approval of amendment	CStP, DComm, MCF	
s 38(5)	Duty to give notice of revocation of an amendment	CStP, DComm, MCF	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	CStP, DComm, MCF	
s 40(1)	Function of lodging copy of approved amendment	CStP, DComm, MCF	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	CStP, DComm, MCF	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	CStP, MCF	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	CStP, DComm, MCF	
s 46AW	Function of being consulted by the Minister	CStP, DComm, MDS, SPC, MCF, CMD	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	CStP, DComm, MDS, SPC, MCF, CMD	Where Council is a responsible public entity
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	CStP, DComm, MCF	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	Where Council is a responsible public entity

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	performing a function or duty or exercising a power in relation to the declared area		
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	CStP, DComm, MCF	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	CStP, DComm, MCF	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	CStP, DComm, MCF	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	CStP, DComm, MCF	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	CStP, DComm, MCF	
s 46GP	Function of receiving a notice under s 46GO	CStP, DComm, MCF	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	CStP, DComm, MCF	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	CStP, DComm, MCF	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	CStP, DComm, MCF	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	CStP, DComm, MCF	
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	CStP, DComm, MCF	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	CStP, DComm, MCF	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	CStP, DComm, MCF	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	CStP, DComm, MCF	
s 46GU	Duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	CStP, DComm, MCF	
s 46GV(3)	f\Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution Power to specify the manner in which the payment is to be made	CStP, DComm, MCF	Where Council is the collecting agency
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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DComm	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	CStP, DComm, MCF	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	CStP, DComm, MCF	Where Council is the collecting agency
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	CStP, DComm, MCF	Where Council is the collecting agency
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	CStP, DComm, MCF	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	CStP, DComm, MCF	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	CStP, DComm, MCF	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	DComm	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component	DComm	Where the Council is the planning authority This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan, as responsible for those works, services or facilities	CStP, DComm, MCF	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(2)(b)	Function of receiving the monetary component	DComm	Where Council is the development agency under an approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	DComm	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	CStP, MFIP, DComm, DCCS, MCF	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
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			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	DComm	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	CStP, MFIP, DComm, DCCS, MCF	<p>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)</p> <p>Where Council is the collecting agency under an approved infrastructure contributions plan</p> <p>This duty does not apply where Council is also the development agency</p>
s 46GZ(9)	Function of receiving the fee simple in the land	DComm	<p>Where Council is the development agency under an approved infrastructure contributions plan</p> <p>This duty does not apply where Council is also the collecting agency</p>

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZA(1)	Duty to keep proper and separate accounts and records	CStP, DComm, MCF	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	CStP, DComm, MCF	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	CStP, DComm, MCF	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	CStP, DComm, MCF	If the VPA is the collecting agency under an approved infrastructure contributions plan Where Council is a development agency under an approved infrastructure contributions plan
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	CStP, DComm, MCF	Where Council is the development agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	CStP, DComm, MCF	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	CStP, DComm, MCF	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	MFIP, DComm, DCCS, MCF	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	CStP, DComm, MCF	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	DComm	Where Council is the development agency under an approved infrastructure contributions plan
s.46GZF(3)	Duty, if land is sold under s.46GZF(2)(b), to follow the steps in s.46GZF(3)(a) and (b)	CStP, DComm, MCF	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Function of receiving proceeds of sale	DComm	Where Council is the collection agency under an approved infrastructure contributions plan 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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	DComm	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	DComm	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	MFIP, DComm, DCCS, MCF	Where Council is a collecting agency or development agency
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	DComm	Where Council is a collecting agency or development agency
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	DComm	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DComm, MDS, MCF	
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	SBS, DMBS, DComm, MBS, MDS, MCF	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	DComm, MDS, MCF	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
s 46Q(1)	Duty to keep proper accounts of levies paid	MFIP, DCCS	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	TLSPS, CStP, MFIP, DComm, DCCS, MDS, SPC, MCF, CMD	
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	DIO, MFIP, DComm, DCCS, MES, MDS	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	DComm, MDS, MCF	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	MFIP, DComm, DCCS, MDS, MCF	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	CStP, DComm, MDS, MCF	Must be done in accordance with Part 3
s46Q(4)(e)	Duty to expend that amount on other works etc.	DIO, MCWD, MFIP, DCCS, CES, CEStr	With the consent of, and in the manner approved by, the Minister

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46QC	Power to recover any amount of levy payable under Part 3B	MFIP, DComm, DCCS, MDS, MCF	
s 46QD	Duty to prepare report and give a report to the Minister	DComm, MDS, MCF	Where Council is a collecting agency or development agency
s 47	Power to decide that an application for a planning permit does not comply with that Act	SSP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	SSP, TLSPS, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	SSP, TLSPS, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 50(4)	Duty to amend application	SSP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50(5)	Power to refuse to amend application	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 50(6)	Duty to make note of amendment to application in register	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 50A(1)	Power to make amendment to application	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 50A(4)	Duty to note amendment to application in register	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 52(3)	Power to give any further notice of an application where appropriate	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 54(1)	Power to require the applicant to provide more information	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 54(1B)	Duty to specify the lapse date for an application	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	To be retained by Council	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 57A(5)	Power to refuse to amend application	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 57A(6)	Duty to note amendments to application in register	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 57B(1)	Duty to determine whether and to whom notice should be given	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57C(1)	Duty to give copy of amended application to referral authority	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 58	Duty to consider every application for a permit	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 58A	Power to request advice from the Planning Application Committee	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 60	Duty to consider certain matters	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 60(1A)	Duty to consider certain matters	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, PLSP, MCF, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DComm, MDS, SPC, TLSP, CMD, PP	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 62(2)	Power to include other conditions	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(3)	Duty not to issue a permit until after the specified period	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	This provision applies also to a decision to grant an amendment to a permit - see s 75A

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s 69(1)	Function of receiving application for extension of time of permit	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 69(1A)	Function of receiving application for extension of time to complete development	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 69(2)	Power to extend time	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 70	Duty to make copy permit available for inspection in accordance with the public availability requirements	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 71(1)	Power to correct certain mistakes	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 71(2)	Duty to note corrections in register	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 73	Power to decide to grant amendment subject to conditions	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 74	Duty to issue amended permit to applicant if no objectors	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 76D	Duty to comply with direction of Minister to issue amended permit	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 83	Function of being respondent to an appeal	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 83B	Duty to give or publish notice of application for review	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 84AB	Power to agree to confining a review by the Tribunal	DComm	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	TLPI, DComm, MDS, SPC, CMD	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD	
s 91(2)	Duty to comply with the directions of VCAT	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	SPIO, SSP, StatP, TLPI, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, PIO, CMD, PP	
s 93(2)	Duty to give notice of VCAT order to stop development	SPIO, SSP, StatP, TLPI, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, PIO, CMD, PP	
s 95(3)	Function of referring certain applications to the Minister	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 95(4)	Duty to comply with an order or direction	SPIO, SSP, StatP, TLPI, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, PIO, CMD, PP	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	SSP, StatP, CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
s 96J	Duty to issue permit as directed by the Minister	SSP, StatP, TLSPS, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 96K	Duty to comply with direction of the Minister to give notice of refusal	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 97C	Power to request Minister to decide the application	To be retained by Council	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	SSP, StatP, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with the public availability requirements	SSP, StatP, TLSPS, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 97L	Duty to include Ministerial decisions in a register kept under s 49	SSP, StatP, TLSPS, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	To be retained by Council	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	SSP, StatP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	SSP, StatP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	SSP, StatP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 97Q(4)	Duty to comply with directions of VCAT	SSP, StatP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	SSP, StatP, TLSPS, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, CMD, PP	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	DComm, MDS, SPC, CMD	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	DComm, MDS, SPC, CMD	
s 101	Function of receiving claim for expenses in conjunction with claim	DComm, MDS, SPC, CMD	
s 103	Power to reject a claim for compensation in certain circumstances	DComm, MDS, SPC, CMD	
s.107(1)	function of receiving claim for compensation	DComm, MDS, SPC, CMD	
s 107(3)	Power to agree to extend time for making claim	DComm, MDS, SPC, CMD	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	DComm, MDS	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 114(1)	Power to apply to the VCAT for an enforcement order	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD	
s 123(1)	Power to carry out work required by enforcement order and recover costs	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	DComm, MDS, SPC, CMD	Except Crown Land
s 129	Function of recovering penalties	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD	
s 130(5)	Power to allow person served with an infringement notice further time	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD	
s 149A(1)	Power to refer a matter to the VCAT for determination	To be retained by Council	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	DComm, MDS, SPC, CMD	
s 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)	CStP, DComm, MDS, SPC, CMD	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	CStP, DComm, MDS, SPC, CMD	
s 171(2)(g)	Power to grant and reserve easements	DComm, MDS, SPC, CMD	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	DComm	Where Council is a development agency specified in an approved infrastructure contributions plan
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	DComm	Where Council is a collecting agency specified in an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	DComm	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	DComm, MDS	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	DComm, MDS	Where Council is the relevant responsible authority
	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
	Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DComm, MDS, SPC, CMD	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178	power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DComm, MDS, SPC, CMD	
s 178A(1)	Function of receiving application to amend or end an agreement	DComm, MDS, SPC, CMD	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	DComm, MDS, SPC, CMD	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	DComm, MDS, SPC, CMD	
s 178A(5)	Power to propose to amend or end an agreement	DComm, MDS, SPC, CMD	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	DComm, MDS, SPC, CMD	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	DComm, MDS, SPC, CMD	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	DComm, MDS, SPC, CMD	
s 178C(4)	Function of determining how to give notice under s 178C(2)	DComm, MDS, SPC, CMD	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	DComm, MDS, SPC, CMD	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	DComm, MDS, SPC, CMD	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DComm, MDS, SPC, CMD	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	DComm, MDS, SPC, CMD	If no objections are made under s 178D Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	DComm, MDS, SPC, CMD	After considering objections, submissions and matters in s 178B

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DComm, MDS, SPC, CMD	After considering objections, submissions and matters in s 178B
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	DComm, MDS, SPC, CMD	After considering objections, submissions and matters in s.178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	DComm, MDS, SPC, CMD	After considering objections, submissions and matters in s 178B
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	DComm, MDS, SPC, CMD	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	DComm, MDS, SPC, CMD	
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	DComm, MDS, SPC, CMD	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	DComm, MDS, SPC, CMD	
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	DComm, MDS, SPC, CMD	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DComm, MDS, SPC, CMD	
s 179(2)	Duty to make copy of each agreement available in accordance with the public availability requirements	TLSPS, DComm, MDS, SPC, CMD	
s 181	Duty to apply to the Registrar of Titles to record the agreement	DComm, MDS, SPC, CMD	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	DComm, MDS, SPC, CMD	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	DComm, MDS, SPC, CMD	
s 182	Power to enforce an agreement	SPIO, TLPI, DComm, MDS, SPC, PIO, CMD	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	DComm, MDS, SPC, CMD	
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	DComm, MDS, SPC, CMD	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	DComm, MDS, SPC, CMD	
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	DComm, MDS, SPC, CMD	
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	DComm, MDS, SPC, CMD	
s 184G(2)	Duty to comply with a direction of the Tribunal	DComm, MDS, SPC, CMD	
s 184G(3)	Duty to give notice as directed by the Tribunal	DComm, MDS, SPC, CMD	
s 185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	SSP, StatP, TLSPS, ParaP, MDS, SPC, TLSP, PLSP, PP	
s 198(1)	Function to receive application for planning certificate	TLSPS, DComm, MDS, SPC, CMD	
s 199(1)	Duty to give planning certificate to applicant	TLSPS, DComm, MDS, SPC, CMD	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 201(1)	Function of receiving application for declaration of underlying zoning	CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
s 201(3)	Duty to make declaration	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
	Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
	Power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
	Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
	Power to give written authorisation in accordance with a provision of a planning scheme	DComm, MDS, SPC, TLSP, PLSP, CMD, PP	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	

Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	SBS, EHT, SEHO, DMBS, CEH, EHO, DComm, MBS, MDS	
s 522(1)	Power to give a compliance notice to a person	SBS, EHT, SEHO, DMBS, CEH, EHO, MBS	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	CEO	
s 525(4)	Duty to issue identity card to authorised officers	DCIA, CBP, DComm, MPC, CPS, MDS	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	DComm, MDS	

Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 526A(3)	Function of receiving report of inspection	EHT, SEHO, DMBS, CEH, EHO, DComm, MBS, MDS	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CEO	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	CG, DCCS, MG, TLG	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	CG, DCCS, MG, TLG	
s 11(9)(b)	Duty to advise Registrar	CG, DCCS, MG, PLA, TLG,	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	CG, DCCS, MG, PLA, TLG,	Subject to s 11(10A)

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	CG, DCCS, MG, PLA, TLG,	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	To be retained by Council	Where Council is the coordinating road authority
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	CG, DCCS, MG, PLA,	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	CG, DCCS, MG, PLA,	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	CG, DCCS, MG, PLA, SFOIO	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 12(10)	Duty to notify of decision made	DCCS, MG	Duty of coordinating road authority where it is the discontinuing body Does not apply where an exemption is specified by the regulations or given by the Minister
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	MSA, CG, DIO, DCCS, MG, PLA,	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	MSA, DIO, DCCS, MG, MES	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	MSA, DIO, DCCS, MG, MES	
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	MSA, DIO, MES, OPM, CES, CEStr	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	MSA, DIO, MES, OPM	
s 15(2)	Duty to include details of arrangement in public roads register	CAP, MSA, DIO	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 16(7)	Power to enter into an arrangement under s 15	MSA, DIO, OPM	
s 16(8)	Duty to enter details of determination in public roads register	CAP, MSA, DIO	
s 17(2)	Duty to register public road in public roads register	CAP, MSA, DIO	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	CAP, MSA, DIO	Where Council is the coordinating road authority
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	CAP, MSA, DIO	Where Council is the coordinating road authority
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	CAP, MSA, DIO, DCCS, MG, MES	Where Council is the coordinating road authority
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	CAP, MSA, DIO	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	CAP, MSA, DIO, CEStr	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18(3)	Duty to record designation in public roads register	CAP, MSA, DIO	Where Council is the coordinating road authority
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	CAP, MSA, DIO	
s 19(4)	Duty to specify details of discontinuance in public roads register	CAP, MSA, DIO	
s 19(5)	Duty to ensure public roads register is available for public inspection	CAP, MSA, DIO	
s 21	Function of replying to request for information or advice	CAP, MSA, DIO	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	CAP, MSA, DIO	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	CAP, MSA, DIO	
s 22(5)	Duty to give effect to a direction under s 22	CAP, MSA, DIO	
s 40(1)	Duty to inspect, maintain and repair a public road.	CAP, MSA, CWME, CCW, DIO, CCI, CS, MCWD, MES, OPM, CES, CWPM, CWSPM, CEStr, PMMP	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	CAP, MSA, CWME, CCW, DIO, MES, OPM, CES, CEStr	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	MSA, CWME, CCW, DIO, CCI, CS, MCWD, MES, OPM, CES, CWPM, CWSPM, CEStr, PMMP	
s 42(1)	Power to declare a public road as a controlled access road	CAP, MSA, DIO	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	CAP, MSA, DIO	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	CAP, MSA, DIO	Where Council is the coordinating road authority If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	MSA, DIO, MES, CES, CEStr	Where Council is the coordinating road authority If road is a municipal road or part thereof and where road is to be specified a freight road

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	CAP, MSA, DIO, MES	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	CAP, MSA, DIO	
s 49	Power to develop and publish a road management plan	CAP, MSA, DIO	
s 51	Power to determine standards by incorporating the standards in a road management plan	CAP, MSA, DIO	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CAP, MSA, DIO	
s 54(2)	Duty to give notice of proposal to make a road management plan	CAP, MSA, DIO	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	CAP, MSA, DIO	
s 54(6)	Power to amend road management plan	CAP, MSA, DIO	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 54(7)	Duty to incorporate the amendments into the road management plan	CAP, MSA, DIO	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	CAP, MSA, DIO	
s 63(1)	Power to consent to conduct of works on road	MSA, CWME, CCW, DIO, CCI, CS, MCWD, MES, OPM, CES, CWPM, CWSPM, CEStr, PMMP	Where Council is the coordinating road authority
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	MSA, CWME, CCW, DIO, CCI, CS, MCWD, MES, OPM, CES, CWPM, CWSPM, CEStr, PMMP	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	MSA, DIO, MES, OPM, CES, CEStr	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	MSA, DIO, MES, OPM	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	DIO, MES, OPM	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 67(3)	Power to request information	MSA, DIO, MCWD, MES, OPM	Where Council is the coordinating road authority
s 68(2)	Power to request information	MSA, DIO, CCI, MCWD, MES, OPM, PMMP	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	CEO	Refer to S11 Instrument
s 72	Duty to issue an identity card to each authorised officer	MSA, DCIA, DIO, CBP, PCBP, MCWD, MES, MPC, OPM	
s 85	Function of receiving report from authorised officer	MSA, CWME, CPV, CCW, DIO, MCWD, MES, OPM, COS	
s 86	Duty to keep register re s 85 matters	MSA, DIO, MCWD, MES, OPM	
s 87(1)	Function of receiving complaints	MSA, CWME, CPV, CCW, DIO, MCWD, MES, OPM, COS	
s 87(2)	Duty to investigate complaint and provide report	MSA, CWME, CPV, CCW, DIO, MCWD, MES, OPM, COS	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 96	Power to authorise a person for the purpose of instituting legal proceedings	To be retained by the CEO	Refer to s11 Instrument
s 112(2)	Power to recover damages in court	MSA, DIO, MCWD, MFIP, DCCS, MES, OPM	
s 116	Power to cause or carry out inspection	MSA, CWME, CCW, DIO, CCI, CS, MCWD, MES, OPM, CWPM, CWSPM, PMMP	
s 119(2)	Function of consulting with the Head, Transport for Victoria	MSA, CWME, CPV, CCW, DIO, CCI, CS, MCWD, MES, OPM, COS, CWPM, CWSPM, PMMP	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	MSA, CWME, CPV, CCW, DIO, CCI, CS, MCWD, MES, OPM, COS, CWPM, CWSPM, PMMP	
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	MSA, CPV, DIO, MCWD, MES, OPM, COS	
s 121(1)	Power to enter into an agreement in respect of works	MSA, DIO, MCWD, MES, OPM	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 122(1)	Power to charge and recover fees	MSA, DIO, MCWD, MES, OPM	
s 123(1)	Power to charge for any service	MSA, DIO, MCWD, MES, OPM	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	MSA, DIO, MES	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	MSA, DIO, MES	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	MSA, DIO, MES	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	MSA, DIO, MCWD, DComm, MES, CES, CEStr	
sch 2 cl 5	Duty to publish notice of declaration	CAP, MSA, DIO, MES, CES, CEStr	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	CAP, MSA, DIO, CCI, MCWD, MES, COS, CES, CWPM, CWSPM, CEStr, PMMP	Where Council is the infrastructure manager or works manager

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	CAP, MSA, DIO, CCI, MCWD, MES, OPM, COS, CES, CWPM, CWSPM, CEStr, PMMP	Where Council is the infrastructure manager or works manager
sch 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	CAP, MSA, DIO, CCI, MCWD, MES, OPM, COS, CES, CWPM, CWSPM, CEStr, PMMP	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	CAP, MSA, DIO, CCI, MCWD, MES, OPM, COS, CES, CWPM, CWSPM, CEStr, PMMP	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	CAP, MSA, CWME, CCW, DIO, CCI, MCWD, MES, OPM, COS, CES, CWPM, CWSPM, CEStr, PMMP	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	CAP, MSA, DIO, CCI, MCWD, MES, COS, CES, CWPM, CWSPM, CEStr, PMMP	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	CAP, MSA, DIO, CCI, MCWD, MES, COS, CES, CWPM, CWSPM, PMMP	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	MSA, DIO, CCI, CS, MCWD, MES, COS, CWPM, CWSPM, PMMP	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	MSA, MPPR, DIO, MCWD, MFIP, DCCS, MES, OPM	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	MSA, DIO, CCI, MCWD, MES, OPM, COS, CES, CWPM, CWSPM, CEStr, PMMP	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	MSA, DIO, CCI, MCWD, MES, OPM, COS, CES, CEStr, PMMP	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	DIO, CCI, MCWD, MES, OPM, COS, PMMP	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 16(4)	Duty to consult	CAP, MSA, DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	CWME, CCW, DIO, MCWD, MES, OPM, CES, CEStr	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DIO, MCWD, CWLA, MES, OPM, COS, CES, CWPM, CWSPM, CEStr	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	CWME, CCW, DIO, CCI, MCWD, CWLA, MES, OPM, COS, CES, CWPM, CWSPM, CEStr, PMMP	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	DIO, CCI, MCWD, MES, COS, CES, CEStr, PMMP	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas	DIO, CCI, MCWD, MES, COS, CES, CEStr, PMMP	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4	DIO, CCI, MCWD, MES, COS, CES, CEStr, PMMP	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 24	Duty to ensure that cemetery complies with depth of burial requirements	BSOG, CemO, CG, DIO, DCCS, MG, TLC, GO, TLG	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	BSOG, CemO, CG, DIO, DCCS, MG, TLC, TLG	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	BSOG, CemO, CG, DIO, DCCS, MG, TLC, TLG,	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	BSOG, CemO, CG, DIO, DCCS, MG, TLC, TLG,	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	DIO, DCCS, MG, 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	BSOG, CemO, CG, CPV, DIO, DCCS, MG, OPM,	
	Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules	Note only	

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	DIO, DCCS, MG, 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	BSOG, CemO, CG, DCCS, MG, GO,	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	BSOG, CemO, CG, DCCS, MG, GO,	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	BSOG, CemO, CG, DIO, DCCS, MG, TLC, GO, TLG,	See note above regarding model rules
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	BSOG, CemO, CG, DIO, DCCS, MG, TLC, GO, TLG,	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	BSOG, CemO, CG, DIO, DCCS, MG, TLC, GO, TLG,	See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	BSOG, CemO, CG, DIO, DCCS, MG, TLC, GO, TLG,	See note above regarding model rules

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 11(2)	Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	BSOG, CemO, CG, DIO, DCCS, MG, TLC, GO, TLG,	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	BSOG, CemO, CG, DIO, DCCS, MG, TLC, GO, TLG,	See note above regarding model rules
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	BSOG, CemO, CG, DIO, DCCS, MG, TLC, GO, TLG,	See note above regarding model rules
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	CEO, DCCS, MG	See note above regarding model rules
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	CEO, DCCS, MG	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	BSOG, SLH, CemO, TLCWH, CG, CPV, DIO, DCCS, MG, OPM, TLRFH, GO	See note above regarding model rules

Planning and Environment Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	CStP, DComm, MDS, MCF	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	CStP, DComm, MDS, SPC, TLSP, PLSP, MCF, CMD, PP	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) in accordance with the public availability requirements	SSP, StatP, TLSPS, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	where Council is the responsible authority
r.25(b)	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available in accordance with the public availability requirements	SSP, StatP, TLSPS, CStP, ParaP, DComm, MDS, SUBO, SPC, TLSP, PLSP, MCF, CMD, PP	where Council is not the responsible authority but the relevant land is within Council's municipal district

Planning and Environment Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	CStP, StrP, SSTRP, DComm, MDS, CSPP, MCF	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.

Planning and Environment (Fees) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	CStP, DComm, MCF	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	CStP, DComm, MCF	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r 19 or 20	CStP, DComm, MCF	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 7	Function of entering into a written agreement with a caravan park owner	SBS, MPPR, CPM, EHT, SEHO, DMBS, CEH, EHO, DComm, DCCS, MBS, MDS	CEH and MBS in a coordinated approach
r 10	Function of receiving application for registration	EHT, SEHO, CEH, EHO	
r 11	Function of receiving application for renewal of registration	SBS, EHT, SEHO, DMBS, CEH, EHO, MBS	Approach to be coordinated between CEH and MBS
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	EHT, SEHO, CEH, EHO	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	EHT, SEHO, CEH, EHO	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	EHT, SEHO, CEH, EHO	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	DMBS, CEH, DComm, MBS, MDS	Approach to be coordinated between CEH and MBS

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	EHT, SEHO, DMBS, CEH, EHO, MBS	Approach to be coordinated between CEH and MBS
r 12(4) & (5)	Duty to issue certificate of registration	CEH, DComm, MDS	
r 14(1)	Function of receiving notice of transfer of ownership	EHT, SEHO, CEH, EHO	
r 14(3)	Power to determine where notice of transfer is displayed	EHT, SEHO, CEH, EHO	
r 15(1)	Duty to transfer registration to new caravan park owner	EHT, SEHO, CEH, EHO	
r 15(2)	Duty to issue a certificate of transfer of registration	CEH, DComm, MDS	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	CEH, DComm, MDS	
r 17	Duty to keep register of caravan parks	CEH, DComm, MDS	
r 18(4)	Power to determine where the emergency contact person's details are displayed	EHT, SEHO, CEH, EHO	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 18(6)	Power to determine where certain information is displayed	EHT, SEHO, CEH, EHO	
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	SBS, EHT, SEHO, DMBS, CEH, EHO, DComm, MBS, MDS	
r 22(2)	Duty to consult with relevant emergency services agencies	SBS, EHT, SEHO, DMBS, CEH, EHO, DComm, MBS, MDS	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	EHT, SEHO, CEH, EHO, DComm, MDS	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	SBS, EHT, SEHO, DMBS, CEH, EHO, DComm, MBS, MDS	
r 25(3)	Duty to consult with relevant floodplain management authority	EHT, SEHO, CEH, EHO, DComm, MBS, MDS, MFPO	EHO, EHT, SEHO, CEH and MBS in coordinated approach
r 26	Duty to have regard to any report of the relevant fire authority	SBS, EHT, SEHO, DMBS, CEH, EHO, DComm, MBS, MDS, MFPO	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	EHT, SEHO, CEH, EHO, DComm, MDS	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	SBS, SEHO, DMBS, CEH, DComm, MBS, MDS	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	SBS, SEHO, DMBS, CEH, DComm, MBS, MDS	
r 41(4)	Function of receiving installation certificate	SBS, EHT, SEHO, DMBS, CEH, EHO, DComm, MBS, MDS	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	SBS, EHT, SEHO, DMBS, CEH, EHO, DComm, MBS, MDS	
sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	SBS, EHT, SEHO, DMBS, CEH, EHO, DComm, MBS, MDS	

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

Road Management (General) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 9(2)	Duty to produce written report of review of road management plan and make report available	CAP, MSA, DIO	
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	CAP, MSA, DIO	Where Council is the coordinating road authority
r.10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	CAP, MSA, DIO	
r 13(1)	Duty to publish notice of amendments to road management plan	CAP, MSA, DIO	where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	CAP, MSA, DIO	
r 16(3)	Power to issue permit	CWME, DIO, MES, OPM, CES, CEStr	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	CWME, DIO, MES, OPM, CES	Where Council is the coordinating road authority

Road Management (General) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 23(2)	Power to make submission to Tribunal	MSA, DIO, MES, CES, CEStr	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	MSA, DIO, MFIP, DCCS, MES, CES, CEStr	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	CWME, CCW, DIO, CCI, CS, MCWD, MES, OPM, CES, CEStr, PMMP	Where Council is the responsible road authority
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	CWME, CCW, DIO, MES, OPM, CES, CEStr	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	DIO, MFIP, DCCS, MES, OPM, CES, CEStr	

Road Management (Works and Infrastructure) Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	CWME, DIO, MES, OPM, CES, CEStr	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	CWME, DIO, MES, OPM, CES, CEStr	Where Council is the coordinating road authority

Executive Summary

12.2 Adoption of Mobile Food Van Procurement Guidelines

Enquiries: (Tammy Beauchamp: Communities)

Council Plan

Level 1:	5. Thriving Economy
Level 2:	5.5 Leverage the emerging connection between Frankston City's café and dining culture through the revitalisation of public spaces

Purpose

To present to Council for adoption the *Mobile Food Van Procurement Guidelines*.

Recommendation (Director Communities)

That Council:

1. Notes the feedback received from engagement with mobile food van operators, sporting clubs and the community on the draft *Mobile Food Van Procurement Guidelines* which was conducted from 2 May to 30 May 2023;
2. Notes the changes made to the draft *Mobile Food Van Procurement Guidelines* in response to feedback received via the engagement process;
3. Adopts the Mobile Food Van Procurement Guidelines and revokes the 2018 Commercial Activities in Public Open Space (CAPOS) Protocol; and
4. Endorses the extension of all current mobile food van licences from 1 December 2023 to 30 April 2024 to allow for an adequate transition period to the Mobile Food Van Procurement Guidelines and to minimise disruption to operators during the peak period.

Key Points / Issues

- At the Council Meeting on 1 May 2023, it was resolved that Council:
 1. *Notes the work completed to date to review the current Frankston City Council 'Do It Outdoors' guidelines, including extensive consultation with numerous food van operators;*
 2. *Endorses targeted engagement with mobile commercial food van operators and the community consultation on the new draft Mobile Food Van Procurement guidelines for a period of 4 weeks;*
 3. *Considers the site of the Ballam Park Lake, once constructed, as an additional mobile food van location as part of these Guidelines; and*
 4. *Seeks to report back at the 21 August 2023 Council Meeting to consider the adoption of the new Mobile Food Van Procurement Guidelines.*

At the briefing to Councillors on 17 July 2023, Councillors were provided with:

1. *The feedback received from the engagement with mobile food van operators, sporting clubs and the community on the draft Mobile Food Van Procurement Guidelines which was conducted from 2 May to 30 May 2023; and*
 2. *The changes made to the draft Mobile Food Van Procurement Guidelines in response to the feedback received via the engagement process.*
- Community engagement, including with mobile food van operators and sporting clubs on the draft *Mobile Food Van Procurement Guidelines* was conducted from 2 May to 30 May 2023.

12.2 Adoption of Mobile Food Van Procurement Guidelines**Executive Summary**

- The engagement resulted in feedback being received from 143 survey respondents, including both mobile food van operators and members of the community via Council's Engage Frankston website.
- Feedback demonstrated overall support for the Draft *Mobile Food Van Procurement Guidelines*, including licence terms, licence fees, notification period and assessment criteria as well as the identification of additional mobile food van locations which have undergone Council Officer feasibility studies.
- Applicants may apply for a 12 or 24 month license agreement for Level 1 or 2 sites or for a 3, 6 or 12 month license agreement for Level 3 sites.
- Applications will be assessed against each of the following weighed criteria, with a maximum score of 100%, to ensure objectivity, transparency and fairness in the selection process:

Assessment Criteria	Weight
Range of menu options <i>(range of flavours, food/beverage types and/or dietary options suitable to the selected site/location and proposed operational hours)</i>	40%
Compliance with Food Safety Standards and adherence to Frankston City Council Mobile Food Van License Agreement (if applicable) <i>(a business currently registered under the Food Act, 1984 and not currently published on the Department of Health Food Safety Register of Convictions and has met all previous licence conditions (if applicable) will score higher in this category)</i>	25%
Ability to demonstrate environmentally sustainable practices <i>(e.g. Recyclable packaging/ zero waste management plan. etc)</i>	15%
Hours of site activation <i>(proposed length of operational days/hours within site availability as per the suitability of the product offering)</i>	10%
Locally registered business <i>(business is registered via Food Trader within the municipal area)</i> <i>Example: Food truck vehicle needs to be registered with Food Trader and garaged within Frankston City Council</i>	10%

- Twelve Frankston City Council sporting clubs who use Council recreation reserves proposed as new mobile food van sites were also engaged, with ten providing feedback.
- The extension of all current mobile food van licences from 1 December 2023 to 30 April 2024 will allow for an adequate transition period and minimise disruption to operators during the peak period.
- Ballam Park Lake will also have a feasibility study completed however, will require further consideration, following the completion of the Ballam Park Lake site works and prior to being included in the final guidelines as a mobile food van location.

12.2 Adoption of Mobile Food Van Procurement Guidelines**Executive Summary****Financial Impact**

There are financial costs, however, these costs can be accommodated within existing budgets.

Potential for increased income received due to additional sites and pre-determined annual licence fees.

Consultation**1. External Stakeholders**

Comprehensive engagement, refer Attachment B *Engagement Report* for further information, was carried out with mobile food van operators, sporting clubs and the community, across two stages:

- Stage 1 – Mobile food van operator forum
 - 45 mobile food van operators, all of who had, at some time, inquired about or applied for a food van license with FCC, whether successful or unsuccessful during this process, were invited to a forum on 22 November 2022.
 - The purpose of the forum was .to seek feedback and to identify opportunities to improve the existing guidelines and process.
- Stage 2 – Mobile food van operators, sporting clubs and community members, refer Attachment A: *Mobile Food Van Procurement Guidelines – Engagement Report*.
- The engagement was conducted from 2 May to 30 May 2023 via Council's Engage Frankston website and targeted engagement was carried out with twelve Frankston City Council sporting clubs.
- 143 survey responses were received via Engage Frankston, comprised of 132 community members and eleven mobile food van operators, and ten sporting clubs provided feedback.
- Feedback demonstrated overall support for the Draft *Mobile Food Van Procurement Guidelines*, including licence terms, licence fees, notification period and assessment criteria.
- Feedback also resulted in the identification of additional mobile food van locations which will undergo Council officer feasibility studies and those locations assessed as suitable will be included in the future iterations of the guidelines.
- The ten Frankston City Council sporting clubs who use Council recreation reserves, proposed as new mobile food van sites, provided their feedback, which has been directly addressed in the guidelines.

2. Other Stakeholders

There are a wide range of stakeholders across the organisation that have been consulted on a regular basis regarding the various elements of this work, including:

- Communications and Engagement – communications and engagement plans;
- Engineering services – safety assessments of proposed site locations;
- Property – assessment of proposed site locations; license fee structure; proposed license fees and payment terms; applicant insurance requirements.
- Environmental Policy and Planning – foreshore locations; and

12.2 Adoption of Mobile Food Van Procurement Guidelines**Executive Summary**

- Waste Services – General Conditions including removal of waste and single-use plastics.

Analysis (Environmental / Economic / Social Implications)

Commercial mobile food vans activate public open space, offer a variety of food and beverages and create vibrancy and a sense of place for the Frankston City community and its visitors.

Mobile food vans also play an important role in the local economy by encouraging new entrepreneurship; supporting local suppliers; increasing employment opportunities; and stimulating tourism.

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

Commercial mobile food vans must operate pursuant to the terms of their respective Frankston City Council licence.

Licence holders must comply with all relevant legislation and regulations such as the *Food Act 1984*, *Community Local Law 2020*, *Road Safety Rules 2017*, the Food Standards Code (under the *Legislation Act 2003*) and the Single-use Plastic ban (effective 1 Feb 2023) at all times.

Frankston City Council will apply for all necessary permits/approvals from the Victorian Government for commercial activities on Crown land prior to the issuance of licence agreements.

Policy Impacts

The *Mobile Food Van Procurement Guidelines* will replace the current Do It Outdoors guidelines and 2018 Commercial Activities in Public Open Space (CAPOS) Protocol.

Officer's Declaration of Interests

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

Risk Mitigation

Potential risks in relation to mobile commercial food van operators not being supportive of the new guidelines, and any negative community sentiment regarding this, has been mitigated through extensive engagement with both operators and the community.

Potential risks in relation to sporting clubs that currently operate canteens or similar at Council reserves not being supportive of mobile food vans has been mitigated through proactive engagement and by directly responding to feedback to exclude specified days and times from these sites.

Conclusion

Community engagement, including with mobile food van operators and sporting clubs on the draft *Mobile Food Van Procurement Guidelines* was conducted from 2 May to 30 May 2023.

12.2 Adoption of Mobile Food Van Procurement Guidelines**Executive Summary**

Feedback demonstrated overall support for the Draft *Mobile Food Van Procurement Guidelines*, including licence term, licence fee, notification period and assessment criteria. It also resulted in the identification of additional mobile food van locations which will be assessed and if deemed suitable will be included in the future iterations of the guidelines.

Ten Frankston City Council sporting clubs provided their feedback which has been directly addressed in the guidelines.

ATTACHMENTS

Attachment A: [↓](#) Mobile Food Van Procurement Guidelines

Attachment B: [↓](#) Engagement Report - Mobile Food Van Procurement Guidelines

Mobile Food Van Procurement Guidelines

2023-2024





Acknowledgement of Country

Frankston City Council acknowledges the Bunurong people of the Kulin Nation as the Traditional Custodians of the lands and waters in and around Frankston City, and value and recognise local Aboriginal and Torres Strait Islander cultures, heritage and connection to land as a proud part of a shared identity for Frankston City.

Council pays respect to Elders past and present and recognises their importance in maintaining knowledge, traditions and culture in our community.

Council also respectfully acknowledges the Bunurong Land Council as the Registered Aboriginal Party responsible for managing the Aboriginal cultural heritage of the land and waters where Frankston City Council is situated.

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Introduction

These Guidelines apply to all businesses who wish to operate a mobile food van for the sale of food and/or beverages on designated public land.

These Guidelines do not apply to mobile food vans on private land, markets, events or festivals.

Commercial mobile food vans activate public open space, offer an amazing variety of food and beverages and create vibrancy and a sense of place for the Frankston City community and its visitors.

Mobile food vans also play an important role in the local economy by encouraging new entrepreneurship, supporting local suppliers, increasing

employment opportunities, and stimulating tourism.

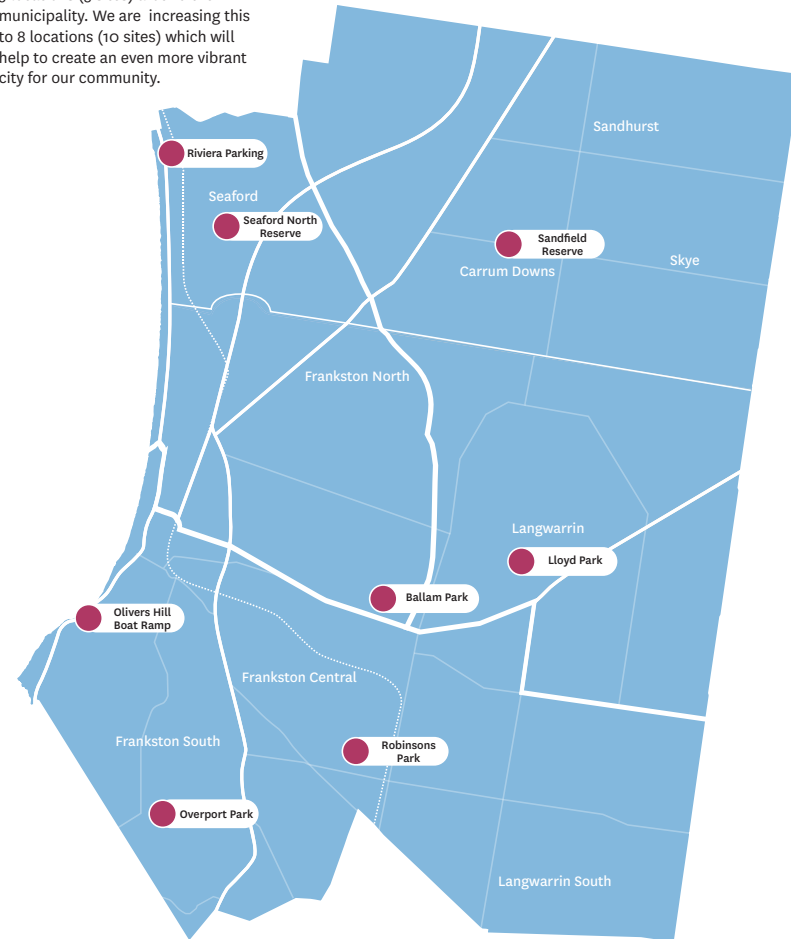
By providing a diverse range of sites and locations; a streamlined application process; clear and transparent assessment criteria; and set licence fees, these guidelines aim to attract and support high quality commercial operators to deliver regular, licenced mobile food van experiences in public open spaces across the municipality.

In addition to the regular licence opportunities included in these Guidelines, Frankston City Council supports mobile food van operators with commercial opportunities at festivals and events, markets, and

other locations. For more information on how Mobile food van operators can get involved in Council run events, visit frankston.vic.gov.au.

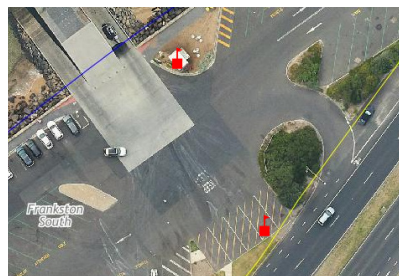
Site location map

Frankston City currently hosts 3 locations (5 sites) around the municipality. We are increasing this to 8 locations (10 sites) which will help to create an even more vibrant city for our community.



Oliver’s Hill Boat Ramp

Number of sites	2
Surface type	Hard
Power supplied	Yes
Water supplied	Yes
Toilets	Yes
Visitation	High
Availability	7 days per week
Fees	Level 1
Address	Nepean Highway, Frankston
Site Note	This is a 2 site location that can host more than 2 mobile food vans on a rotational basis.
Exclusions	None



Site 1: Car park close to Nepean Highway.
 Site 2: Hard surface island near the boat ramp.

Overport Park

Number of sites	1
Surface type	Hard
Power supplied	No
Water supplied	Yes
Toilets	Yes
Visitation	Medium
Availability	7 days per week
Fees	Level 2
Address	159 Overport Road, Frankston South
Site Note	None
Exclusions	Operating days: Sunday–Friday only



Grass area at the end of carpark, corner Somerset Road and Overport Road.

Ballam Park

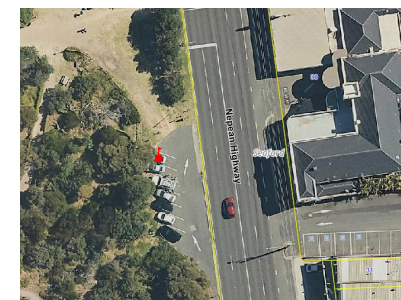
Number of sites	2
Surface type	Hard
Power supplied	No
Water supplied	Yes
Toilets	Yes
Visitation	High
Availability	7 days per week
Fees	Level 1
Address	260R Cranbourne Rd, Frankston
Site Note	Operator must have an internal generator
Exclusions	None



Site 1: Service road, Cranbourne Road.
 Site 2: Side laneway.

Riviera Carpark

Number of sites	1
Surface type	Hard
Power supplied	Yes
Water supplied	No
Toilets	No (400m walk to Keast Park)
Visitation	Medium
Availability	7 days per week
Fees	Level 3
Address	Nepean Highway, Seaford
Site Note	Societa Isole Eolie — Annual Picnic usually held in February each year at Keast Park
Exclusions	None



Riviera Carpark inlet, beach side, Nepean Highway.

Lloyd Park

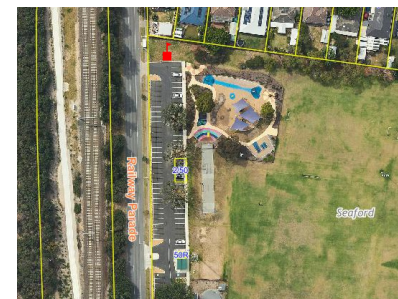
Number of sites	1
Surface type	Hard
Power supplied	No
Water supplied	No
Toilets	No
Visitation	Low-Medium
Availability	7 days per week
Fees	Level 3
Address	Pindara Boulevard (side)
Site Note	None
Exclusions	Operating days Monday-Friday only



First car park near the bend of Pindara Boulevard.

Seaford North Reserve Playground

Number of sites	1
Surface type	Hard/Grassy
Power supplied	No
Water supplied	No
Toilets	No
Visitation	Medium
Availability	7 days per week
Fees	Level 3
Address	50 Railway Parade, Seaford
Site Note	May be able to use Car Park, please specify in EOI
Exclusions	None



50 Railway Parade. Gravel or parking area near playground.

Robinsons Park

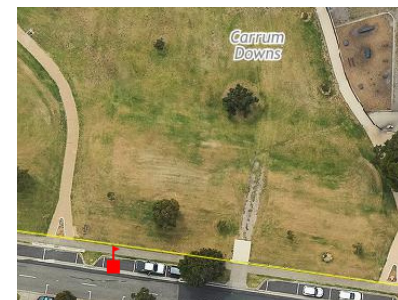
Number of sites	1
Surface type	Hard
Power supplied	No
Water supplied	Yes
Toilets	Yes
Visitation	Low-Medium
Availability	7 days per week
Fees	Level 3
Address	97 Robinsons Road, Frankston
Site Note	None
Exclusions	Operating days Monday-Friday until 4pm



First car park in the mid-section, near walk way off Robinsons Road.

Sandfield Reserve

Number of sites	1
Surface type	Hard
Power supplied	No
Water supplied	No
Toilets	No
Visitation	Low-Medium
Availability	7 days per week
Fees	Level 3
Address	49R Sandfield Drive, Frankston
Site Note	None
Exclusions	None



9th carpark on the left, Reserve side.



Application and assessment process

Timelines

Commencing October 2023, Council will conduct an Expression of Interest (EOI) process to issue licences spanning a 12 or 24 month period.

The next 12 or 24 month licence agreement period commence from 1 May 2024–30 April 2025.

Note: Operators with existing licences will be offered an extension at their current annual licence fee rate from 1 December 2023–30 April 2024 to allow for the re-alignment of this process and to ensure future licence transition periods are not carried out during the peak summer period.



Eligibility

All regular licence mobile food van Applicants MUST provide evidence of the following to be considered during the EOI procurement process:

- Food Trader registration with the Victorian government Department of Health (refer p.15 for further information)
- Not currently have outstanding debts with Frankston City Council

Assessment Criteria	Weight
Range of menu options (range of flavours, food/beverage types and/or dietary options suitable to the selected site/ location and proposed operational hours)	40%
Compliance with Food Safety Standards and adherence to Frankston City Council Mobile Food Van License Agreement (if applicable) (a business currently registered under the Food Act, 1984 and not currently published on the Department of Health <i>Food Safety Register of Convictions</i> and has met all previous licence conditions (if applicable) will score higher in this category)	25%
Ability to demonstrate environmentally sustainable practices (e.g. Recyclable packaging/ zero waste management plan. etc)	15%
Hours of site activation (proposed length of operational days/hours within site availability as per the suitability of the product offering)	10%
Locally registered business (business is registered via Food Trader within the municipal area) Example: Food truck vehicle needs to be registered with Food Trader and garaged within Frankston City Council	10%

Probity and Ethics

Council's procurement activities are performed in an open, transparent and ethical manner with demonstrated integrity, fairness and accountability that meets relevant legal requirements at all times. All Applicants must be treated fairly, with access to the same information to afford them an equal opportunity to participate in the EOI process.

Council will provide open and honest feedback to Applicants who participate in the EOI process, subject to confidentiality of Commercial in Confidence information.

Conflicts of Interest

When submitting its EOI, the Applicant must declare any actual or potential conflicts of interest which may arise between the Applicant and Council. All Council staff involved in the evaluation of EOIs must disclose any conflicts of interest in accordance with the relevant legislation and Council guidelines.

Lodgement of Submissions

Applicants will be required to complete and submit the Application Form (including any supporting documentation) to Council's Electronic E-Tendering system. This system is a locked system — the applications are not available for review by any party prior to the nominated Closing Time.

Evaluation Process

Applicants have the opportunity to apply for one or multiple sites. An evaluation will be conducted for each site based upon the evaluation criteria. The EOI documentation will set out the full process for the evaluation of applications.

The evaluation panel may determine not to fully evaluate any EOI if, in the opinion of the evaluation panel, the EOI does not adequately address or meet any of the evaluation criteria.

Respondents should ensure that sufficient information is included in their EOI to facilitate proper evaluation in accordance with the stated criteria.

Assessment Panel

Applications will be assessed internally by a cross-organisational group of Council Officers and may include:

- Senior Economy, Investment and Activation Officer
- Economy, Investment and Activation Officer
- Property Officer
- Safer Communities Officer
- Tourism/Events Officer

EOI Award

Council will award the Licences on the basis of the best quality and value for the community. In determining the best quality and value for the community, Council will have regard to the report prepared by the EOI evaluation panel and any other factors which it considers relevant.

The EOI evaluation panel will evaluate EOI's in accordance with evaluation criteria. Council reserves the right to exclude any non-conforming EOI from evaluation at any stage of the EOI process.

Preferred Applicants, based on the initial assessment, may be shortlisted. At any time during the evaluation process, Council may shortlist more than one Applicant. Any such shortlist shall be:

- Based on any of the Evaluation Criteria; and
- Undertaken where no benefit is derived from the evaluation of all of the EOI's received

Notification of application outcome

Council will be informed of successful applications and all Applicants will be notified in writing of the outcome of their application no less than 3 months prior to the commencement of the next licence period.

Required Documentation

Council will provide a written request to the 'preferred' Applicants to provide all required documentation including Public Liability Insurance for \$20M and vehicle insurance extended to include legal liability, prior to being issued a Licence Agreement as the 'successful' Applicant.

Form of Agreement

Successful Applicants will be offered a Licence Agreement. Licensees will be required to comply with the General Conditions as well as any other Special Conditions or Covenants as set out in the Licence Agreement for

the term of the licence.

Withdrawal of EOI Award or License Agreement by Applicant

In the case that an EOI Awardee or licence holder withdraws their application or from the agreement, that site will be offered via an Expression of Interest procurement process (as per these guidelines) with a pro-rata Licence Agreement and annual licence fee offered to the preferred Applicant for the remainder of the current licence cycle.

Identification of New Sites

New sites may be suggested by operators and/or the community at any time. Newly suggested sites will require a comprehensive council feasibility assessment prior to inclusion. In the case a new site is deemed suitable, it will be offered via an Expression of Interest procurement process with a pro-rata licence agreement and annual licence fee for the remainder of the current licence cycle.



Licence conditions

General Conditions (include but not limited to)

- Licence holders must comply with all relevant legislation and regulations such as the Food Act 1984, Community Local Law 2020, Road Safety Rules 2017, the Food Standards Code (under the Legislation Act 2003) and the Single-use Plastic ban (effective 1 Feb 2023) at all times
- Licences are for a 12 or 24 month period
- Licence holders must operate only within the specified site, size and space, as per the licence agreement
- Licence holders must provide a waste management/minimisation plan with their EOI application
- Licence holders are responsible for the management of patrons on site
- Any advertising materials or furniture not strictly within the specified site,

as per the licence agreement, must have a separate, approved Council permit

- Licence holders must operate only during the days and times of operation as per the licence agreement
- Licence agreements are non-transferable to any other party
- Licence holders must ensure the site and surrounding area is kept free of litter at all times
- Licence holders must ensure surrounding site vegetation is not harmed or damaged
- The sale or supply of alcohol is not permitted

Council Obligations

- Frankston City Council will maintain all mobile food van sites as per the condition, services and facilities outlined in these guidelines
- Frankston City Council will apply for all necessary permits/approvals from the Victorian government for commercial activities on Crown land prior to the issuance of licence agreements

Revoking of Licence Agreement

Council reserves the right to revoke any operator licence if any conditions in their individual licence agreement are breached. Refer to individual licence agreement for detailed conditions.



Fees

Site Licence Fees

Annual site licence fees are pre-determined by anticipated visitation rates and the onsite availability of power, water and/or public toilets.

Licence fees range from Level 1 to Level 3 with the aim of increasing commercial activity in public open spaces across the municipality; providing opportunities for new and emerging commercial operators; and trialling new mobile food van sites.

Fees are set for the duration of the licence agreement and reviewed prior to each EOI round.

Fee Inclusions

Where a site location stipulates that services such as power and water are supplied, these are provided to the licence holder at no cost as a per the licence agreement.

2024–26 Licence Fees

Level 1	\$12,000	Availability: 7 days per week Utilities: Power, Water and Public toilets Visitation level: High
Level 2	\$7,000	Availability: Minimum 5 days per week Utilities: At least one of Power, Water, Public toilets Visitation level: Medium
Level 3*	\$3,000	Availability: Minimum 2 days per week Utilities: No Power, Water, Public toilets Visitation level: Low–Medium

* Level 3 — trial offered for 3, 6 and 12 months at pro-rata fee

Due to the addition of Level 3 sites, in the initial year, operators will only be able to apply for one period (either 3, 6 or 12 months) during that term. The option for short term periods for Level 3 sites will be reviewed annually.

Payment Terms

Licence holders will be issued with fee invoices quarterly.

All fees are required to be paid in advance.

Further information and support

Definitions

- “Applicant” is a business operator who has submitted an EOI but who has not yet been awarded a Licence Agreement
- “Council” means Frankston City Council
- “Crown land” is land owned by the State or Commonwealth Government. Crown land is usually set aside for a specific public purpose
- “FoodTrader” means the Victorian government Department of Health FoodTrader Registration process. Note: Mobile commercial operators are only required to register with FoodTrader with one council and are then permitted to trade across Victoria
- “Licence holder” means the business entity to whom the licence is issued

- “Mobile food van” is a mobile food premises and can include, but is not limited to vans, buses, trailers, carts and boats which are capable of movement from place to place for the Sale of food and/or beverages
- “Public open space” is land set aside for leisure and nature conservation including parks, gardens, reserves and waterways. It may also include public roads and carparks in the Frankston city municipality

Help with an Application

Frankston City Council’s Economy, Investment and Activation team can provide support to Applicants prior to the commencement of the Expression of Interest regular licence application process. Please contact us at business@frankston.vic.gov.au

Help Registering a Mobile Food Van

To register with the Victorian government Department of Health visit FoodTrader — foodtrader.vic.gov.au (health.vic.gov.au)

For further information including how to register and food van fit-out requirements, contact the Frankston City Council Business Concierge at businessconcierge@frankston.vic.gov.au

Guideline Review

These guidelines will be reviewed no later than 30 December 2024





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DRAFT Mobile Food Van Procurement Guidelines 2023

Engagement Report





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Background

In 2020, Frankston City Council (FCC) launched its 'Do It Outdoors' program in response to COVID- 19. This included the licensing of mobile food vans at three public open space locations.

In late 2022, Frankston City Council recognised that opportunities existed to improve its Do It Outdoors program, particularly in relation to its regular, licenced mobile food van program and therefore, commenced a comprehensive review of this including licence fees and duration, procurement assessment criteria, the Expression of Interest (EOI) application process, and the locations in which mobile food vans operate.

New *Draft Mobile Food Van Procurement Guidelines* were subsequently developed, with the aim of attracting and supporting high quality commercial operators to deliver regular, licenced mobile food van experiences in public open spaces across the municipality.

Engagement overview

Stage One Consultation – November 2022

45 mobile food van operators, all of who had, at some time, inquired about or applied for a food van license with FCC, whether successful or unsuccessful during this process, were invited to a 'Mobile food van operator forum'. The purpose of the forum was to seek feedback and to identify opportunities to improve the existing guidelines and process, in particular:

- Current and future sites
- Length of licence
- Expression of Interest (EOI) process
- Application and assessment process and criteria
- Notification of EOI outcome timelines

Stage Two Consultation – May 2023

Mobile food van operators and the wider community were invited to provide feedback on the new Draft Mobile Food Van Procurement Guidelines from 2 May – 30 May 2023 via the Engage Frankston website. All 45 mobile food van operators invited to the operator forum as per Stage One Consultation above, were again directly requested to participate in the engagement.

The consultation via Engage Frankston resulted in **143 contributions**, which included:

- **132 Community members**
- **11 Mobile Food Van Operators**

In addition, Council officers sought direct feedback from the **12 Sporting Clubs** which utilise the reserves identified in the proposed mobile food van location map. To ensure there is no business competition, Sporting Clubs were asked questions around their Canteen usage and whether they agree with having a Food/beverage truck on site.

The direct consultation resulted in 10 Sporting Clubs contributing out of the 12 identified.

Engagement promotion

The opportunity for members of the Frankston City community to participate in the engagement activity was promoted via a number of channels as outlined below:

- Frankston City News (FCN)
 - May-June edition
- Invest Frankston Business e-news article – 18 May 2023
- Invest Frankston Social Media Campaign
 - Facebook: 3 posts, Instagram: 3 posts
 - Post Reach – 1,345
 - Post Impressions – 1,327
 - 31 Reactions
- Frankston City Council Social Media Campaign
 - Facebook: 2 posts,
 - Post Reach – 14,125
 - Post Impressions – 14,244
 - 109 Reactions
 - 93 Comments
- Corflute posters installed across the 8 sites promoting the engagement and encouraging feedback.

Please refer Appendix A. Promotional material

Targeted mobile food van operator and sporting group promotion of the engagement

- Direct phone calls to the 3 current Oliver's Hill operators
- Emails to 45 Mobile Food Van Operators
- Email to 12 Sporting Clubs at the proposed locations
- Follow up phone calls with 12 Sporting Clubs at the proposed locations
- Shared with the Frankston Business Collective
- Shared with the Frankston Social Enterprise Hub



About the Survey

The survey targeted both community members and mobile food van operators with questions relevant to each group. The purpose of this was to ensure that appropriate stakeholders were able to provide feedback to inform the guidelines that was the most relevant to them.

Questions for both

Do you currently own a mobile food van business or are planning on starting one?

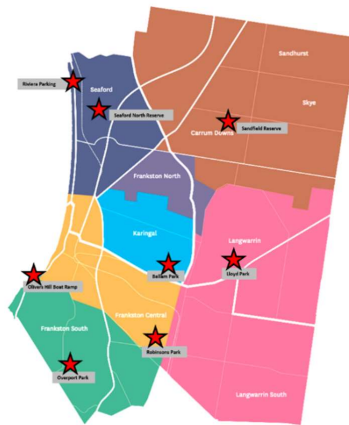
Community member questions

Which Frankston City suburb do you reside in?

When deciding to purchase food/drinks from a food truck, what is important to you?

- Presentation/appearance of food van
- Extent of operational day and hours (within site availability)
- Range of menu options including healthy options
- Price of food and beverages
- Demonstrated use of locally sourced/manufactured products
- Evidence of generation of employment opportunities
- Ability to demonstrate environmentally friendly practices

Review our map of proposed sites for Food Trucks, and let us know any feedback you have in the text box below.



Do you have any further feedback about our Draft Guidelines?

Mobile Food Van Operators questions

What do you think the proposed licence term should be?

- 12 months
- 24 months
- 36 months

Do you agree with the following procurement assessment criteria?

- Presentation/appearance of food van
- Extent of operational day and hours (within site availability)
- Range of menu options including healthy options
- Price of food and beverages
- Demonstrated use of locally sourced/manufactured products
- Evidence of generation of employment opportunities
- Ability to demonstrate environmentally friendly practices

Do you support the following notification process?

Council will be informed of successful applications and all applicants will be notified in writing of the outcome of their application no less than 3 months prior to the commencement of the next 24 month licence period.

Do you think that individual sites should be offered to more than one licensee on a shared basis?

If yes, which of the following models would you support/agree with?

- Rotational – ½ day each for 2 licensees
- Rotational – full week / weekend days shared with 2 or more licensees
- Other

Do you agree that the annual site licence fees are pre-determined by day's available, anticipated visitation rates and the onsite availability of power, water and/or public toilets?

Do you have any feedback on the new proposed set licence fee structure?

Do you have any other feedback about our Draft Guidelines?

Engagement Findings

Community Members

Of the 132 community members who responded to the survey, 127 indicated they were Frankston City residents.

Procurement assessment criteria ranking

Community members were asked to rank the following procurement assessment criteria from most to least important to assist Council officers to weight the criteria:

- Presentation/appearance of food van
- Extent of operational day and hours (within site availability)
- Range of menu options including healthy options
- Price of food and beverages
- Demonstrated use of locally sourced/manufactured products
- Evidence of generation of employment opportunities
- Ability to demonstrate environmentally friendly practices

Community members ranked the following criteria as the top three items most important to them:

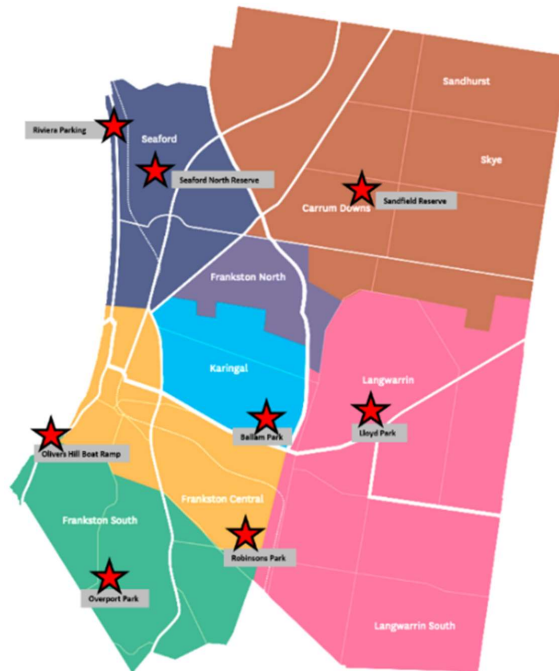
- Price of food and beverages
- Range of menu options including healthy options
- Presentation/appearance of the mobile food van

Community members had the opportunity to provide “other” criteria important to them, with the following the most mentioned responses:

- Quality of food
- Reasonably priced
- Consistency with being open
- Interest in the local community
- Healthy options/Vegan options/other intolerances
- Local Business operator/local staff
- Customer Service

Map of proposed sites

Community members were invited to review the proposed mobile food van location map, below.



Overall the proposed locations received positive feedback, with community members supporting the newly proposed locations. There were questions raised over no food van location in Frankston North, highlighting a gap between Karingal and Seaford, with community members reporting that it would bring a more positive atmosphere to the area. Other comments mentioned that Oliver's Hill Boat Ramp needs more of a variety of food available and a reduction of boat car parking if more sites are to be created in the future.

The following additional locations were identified by survey respondents:

- Frankston Foreshore/near pier/more beachside
- Jubilee Park
- Sandhurst
- Frankston North - lots of requests
- Seaford East Reserve
- Belvedere Reserve
- George Pentland Botanical Gardens
- Pines Flora & Fauna (Carpark)

Comments from the community

"If you are going to increase the number of food trucks at the Oliver's Hill Boat Ramp, you are going to have to increase the number of single car parking spaces, to allow residents to make the most of the offerings. Maybe repurpose some of the boat trailer car parks that are NEVER full of cars with boat trailers."

"Coffee at any of the parks would be amazing!! Taking your kids to the park is the least exciting part of parenting, enjoying a coffee while they play makes it much more bearable."

"Ballam Park absolutely needs a coffee van. There is no local cafe within walking distance around the Frankston side of Cranbourne road. Will be very much utilised by locals."

"Love a food truck at Seaford north Nepean highway! How fab"

"Maybe if some could be appropriately placed in the large gap between Karingal and Seaford North Reserve?"

"Looking at the spread it would appear that there is a large gap where Frankston North is. Frankston North has plenty of parks and parking in its centre to facilitate a mobile food van"

Other feedback about the draft guidelines

Community members would like to be consulted on the choice of which vans are selected for these locations. This is not currently part of the proposed process which outlines that the EOI applications will be assessed by a cross-organisational assessment panel.

Oliver's Hill

The current arrangement at Oliver's Hill Boat Ramp was mentioned by 16 community members, with the current coffee van Little Olly's supported or positively mentioned by 9 of these. Other comments were made relating to ensuring the community is consulted, community members enjoying the walk to Oliver's Hill and that another Coffee van is needed in the area as there are currently long waiting times at the Little Olly's van.

Comments from the community

"Ensure process is fair and transparent. Prioritise businesses already within the municipality. The charm of Olly's is its local connection. It activated that boat ramp and served as more than just a coffee van in lockdown - it was meeting place and pivotal location. Don't punish them when they can't compete with big business, their value is more than that"

"Ensure process is fair and transparent. Prioritise businesses already within the municipality."

“Oliver’s Hill boat ramp is very important to keep. Even though it is a boat ramp, I walk down there most days and more than 90% of the time there are no or very few boat users. The food vans bring community together and this space would be wasted if just for boat users. The vans are also great for visitors to the area servicing both the beach and Sweetwater creek areas.”

In general, the feedback received about food and beverage vans at Oliver’s Hill was positive and in support of the draft guidelines.

Mobile Food Van Operators

There were 11 mobile food van operators who completed the survey on Engage Frankston.

Map of proposed sites

Mobile food van operators were also invited to review the proposed location map and provide feedback.

Overall the proposed locations received positive feedback, with one additional location proposed:

- Rotary Park (Carrum Downs)

The main concerns that were raised was safety at Oliver's Hill with car and pedestrian traffic, including locations near shops/shopping centres, swapping trucks around to provide a wider offering for the community and the potential of some locations having less foot-traffic.

Comments from the Mobile Food Van Operators

"Good variety of sites available. Seaford Riverina will be an issue with traffic management as site too small if cars slow down to park in area with multiple cars."

"Ballam Park is highly underutilised space, with seating, lighting, toilets, and garbage. Much more potential to expand the offering at this site. Also closer to the Frankston foreshore could also be a great location for a temporary site."

All the locations are around park which is ok. But in my opinion council should include some places around shopping centres too. Which helps food trucks to grow their business."

"We need power to trade and the generator we would require is too heavy for me to move around. Also they are noisy and create smelly exhaust fumes - as such can be very annoying to neighbours and customers. I would like to see a site in the Rotary Park in Carrum Downs (I believe there is power to this site?)"

"Looks great and I'm very interested in having my food truck at one of these locations. Especially the parks because my food is fantastic for children."

License Term

The Mobile Food Van Operators were asked to select which proposed license term they would prefer:

- 12 months
- 24 months
- 36 months

Out of the 11 respondents, 6 (55%) chose a 12 month term as their preferred license duration, 3 (27%) of respondents selected the 36 months term and 2 (18%) of the respondents chose a 24 month term.

Criteria

The majority of mobile food van operators agreed with the proposed criteria, as below, with 64% supporting this for the assessment of the EOI applications:

- Presentation/appearance of food van
- Extent of operational day and hours (within site availability)
- Range of menu options including healthy options
- Price of food and beverages
- Demonstrated use of locally sourced/manufactured products
- Evidence of generation of employment opportunities
- Ability to demonstrate environmentally friendly practices

The responders who selected no, were invited to share their reasoning, which has been summarised:

- Vendor should be a local business to the Frankston City area
- The experience of the operator
- Healthy choices are not relevant - people don't stop at a food truck for healthy food.
- Food prices are not relevant - if the prices are too high, people will not eat there
- Use of locally sourced products – doesn't apply to other businesses, why should it apply to food vans
- Generation of employment - Council should not be making judgements on this business activity
- Operating hours – weekday trading is a lot slower than weekend making it not viable to sit at a site all week
- Food trucks are owner operated and generally don't employ many staff

Notification process

Of the 11 Mobile Food Van Operators who responded to the survey, 10 supported the following notification process:

All applicants will be notified in writing of the outcome of their application no less than 3 months prior to the commencement of the next 24 month licence period.

One respondent does not agree with the 24 month license period, however did not provide a reason for this.

Site Sharing

The mobile food van operators were asked whether they think that individual sites should be offered to more than one licensee on a shared basis:

- 8 out of 11 of the respondents agree to site sharing, whilst 3 did not support this.

The respondents who agreed with site sharing, were asked which model they agreed with:

- Rotational – ½ day each for 2 licensees
- Rotational – full week / weekend days shared with 2 or more licensees
- Other

4 out of the 8 that agreed selected the **Rotational – full week / weekend days shared with 2 or more licensees**, 1 selected the **Rotational – ½ day each for 2 licensees** and 3 selected **Other**.

The **Other** feedback can be summarised as:

- Rotation will depend on food offering (e.g. coffee, cakes, light food is suitable from 5/6AM - 11/12AM. Whereas, lunch & dinner appropriate offerings would do best with the 12-9PM.
- This will depend on the site and visitation
- Ensuring food vans compliment one-another
- When someone's permit has expired, the designated spots can then be leased to the next vendor
- The food vans should be shared with coffee trucks

License Fee

Pre-determination of fee

The responders were asked whether they agree that the annual site licence fees should be pre-determined by days available, anticipated visitation rates and the onsite availability of power, water and/or public toilets.

9 out of 11 respondents agreed with this, where 2 did not support it.

The respondents that did not agree, provided the following further feedback:

- Fees are too high
- Sites with no public toilets are less desirable to visitors
- Are there any statistics on the visitation rates at these sites

Feedback on proposed pre-determined, set licence fee structure

The survey results indicate that the mobile food van operators agree that the fees should be pre-determined to ensure the application process is fair. The general feedback was supportive with a few comments suggesting a trial period for Level 3 sites which would help to better determine the visitation rate and site usage by the community.

Risk mitigation

Potential risks in relation to mobile commercial food van operators not being supportive of the new guidelines, and any negative community sentiment regarding this, has been mitigated through extensive engagement with both operators and the community.

Sporting Clubs

The 12 Sporting clubs that are associated with the proposed locations were contacted via email and phone, to ask detailed questions about their Canteen operation and were encouraged to complete the survey via Engage Frankston.

Questions Asked
Does your canteen normally operate all year round?
If 'No' – during which months of the year does your canteen operate?
What days of the week does your canteen normally operate?
What times does your canteen normally operate (on the above days)?
Is your sporting club supportive of a mobile food/beverage van being onsite at the during your canteen operating hours?

Out of the 12 Sporting Clubs that were contacted, 10 provided responses.

Sporting field	Feedback
Overport Park	<p>Cricket Club:</p> <ol style="list-style-type: none"> 1. Summer Tenants 2. No canteen 3. Ok with having Food truck there during game time <p>Dolphins Junior footy & Netball Club:</p> <ol style="list-style-type: none"> 1. No food van from 1st April - 30 Sept on Saturdays (9-5pm)
Lloyd Park	<p>Langwarrin Junior footy & Netball Club:</p> <p>No food van from 1st April - 30 Sept on Saturdays & Sundays (9-5pm)</p>
Robinsons Park	<p>Frankston Softball Clubs:</p> <ol style="list-style-type: none"> 1. Sunday - Friday Ok. 2. No Van on Saturdays (October - March) 3. One Sunday per Season canteen open (can negotiate) <p>Frankston Baseball Clubs:</p> <ol style="list-style-type: none"> 1. Not on Sat, Thursday (4-6.30pm) and every second Sunday 2. Suggested Whittenberg Reserve
Seaford North Reserve (near Playground)	<p>Seaford United Soccer Club:</p> <ol style="list-style-type: none"> 1. Canteen open Sat & Sun. 2. Supportive M-F only

Risk mitigation

Potential risks in relation to sporting clubs that currently operate canteens, or similar, at Council reserves not being supportive of mobile food vans have been mitigated through proactive engagement and by directly responding to feedback to exclude specified days and times from these sites.

Recommendations

Based on all the feedback received, the following changes are recommended to be made to the draft guidelines.

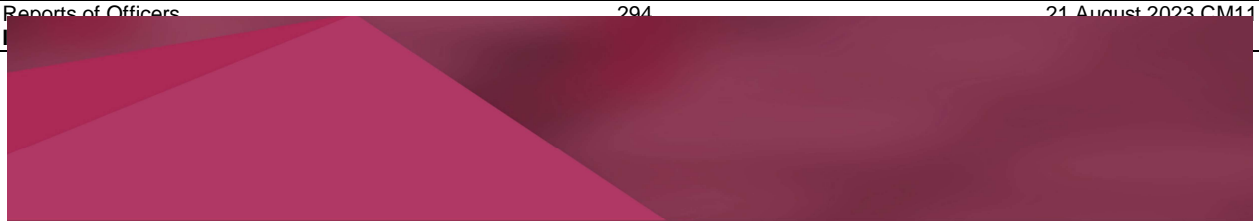
To support a variety of offerings at any multi-site location, the selection panel will consider complimentary food truck offerings, to provide a wide variety of non-similar food/beverage options.

Applications will be assessed against each of the following weighed criteria, with a maximum score of 100%

Guidelines Section	Assessment Criteria	Weight
Assessment Criteria	Range of menu options <i>(range of flavours, food/beverage types and/or dietary options)</i>	40%
	Compliance with Food Safety Standards <i>(a business that has not previously had justified complaints, received an official warning, infringement notice or had their permit cancelled will score higher in this category)</i>	25%
	Ability to demonstrate environmentally sustainable practices <i>(e.g. No single-use plastic, recyclable packaging/ zero waste management plan. etc)</i>	15%
	Hours of site activation <i>(proposed length of operational days/hours within site availability)</i>	10%
	Locally registered business <i>(business is registered via Food Trader within the municipal area)</i> <i>Example: Food truck vehicle needs to be registered with Food Trader and a Frankston City address.</i>	10%

Community feedback highlighted the importance of offering a range of food and beverage offerings at locations with multiple van sites. Therefore, assessment of submissions will include compatibility of products offered for each site.

Despite survey feedback from community members rating their top 3 criteria, they were very subjective and limited effective evaluation against one another.



Guidelines Section	Proposed Changes
Locations/Map	Conduct a feasibility study of the suggested new locations <ul style="list-style-type: none"> • Frankston North location (TBA) • Carrum Downs Rotary Park • Pines Flora & Fauna Including reviewing Sandfield Reserve for another van & conducting a traffic assessment on Pindara Blvd

The areas that were highlighted the most – Frankston North, Carrum Downs (Rotary Park), Sandfield Reserve (as a 2 site location) and the Pines Flora & Fauna will need further investigation as some areas will require additional approval. Lloyd Park will also need further review to ensure that the Van does not impact any local traffic.

Guidelines Section	Proposed Changes
License Term	Provide a 12 month term to keep the EOI process simple and consistent.

As most of the Mobile food van operators selected the 12 month term, the final guidelines will reflect this.

Guidelines Section	Proposed Changes
Rotational Site options	As part of the first EOI process with this new Guideline, a trial can be done at an established site like Ballam Park.

The majority of the mobile food van operators would like sites to be offered to more than one licensee on a shared basis.

Guidelines Section	Proposed Changes
Site Fees	1. The proposed site fees will remain 2. Offer a trial period for Level 3 sites, to establish viability of the site, as follows: Level 3 \$3,000 – trial offered for 3, 6 & 12 months at pro rata fee <i>* Due to the addition of Level 3 sites, in the initial year operators will only be able to apply for one period (either 3, 6 or 12 months) during that term. This option for short term periods for Level 3 sites will be reviewed annually.</i>

Mobile food van operators agree that the fees should be set which will ensure the application process is fair. The suggestion of offering a trial period for Level 3 sites to better determine the visitation rate and site usage by the community will be included.

Appendix A. Promotional material

FCN Article



Guiding the future of mobile food vans in Frankston City

Frankston City Council is inviting the community to have their say on the updated Mobile Food Van Draft Guidelines.

Mobile food vans offer a great way to activate our open spaces, create a sense of community, support business investment, and grow tourism in Frankston City. Council recognises that improvements can be made to our program and has worked with mobile food van operators to review our guidelines. Businesses and individuals can share their views on the licensing terms, assessment criteria, and additional locations. Consultation is open until 30 May via Engage Frankston. Scan the QR code below to have your say!



Online FCN e-news

Have your say! We want to hear from you



Draft Frankston City Industrial Strategy out for consultation

We've developed a **Draft Frankston City Industrial Strategy** to transform the municipality's aged industrial precincts into contemporary, sustainable, and high-amenity employment and enterprise locations that attract investment and growth. The strategy reinforces Frankston City's role as a major industry focal point in the southern metropolitan region and ensures that the industrial precincts develop to their full potential. Help shape the future of our industrial precincts by having your say in the Engage Frankston online survey by 29 May.

[More info](#)

Other engagement opportunities

Draft road discontinuance policy: The Policy explains how the discontinuance and disposal of roads that are 'no longer reasonably required for public use and access' will be handled. It outlines the process and ensures transparency and fairness. **Runs to 11 June.**

Sandfield Reserve Youth Space: As part of the next stage of delivering the Master Plan, Council is upgrading an outdoor Youth Space at Sandfield Reserve. We're calling on young people and those who know them, to help design this space. Various rounds of engagement through to 30 June.

Draft Mobile Food Van Procurement Guidelines: Opportunities exist to improve the mobile food van program. We are working with the community to review licence fees and duration.

[More info](#)

Invest Frankston Social Media (May 5, 11 & 17)



Invest Frankston · 1st
Economic Development at Frankston City Council

Draft Mobile Food Van Procurement Guidelines are open now for consultation! We'd love your feedback! 🗣️

The valuable contribution food van operators bring to the local lifestyle, economy and community as a whole is widely recognised ❤️

Help us improve existing food van guidelines by telling us what you think of the new Draft Guidelines.

The survey closes 30 May, 2023 at 5pm 🕒

<http://ow.ly/JTXV500fyxk>

#investfrankston #frankstoncity #foodvans #mobilefoodvans #foodtruck #feedbackwanted #openforconsultation #guidelines #mobilefoodvan #mobilefoodtruck #thrivingeconomy #publicopenspace

FCC Facebook (May 2 & 18)



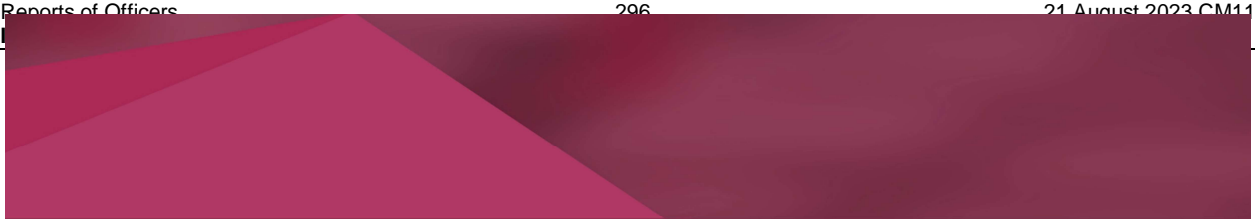
Frankston City Council
Published by Penelope Maree · May 2 · 🌐

Mobile food vans offer a great way to activate our open spaces, create a sense of community, support business investment, and grow tourism in Frankston City. 🍷🍷🍷

After listening to community, we've recognised there's an opportunity to improve our mobile food van program. And we want your help!

Over the past few months, we've been consulting with mobile food van operators from Frankston City and beyond to draft a new set of guidelines for food trucks in our area. The draft... [See more](#)





Business e-news article

8 signs installed at all locations on the map



Food Van Consultation

Draft Mobile Food Van Procurement Guidelines are open now for consultation! We'd love your feedback! The valuable contribution food van operators bring to the local lifestyle, economy and community as a whole is widely recognised. Frankston City Council understands opportunities exist to improve the mobile food van program, and has been working with mobile food van operators to review the licence duration, the assessment criteria and Expression of Interest (EOI) process, and the locations in which mobile food vans operate. Help us improve our food van program by telling us what you think of the new Draft Guidelines. The survey closes 30 May, 2023 at 5pm.

Tell us what you think!



Executive Summary**12.3 Award of Contract CN11141 - Native Vegetation Maintenance Panel**

Enquiries: (Brad Hurren: Infrastructure and Operations)

Council Plan

Level 1:	4. Well Planned and Liveable City
Level 2:	4.3 Provide well designed, fit for purpose, multi-use open spaces and infrastructure for the community to connect, engage and participate

Purpose

To obtain Council approval to award a panel contract CN11141 to various suppliers for the provision Native Vegetation Maintenance across the Frankston municipality.

Recommendation (Director Infrastructure and Operations)

That Council:

1. Awards contract CN11141 – Native Vegetation Maintenance Panel to the following tenderers across four categories for an initial one (1) year term with the provision of two (2) further one (1) year extension options at Council's sole discretion, with a total potential contract value of an estimated \$3,783,000 (exclusive of GST);

Category 1 – Manual Native Vegetation Maintenance

- A. Practical Ecology Pty Ltd, ACN 082 911 377, and
- B. Wetland and Wildlife Creations Group Pty Ltd; ACN 619 650 350;
- C. Peter Gerard Nash trading as EcoRegen; ABN 99 202 598;
- D. Felix Botanica Pty Ltd; ACN 105 022 651;
- E. Platypus Environmental Services; ACN 137 694 323;
- F. Seeds Bushland Restoration Pty Ltd; ACN 126 186 883;

Category 2 – Native Vegetation Landscaping

- A. Practical Ecology Pty Ltd, ACN 082 911 377;
- B. Felix Botanica Pty Ltd; ACN 105 022 651;
- C. Seeds Bushland Restoration; ACN 126 186 883;

Category 3 – Native Vegetation Weed Suppression

- A. Wetland and Wildlife Creations Group Pty Ltd; ACN 619 650 350;
- B. Practical Ecology Pty Ltd, ACN 082 911 377;
- C. Environmental restorations Pty Ltd; ABN 55 863 702 716;
- D. Felix Botanica Pty Ltd; ACN 105 022 651;

Category 4 – Native Vegetation Planting

- A. Practical Ecology Pty Ltd, ACN 082 911 377;
- B. Felix Botanica Pty Ltd; ACN 105 022 651;
- C. Seeds Bushland Restoration Pty Ltd; ACN 126 186 883;

2. Authorises the Chief Executive Officer to execute and sign the contracts;
3. Authorises the Chief Executive Officer to approve contract variations;

12.3 Award of Contract CN11141 - Native Vegetation Maintenance Panel**Executive Summary**

4. Authorises the Director Infrastructure and Operations to approve the extensions of the contract subject to the satisfactory performance of the contractor(s); and
5. Resolves Attachments A and B to this report be retained confidential on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage, pursuant to the *Local Government Act 2020 s3(1)(g)*.

Key Points / Issues

- Frankston City Council is well known for the high quality of its native vegetation, including its Green Wedge areas.
- Council maintains 61 natural reserves with more than 470 hectares of bushland and coastal vegetation; over 534 species of sensitive native flora and 312 species of native fauna. This includes the Seaford Wetlands, one of only 66 sites in Australia included in the Ramsar Convention on Wetlands of International Importance. The Ramsar Convention is a treaty between nations aimed at conserving biodiversity, with one of these rare and unique wetlands located within the municipality.
- Contract CN11141 is a new contract. The existing panel contract CN10510 has ended early due to withdrawal of suppliers; remaining suppliers from this contract were invited to refresh their rates and novate to the new panel contract.
- The new contract will ensure adequate resources are available for the maintenance of native vegetation in a manner that:
 - Reduces the impact of weeds on native vegetation;
 - Improves native flora and fauna diversity;
 - Maintains impacts of maintenance practices on health and environment;
 - Balances fire risk management with protection of native values; and
 - Seeks to implement best practice land management practices.
- During the term of the Contract, Council may seek to call for tenders to 'refresh' the panel where it feels that greater value would be derived by increasing the number of panellists appointed to any or all categories.

Tender Process

The request for tender (RFT) was released to market via Council's website and advertised in The Age newspaper on 20 May 2023.

The tender closed at 3:00pm Wednesday 14 June 2023, AEST.

Under this contract 5 tenders were received.

4 tenders were submitted for all 4 categories (categories 1-4) with the recommended tenderer Wetland and Wildlife Creations Group Pty Ltd.

1 tender was submitted for 3 categories (categories 1, 3 and 4) and the recommended tenderer Practical Ecology Pty Ltd.

No late tenders were received.

Tender Evaluation

12.3 Award of Contract CN11141 - Native Vegetation Maintenance Panel**Executive Summary**

Evaluation Criteria	Weighting %
Financial Cost to Council	30%
Capability, Experience and Management Systems	25%
Ability to meet technical requirements	25%
Environment and Sustainability	10%
Community Benefit	10%

Evaluation was guided by the approved Evaluation Plan, which is filed in Council's document management records system, reference A4904444.

The evaluation of submissions is documented in the Evaluation Report, which is provided as Attachment A.

Negotiations

All tender negotiations are complete.

Post award of the contract

If award is approved by Council at this Ordinary Meeting, all respondents will be notified of the outcome and offered debriefs.

Details of the awarded contract will be published on the Council website.

Probity

All Council procurement processes are conducted in a fair, honest, open manner with the highest levels of integrity and in the public interest. All suppliers are treated fairly in an open and transparent manner.

Council must engage an external probity advisor when the value of goods or services exceeds \$5 million (GST inclusive)

An external probity advisor was not appointed.

Disclosures of Conflicts of Interest in Relation to Advice Provided in this Report

No person involved in the evaluation of tenders declared a direct or indirect interest requiring disclosure.

Contract Value

This is a schedule of rates contract, with a combined expenditure for Categories 1, 2, 3 and 4 to not exceed \$3,783,000 GST exclusive for the three (3) year maximum life of the contract.

Term of the Contract

The initial contract term is twelve (12) months. It is anticipated the contract will commence in September 2023. At the completion of the initial term, there is provision for a further two (2) X twelve (12) month extension options based on satisfactory performance (1+1+1).

Policy Considerations

This procurement does not conflict with any Council policies.

12.3 Award of Contract CN11141 - Native Vegetation Maintenance Panel**Executive Summary****Collaboration**

Section 109(2) of the Local Government Act 2020 requires that any report to Council that recommends entering into a procurement agreement must include information in relation to any opportunities for collaboration with other Councils or public bodies.

Under this contract there were no opportunities to collaborate with other Councils or public bodies as:

Financial Implications

Evaluation indicates a total contract price of \$3,783,000 GST exclusive. It is noted that this amount is shared between the five existing contractors under Contract CN10510 plus the two new additional suppliers as recommended in this report (Contract CN11141).

Works delivered under this contract are funded from existing Operational accounts. It should be noted that recommended tenderers can be accommodated within existing budgets.

Legal/Statutory Implications

The tender process complies with Council's Procurement Policy 2021-2025.

Environmental/Sustainability Impacts

Environmentally responsible materials, processes and approaches will be addressed at the Action Plan and adhered to during implementation.

Buy Local Impacts

Both suppliers have indicated they will support local businesses.

ATTACHMENTS

Attachment A: Evaluation Report - **CONFIDENTIAL**

Executive Summary**12.4 Award of Contract CN11129 - Building Services Panel**

Enquiries: (Vishal Gupta: Infrastructure and Operations)

Council Plan

Level 1:	4. Well Planned and Liveable City
Level 2:	4.3 Provide well designed, fit for purpose, multi-use open spaces and infrastructure for the community to connect, engage and participate

Purpose

To seek Council's endorsement to engage a panel of pre-qualified building and trade services contractors under Contract CN11129 – Building Services Panel, that will be utilised on an as required basis. To ensure best value outcomes, Council may seek multiple quotations from the panel where appropriate.

Recommendation (Director Infrastructure and Operations)

That Council:

1. Appoints the following contractors to CN11129 – Building Services Panel for an initial three (3) year term with a provision of three (3) further two (2) year terms at Council's sole discretion:

Category 1 – Lead Contractor (Building)

- Boongalla Group Pty Ltd, ABN 49 114 249 286
- CA Property Group Pty Ltd, ABN 92 094 711 038
- DQ Construction Pty Ltd, ABN 52 614 320 188
- Eastern Property Services Pty Ltd, ABN 17 098 048 312
- Exemplo Constructions Pty Ltd, ABN 36 664 631 690
- Joven Building Services Pty Ltd, ABN 96 085 841 194
- Jardon Group Pty Ltd, ABN 22 628 500 756
- Keon Constructions Pty Ltd, ABN 72 077 075 266
- Kinetic Constructions Pty Ltd, ABN 59 641 009 725
- McKinnon's Construction's Pty Ltd, ABN 86 616 908 313
- More Building Group Pty Ltd, ABN 614 44 992 933
- Tidon Constructions Pty Ltd, ABN 11 125 670 073

Category 2 – Electrical Services

- BC Beel Electrical Pty Ltd, ABN 42 140 776 334
- Eco Electrical Services Pty Ltd as Trustee for Eco Electrical Services Trust, ABN 9310 123 9118
- KIJ Electrical Pty Ltd as Trustee for Johnson Family Trust, ABN 9776 575 5258
- QA Electrical Pty Ltd, ABN 52 124 222 760
- Wallgates Pty Ltd, ABN 27 096 477 842

Category 3 – Plumbing Services

- The Trustee for Blue Contracting Unit Trust, ABN 12 951 246 211

Category 4 – Painting Services

- Resolute Painting & Projects, ABN 68 626 374 329

Category 5 – Joinery / Furniture

- Spencer Van Dam Pty Ltd trade as Backcare and Seating Dandenong,

12.4 Award of Contract CN11129 - Building Services Panel

Executive Summary

ABN 51 153 583 290

Category 6 – Mechanical Services

- Precision Mechanical Services (Australasia) Pty Ltd, ABN 45 128 199 931
 - Roejen Services Pty Ltd, ABN 30 273 382 860
 - Tcm Solutions Pty Ltd as Trustee for The Keating Family Trust, ABN 94 805 931 763.
2. Notes that this is a Schedule of Rates contract(s). The award of any contract for works procured via this panel will be approved in accordance with the provisions set out in the relevant Instrument(s) of Delegation;
 3. Notes award of work per project is capped at \$1million excluding GST which is within CEO approved financial delegation;
 4. Authorises the Chief Executive Officer to execute the contract(s);
 5. Authorises the Chief Executive Officer to approve any contract variations;
 6. Authorises the Director Infrastructure and Operations to approve the extensions of the contract(s) subject to the satisfactory performance of the contractor(s); and
 7. Resolves that Attachment A to this report be retained confidential on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage, pursuant to the *Local Government Act 2020 s3(1)(g)*.

Key Points / Issues

- Council is seeking to establish a panel of pre-qualified building and trade services contractors which can be called upon on an as-needed basis, to efficiently deliver small scale building and construction works.
- The establishment of this panel seeks to secure the services of suitably qualified and experienced contractors with fixed schedule of rates pricing, to expedite the procurement process when engaging contractors.
- In appointing a contractor to the panel, Council does not guarantee that a contractor will be awarded any contract or invited to quote for any or any minimum number of contracts. Council may appoint contractors not included in the panel if it believes that use of the established panel is not appropriate or does not deliver value for money.
- Council sought tenders from suitably qualified and experienced contractors in the following categories:
 1. Lead Contractors (Builder);
 2. Electrician;
 3. Plumber;
 4. Painter;
 5. Joinery and furniture;
 6. Roofing; and
 7. Mechanical Services

12.4 Award of Contract CN11129 - Building Services Panel**Executive Summary**

- This Contract is a Schedule of Rates Contract. The initial contract term is three (3) years with a provision for three (3) extensions for a further two (2) years at the discretion of Council (3+2+2+2 years); a total potential contract term of nine (9) years.
- Any contract awarded via this panel will be approved in accordance with the provisions set out in the relevant Instrument(s) of Delegation.
- During the term of the Contract, Council may seek to call for tenders to 'refresh' the panel where it feels that greater value would be derived by increasing the number of panellists appointed to any or all categories.

Background

- Council's Building Infrastructure team has many small to medium size projects to deliver each financial year particularly in the Council's Long Term Infrastructure Plan.
- Having a panel of prequalified contractors that can deliver those projects safely, efficiently and with good quality is best value to Council.
- The establishment of service panels provides an opportunity to fast track the delivery of projects by minimising the time spent on the procurement related activities, whilst also ensuring compliance with Council's Procurement Policy.

Tender Process

In order to seek interest and obtain best value from suitably qualified building contractors, a public tender process was conducted in accordance with Council's procurement policy and guidelines.

The tender was advertised on Saturday 27 May 2023 through Council's E-tendering Portal and closed on Wednesday 21 June 2023 at 3:00pm.

A total of 24 tenders were received, as per below in the following categories:

Category	# Tenders received	# Recommended Tenders
Lead Contractor (Builder);	13	12
Electrician;	5	5
Plumber;	1	1
Painter;	1	1
Joinery/Furniture	1	1
Roofing	0	0
Mechanical Services	3	3

Tender EvaluationMandatory criteria

All submissions were assessed against the following criteria, as advertised in the Request for Tender documents:

Criteria	Weighting
Financial Cost to Council;	30%
Demonstrate Quality and Ability to Meet Technical Requirements	20%
Past Performance on Public Sector and Most Similar Sizes of Projects	15%

12.4 Award of Contract CN11129 - Building Services Panel

Executive Summary

Capability, Experience on Relevant Works and Services Panels. Capacity on experienced staff and subcontractors.	15%
Methodology	10%
Community Benefit Including Local, Social, Economic and/or Environmental Sustainability	10%
Mandatory Criteria: <ul style="list-style-type: none"> • Insurances, PI Insurance; • Licences / Qualifications; and • Child Safe Standards 	Pass/Fail

Evaluation was guided by the approved Evaluation Plan, which is filed in Council's document management records system, reference A4951050.

The evaluation of submissions is documented in the Evaluation Report, which is provided as Attachment A.

Following the evaluation, it is recommended that the following contractors are appointed to the panel in the categories listed below:

Contractor	ABN
Category 1 - Lead Contractor (Building)	
Boongalla Group Pty Ltd	49 114 249 286
CA Property Group Pty Ltd	92 094 711 038
DQ Construction Pty Ltd	52 614 320 188
Eastern Property Services Pty Ltd	17 098 048 312
Exemplo Constructions Pty Ltd	36 664 631 690
Joven Building Services Pty Ltd	96 085 841 194
Jardon Group Pty Ltd	22 628 500 756
Keon Constructions Pty Ltd.	72 077 075 266
Kinetic Constructions Pty Ltd	59 641 009 725
McKinnon's Construction's Pty Ltd	86 616 908 313
More Building Group Pty Ltd	614 44 992 933
Tidon Constructions Pty Ltd	11 125 670 073
Category 2 - Electrical	
BC Beel Electrical Pty Ltd	42 140 776 334
Eco Electrical Services Pty Ltd as Trustee for Eco Electrical Services Trust	9310 123 9118
KIJ Electrical Pty Ltd as Trustee for Johnson Family Trust	9776 575 5258
QA Electrical Pty Ltd	52 124 222 760
Wallgates Pty Ltd	27 096 477 842

12.4 Award of Contract CN11129 - Building Services Panel**Executive Summary**

Category 3 - Plumbing	
The Trustee for Blue Contracting Unit Trust	12 951 246 211
Category 4 - Paintinig	
Resolute Painting & Projects	68 626 374 329
Category 5 - Joinery/Furniture	
Spencer Van Dam Pty Ltd trade as Backcare and Seating Dandenong	51 153 583 290
Category 6 - Mechanical Services	
Precision Mechanical Services (Australasia) Pty Ltd	45 128 199 931
Roejen Services Pty Ltd	30 273 382 860
Tcm Solutions Pty Ltd as Trustee for The Keating Family Trust	94 805 931 763

Negotiations

All tender negotiations are complete.

Post award of the contract

If award of this Contract is approved by Council at this Ordinary Meeting, all respondents will be notified of the outcome and offered debriefs.

Details of the awarded contract will be published on the Council website.

Probity

All Council procurement processes are conducted in a fair, honest, open manner with the highest levels of integrity and in the public interest. All suppliers are treated fairly in an open and transparent manner.

An external probity advisor was not appointed.

Disclosures of Conflicts of Interest in Relation to Advice Provided in this Report

No person involved in the evaluation of tenders declared a direct or indirect interest requiring disclosure.

Contract Value

This is a schedule of rates contract. Approval of any works appointed via this panel will be limited to \$1million ex. GST. As the contract may be accessed across the organisation over multiple years, it is difficult to estimate the total value of spend against the contract over the term and extension options however, overall spend will be in line with Council's business requirements.

Term of the Contract

The contract term will initially be three (3) years. The contract will include provision for three extensions for further two (2) years plus two (2) years plus two (2) years at the discretion of Council. Total Contract term could equate to be nine (9) years duration, if all options are exercised.

Policy Considerations

This procurement does not conflict with any Council policies

12.4 Award of Contract CN11129 - Building Services Panel**Executive Summary****Collaboration**

Section 109(2) of the Local Government Act 2020 requires that any report to Council that recommends entering into a procurement agreement must include information in relation to any opportunities for collaboration with other Councils or public bodies.

The Panel predominantly will be accessed by Frankston City Council, alternative Victorian Councils may also access the panel following endorsement by Frankston City Council.

Financial Implications

There is no specific budget allocated to deliver works/ services under this contract. However budgets allocated to a number of projects listed for delivery in any given financial year over the nine (9) year term of the contract (including possible extensions) will be utilised to deliver such projects by procurement of works/ services under this contract.

There is no guarantee that any of the Contractor appointed on the panel will be requested to provide services under this contract. Successful registration of a Contractor on the Panel does not guarantee continuity of works/ service for any Contractor.

Legal/Statutory Implications

The tender process complies with Council's Procurement Policy 2021-2025.

Environmental/Sustainability Impacts

Council ESD design guideline has been included as part of tender documentation.

Environmental initiatives are being encouraged and were an evaluation criteria as a part of the evaluation process for awarding this Contract. Contractors' environmental management policies and management practises were also assessed during the tender evaluation process.

Buy Local Impacts

Tenderers who were encouraging local employment opportunities were favourably scored in Community Benefit criteria as a part of the evaluation process for awarding this Contract.

ATTACHMENTS

Attachment A: Tender Evaluation Report - Building Services Panel -
CONFIDENTIAL

17. CONFIDENTIAL ITEMS

Section 3(1) of the *Local Government Act 2020* enables the Council to close the meeting to the public if the meeting is discussing any of the following:

- (a) Council business information that would prejudice the Council's position in commercial negotiations if prematurely released;
- (b) Security information that is likely to endanger the security of Council property or the safety of any person;
- (c) Land use planning information;
- (d) Law enforcement information;
- (e) Legal privileged information;
- (f) Personal information;
- (g) Private commercial information;
- (h) Internal arbitration information;
- (i) Councillor conduct panel information
- (j) Information prescribed by the regulations to be confidential information for the purposes of this definition;
- (k) Information that was confidential information for the purposes of section 77 of the *Local Government Act 2020*
- (l) A resolution to close the meeting to members of the public pursuant to section 66(2)(a).

Nil Reports

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Signed by the CEO