

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

**Greater Shepparton City Council**

**Instrument of Delegation**

**to**

**Members of Council Staff**

## Instrument of Delegation

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

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

### Positions

Abbreviation	Position
CDM	Coordinator - Drainage and Maintenance
CEH	Coordinator - Environmental Health
CEO	Chief Executive Officer
CO	Compliance Officer
CPC	Coordinator Parking Compliance
CR	Coordinator - Roads
CS	Coordinator Support
DCS	Director - Corporate Services
DHP	Development Hearings Panel
DI	Director - Infrastructure/City Engineer
DSD	Director - Sustainable Development
EHO	Environmental Health Officer
GCGR	Group Coordinator - Grading and Reconstruction

<b>Abbreviation</b>	<b>Position</b>
GCSR	Group Coordinator - Sealed Roads
GSP	Graduate Statutory Planner
GSP1	Graduate Strategic Planner
MBPC	Manager - Building, Planning and Compliance
MCG	Manager - Corporate Governance
ME	Manager - Environment
MEA	Manager Engineering & Assets
MFR	Manager - Finance and Rates
MIM	Manager Infrastructure Maintenance
MPD	Manager Projects Delivery
Not Delegated	Not Delegated
PA	Planning Assistant
PCO1	Principal Compliance Officer
PI	Pool Inspector
PM	Project Manager
PSP1	Principal Statutory Planner
PSP2	Principal Strategic Planner
Refer S5	Refer to S5 Instrument of Delegation to Chief Executive Officer

Abbreviation	Position
SCO1	Senior Compliance Officer
SGO	Senior Governance Officer
SOBPC	Support Officer - Building, Planning and Compliance
SP	Strategic Planner
SP1	Student Planner
SP2	Statutory Planner
SSOBPC	Senior Support Officer - Building, Planning and Compliance
SSP	Senior Statutory Planner
SSP2	Senior Strategic Planner
TLAM	Team Leader - Animal Management
TLAS	Team Leader - Accounting Services
TLCIM	Team Leader Civil Infrastructure Maintenance
TLCIP	Team Leader Civil Infrastructure Projects
TLEH	Team Leader - Environmental Health
TLES	Team Leader Engineering Services
TLG	Team Leader - Governance
LSC	Team Leader - Support and Compliance
TLSP1	Team Leader - Statutory Planning

Abbreviation	Position
TLSP2	Team Leader - Strategic Planning

3. declares that:

3.1 this Instrument of Delegation is authorised by resolutions of Council passed on 29 November 2022; and

3.2 the delegation:

3.2.1 comes into force immediately the Chief Executive Officer signature is affixed to this Instrument of Delegation;

3.2.2 remains in force until varied or revoked;

3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and

3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

3.3 the delegate must not determine the issue, take the action or do the act or thing:

3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;

3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a

(a) policy; or

(b) strategy

adopted by Council;

3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or

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

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**Peter Andrew Harriott**  
**CHIEF EXECUTIVE OFFICE**

Date:

# SCHEDULE

## Delegation Sources

- Domestic Animals Act 1994
- Food Act 1984
- Heritage Act 2017
- Local Government Act 1989
- Planning and Environment Act 1987
- Residential Tenancies Act 1997
- Road Management Act 2004
- Planning and Environment Regulations 2015
- Planning and Environment (Fees) Regulations 2016
- Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020
- Road Management (General) Regulations 2016
- Road Management (Works and Infrastructure) Regulations 2015



## S6 Instrument of Delegation - Members of Staff

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	DCS, DSD, TLAM, ME	Council may delegate this power to a Council authorised officer

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	TLEH, CEH, EHO, DSD, ME	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	TLEH, CEH, EHO, DSD, ME	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	TLEH, CEH, EHO, DSD, ME	If s 19(1) applies  Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	Refer S5	If s 19(1) applies

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	TLEH, CEH, EHO, DSD, ME	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	TLEH, CEH, EHO, DSD, ME	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).	TLEH, DSD, ME	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	TLEH, DSD, ME	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	TLEH, DSD, ME	Where Council is the registration authority

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 19CB(4)(b)	Power to request copy of records	TLEH, CEH, EHO, DSD, ME	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	TLEH, CEH, EHO, DSD, ME	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	TLEH, CEH, EHO, DSD, ME	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	TLEH, CEH, EHO, DSD, ME	Where Council is the registration authority
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	TLEH, CEH, EHO, DSD, ME	Where Council is the registration authority

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 19IA(2)	Duty to give written notice to the proprietor of the premises	TLEH, CEH, EHO, DSD, ME	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	Not Delegated	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	TLEH, CEH, EHO, DSD, ME	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	TLEH, CEH, EHO, DSD, ME	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	DSD, ME	

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	TLEH, DSD, ME	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	TLEH, CEH, EHO, DSD, ME	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	TLEH, CEH, EHO, DSD, ME	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	TLEH, CEH, EHO, DSD, ME	Where Council is the registration authority
	Power to register or renew the registration of a food premises	TLEH, CEH, EHO, DSD, ME	Where Council is the registration authority

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
			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	TLEH, CEH, EHO, DSD, ME	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	TLEH, CEH, EHO, DSD, ME	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	TLEH, CEH, EHO, DSD, ME	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)	DSD, ME	Where Council is the registration authority

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 38A(4)	Power to request a copy of a completed food safety program template	TLEH, CEH, EHO, DSD, ME	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	TLEH, CEH, EHO, DSD, ME	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	TLEH, CEH, EHO, DSD, ME	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	TLEH, CEH, EHO, DSD, ME	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	TLEH, CEH, EHO, DSD, ME	Where Council is the registration authority



<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	TLEH, CEH, EHO, DSD, ME	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	TLEH, CEH, EHO, DSD, ME	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	TLEH, CEH, EHO, DSD, ME	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	TLEH, CEH, EHO, DSD, ME	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	TLEH, CEH, EHO, DSD, ME	Where Council is the registration authority

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	TLEH, CEH, EHO, DSD, ME	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	TLEH, CEH, EHO, DSD, ME	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	TLEH, CEH, EHO, DSD, ME	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	TLEH, CEH, EHO, DSD, ME	
s 39A	Power to register, or renew the registration of a food premises despite minor defects	TLEH, CEH, EHO, DSD, ME	Where Council is the registration authority  Only if satisfied of matters in s 39A(2)(a)-(c)

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 39A (6)	Duty to comply with a direction of the Secretary	TLEH, CEH, EHO, DSD, ME	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	TLEH, CEH, EHO, DSD, ME	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	TLEH, CEH, EHO, DSD, ME	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	TLEH, CEH, EHO, DSD, ME	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	TLEH, CEH, EHO, DSD, ME	Where Council is the registration authority

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 40E	Duty to comply with direction of the Secretary	TLEH, CEH, EHO, DSD, ME	
s 40F	Power to cancel registration of food premises	TLEH, CEH, EHO, DSD, ME	Where Council is the registration authority
s 43	Duty to maintain records of registration	TLEH, CEH, EHO, DSD, ME	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	TLEH, CEH, EHO, DSD, ME	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	TLEH, CEH, EHO, DSD, ME	Where Council is the registration authority

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 45AC	Power to bring proceedings	TLEH, CEH, EHO, DSD, ME	
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	TLEH, CEH, EHO, DSD, ME	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	DSD, MBPC	<p>Must first obtain Executive Director's written consent</p> <p>Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation</p>

<b>Local Government Act 1989</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 185L(4)	Power to declare and levy a cladding rectification charge	Refer S5	

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	TLSP2, PSP2, SSP2, DSD, MBPC, TLSC, SP	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, SSOBPC, MBPC, TLSC, SOBPC, SP	
s 4H	Duty to make amendment to Victoria Planning Provisions available in accordance with public availability requirements	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, SSOBPC, MBPC, TLSC, SOBPC, SP	
s 4I(2)	Duty to make and copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	TLSP2, PSP2, SSP2, DSD, GSP1, GSP2, SSOBPC, MBPC, TLSC, SOBPC, SP	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, MBPC, TLSC, SP	



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	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, MBPC, TLSC, SP	
s 8A(5)	Function of receiving notice of the Minister's decision	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, SSOBPC, MBPC, TLSC, SOBPC, SP	
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, MBPC, TLSC, SP	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	TLSP2, DSD, GSP, MBPC	
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	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, MBPC, TLSC, SP	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 12B(1)	Duty to review planning scheme	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, MBPC, TLSC, SP	
s 12B(2)	Duty to review planning scheme at direction of Minister	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, MBPC, TLSC, SP	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, MBPC, TLSC, SP	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, MBPC, TLSC, SP	
s 17(1)	Duty of giving copy amendment to the planning scheme	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, SSOBPC, MBPC, TLSC, SOBPC, SP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 17(2)	Duty of giving copy s 173 agreement	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, SSOBPC, MBPC, TLSC, SOBPC, SP	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, SSOBPC, MBPC, TLSC, SOBPC, SP	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, SSOBPC, MBPC, TLSC, SOBPC, SP	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	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, MBPC, TLSC, SP	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	TLSP2, PSP2, SSP2, DSD, MBPC, TLSC, SP	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	TLSP2, DSD, MBPC	Where Council is a planning authority
s 21(2)	Duty to make submissions available in accordance with public availability requirements	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, SSOBPC, MBPC, TLSC, SOBPC, SP	Until the end of 2 months after the amendment comes into operation or lapses
s 21A(4)	Duty to publish notice	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, SSOBPC, MBPC, TLSC, SOBPC, SP	
s 22(1)	Duty to consider all submissions received before the date specified in the notice	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, MBPC, TLSC, SP	Except submissions which request a change to the items in s 22(5)(a) and (b)

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 22(2)	Power to consider a late submission Duty to consider a late submission, if directed by the Minister	DSD, MBPC	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	TLSP2, PSP2, DSD, MBPC, TLSC	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	TLSP2, PSP2, DSD, MBPC, TLSC	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DSD, MBPC, TLSC, SP	
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	TLSP2, PSP2, SSP2, DSD, GSP1, GSP2, SSOBPC, MBPC, TLSC, SOBPC, SP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	TLSP2, PSP2, SSP2, DSD, GSP1, GSP2, SSOBPC, MBPC, TLSC, SOBPC, SP	During the inspection period
s 27(2)	Power to apply for exemption if panel's report not received	TLSP2, PSP2, SSP2, DSD, GSP1, GSP2, MBPC, TLSC, SP	
s 28(1)	Duty to notify the Minister if abandoning an amendment	Not Delegated	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	TLSP2, PSP2, SSP2, DSD, GSP1, MBPC, TLSC, SP	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, SSOBPC, MBPC, TLSC, SOBPC, SP	

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	TLSP2, PSP2, DSD, MBPC, TLSC	
s 30(4)(b)	Duty to provide information in writing upon request	TLSP2, PSP2, DSD, GSP, MBPC, TLSC	
s 32(2)	Duty to give more notice if required	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, MBPC, TLSC, SP	
s 33(1)	Duty to give more notice of changes to an amendment	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, MBPC, TLSC, SP	
s 36(2)	Duty to give notice of approval of amendment	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, MBPC, TLSC, SP	
s 38(5)	Duty to give notice of revocation of an amendment	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, MBPC, TLSC, SP	

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	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, MBPC, TLSC, SP	
s 40(1)	Function of lodging copy of approved amendment	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, MBPC, TLSC, SP	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, SSOBPC, MBPC, TLSC, SOBPC, SP	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, SSOBPC, MBPC, TLSC, SOBPC, SP	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	TLSP2, PSP2, SSP2, DSD, GSP, GSP1, SSOBPC, MBPC, TLSC, SOBPC, SP	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	Not Delegated	Where Council is a responsible public entity and is a planning authority  Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils
s 46AW	Function of being consulted by the Minister	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	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	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	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	TLSP1, TLSP2, PSP1, PSP2, SSP,	Where Council is a responsible public entity

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the declared area that is expressed to be binding on the responsible public entity	SSP2, DI, DSD, MEA, TLES, MBPC, TLSC, SP	
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	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	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	TLSP1, PSP1, SSP, DI, DSD, TLCIP, MBPC, TLSC	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	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	TLSP1, TLSP2, PSP1, PSP2, DI,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		DSD, MEA, TLES, MBPC, TLSC	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	
s 46GP	Function of receiving a notice under s 46GO	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	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	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	
s 46GR(2)	Power to consider a late submission  Duty to consider a late submission if directed to do so by the Minister	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	
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	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	
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	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	TLSP1, TLSP2, PSP1, PSP2, DI,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		DSD, MEA, TLES, MBPC, TLSC	
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	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	
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	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution  Power to specify the manner in which the payment is to be made	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GV(3)(b)	Power to enter into an agreement with the applicant	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	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)	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	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)	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	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	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	
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	TLSP1, TLSP2, PSP1, PSP2, DI,	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		DSD, MEA, TLES, MBPC, TLSC	
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	TLSP1, TLSP2, PSP1, SSP, DI, DSD, TLCIP, MBPC, TLSC	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	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	TLSP1, TLSP2, PSP1, PSP2, DCS, DI, DSD, MFR, MEA, TLES, MBPC, TLAS, TLSC	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	TLSP1, TLSP2, PSP1, PSP2, DCS, DI, DSD, MFR, MEA,	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		TLES, MBPC, TLAS, TLSC	
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	TLSP1, TLSP2, PSP1, PSP2, DCS, DI, DSD, MFR, MEA, TLES, MBPC, TLAS, TLSC	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	TLSP1, TLSP2, PSP1, PSP2, DCS, DI, DSD, MFR, MEA, TLES, MBPC, TLAS, TLSC	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	TLSP1, TLSP2, PSP1, SSP, DI, DSD, MEA, TLES, TLCIP, MBPC, TLSC	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	TLSP1, TLSP2, PSP1, PSP2, DCS, DI, DSD, MFR, MBPC, TLAS, TLSC	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)	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	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	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DI, DSD, MEA, TLES, TLCIP, MBPC, TLSC, SP	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(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MBPC, TLSC	Where Council is the development agency specified in the approved infrastructure contributions plan  This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	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	TLSP1, TLSP2, PSP1, DI, DSD, MEA, TLES, TLCIP, MBPC, TLSC	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)

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			<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	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MBPC, TLSC	<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>
s 46GZA(1)	Duty to keep proper and separate accounts and records	TLSP1, TLSP2, PSP1, PSP2, DCS, DI, DSD, MFR, MEA, TLES, MBPC, TLAS, TLSC	Where Council is the development agency under an approved infrastructure contributions plan

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	TLSP1, TLSP2, PSP1, SSP, DI, DSD, TLCIP, MBPC, TLSC	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)	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	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	TLSP1, PSP1, DI, DSD, TLCIP, MBPC, TLSC	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)	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	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)	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	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)	TLSP1, TLSP2, PSP1, SSP, DI, DSD, TLCIP, MBPC, TLSC	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	TLSP1, TLSP2, PSP1, DI, DSD, MEA, TLES, TLCIP, MBPC, TLSC	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	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MBPC, TLSC	Where Council is the collecting agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			This duty does not apply where Council is also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	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	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	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)	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Function of receiving proceeds of sale	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	Where Council is the collection agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			This provision does not apply where Council is also the development agency
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	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	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	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	TLSP1, TLSP2, PSP1, DI, DSD, TLCIP, MBPC, TLSC	Where Council is a collecting agency or development agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	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)	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	TLSP1, PSP1, SSP, SP1, DI, DSD, MEA, TLES, SP2, GSP, PA, MBPC, TLSC	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	TLSP1, PSP1, SSP, DI, DSD, TLCIP, MBPC, TLSC	
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	TLSP1, PSP1, SSP, DI, DSD, TLCIP, MBPC, TLSC	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	TLSP1, PSP1, SSP, DI, DSD, TLCIP, MBPC, TLSC	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	TLSP1, PSP1, SSP, SP1, DI, DSD, GSP, TLCIP, PA, MBPC, TLSC	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	TLSP1, PSP1, SSP, DI, DSD, TLCIP, MBPC, TLSC	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46Q(1)	Duty to keep proper accounts of levies paid	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DI, DSD, TLCIP, MBPC, TLSC, SP	
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	TLSP1, PSP1, DI, DSD, TLCIP, MBPC, TLSC	
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	TLSP1, TLSP2, PSP1, SSP, SP1, DI, DSD, SP2, GSP, TLCIP, PA, MBPC, TLSC	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	TLSP1, PSP1, DI, DSD, TLCIP, MBPC, TLSC	Only applies when levy is paid to Council as a 'development agency'

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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)	TLSP1, TLSP2, PSP1, DI, DSD, TLCIP, MBPC, TLSC	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	TLSP2, PSP2, SSP2, DSD, MBPC, TLSC, SP	Must be done in accordance with Part 3
s46Q(4)(e)	Duty to expend that amount on other works etc.	TLSP1, TLSP2, DI, DSD, TLCIP, MBPC, TLSC	With the consent of, and in the manner approved by, the Minister
s 46QC	Power to recover any amount of levy payable under Part 3B	TLSP1, TLSP2, PSP1, DI, DSD, TLCIP, MBPC, TLSC	
s 46QD	Duty to prepare report and give a report to the Minister	TLSP1, TLSP2, PSP1, DI, DSD, TLCIP, MBPC, TLSC	Where Council is a collecting agency or development agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with the public availability requirements, during the inspection period	Not Delegated	
s 46V(4)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with s 197B of the Act and on payment of the prescribe fee, after the inspection period	DSD, MBPC	
s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	DSD, MBPC	
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public available requirements	DSD, MBPC	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46Y	Duty to carry out works in conformity with the approved strategy plan	TLSP2, PSP2, SSP2, DSD, MBPC, TLSC, SP	
s 47	Power to decide that an application for a planning permit does not comply with that Act	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, SSOBPC, MBPC, TLSC, SOBPC, CS	
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, SSOBPC, MBPC, TLSC, SOBPC, CS	
s 50(4)	Duty to amend application	TLSP1, PSP1, SSP, SP1, DSD, SP2,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		GSP, PA, MBPC, TLSC	
s 50(5)	Power to refuse to amend application	Not Delegated	
s 50(6)	Duty to make note of amendment to application in register	TLSP1, TLSP2, PSP1, PSP2, DSD, MBPC, TLSC	
s 50A(1)	Power to make amendment to application	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 50A(4)	Duty to note amendment to application in register	TLSP1, PSP1, SSP, SP1, DSD, SP2,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		GSP, PA, MBPC, TLSC	
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
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	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
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	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 52(3)	Power to give any further notice of an application where appropriate	TLSP1, PSP1, SSP, SP1, DSD, SP2,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		GSP, PA, MBPC, TLSC	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 54(1)	Power to require the applicant to provide more information	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	

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	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	TLSP1, PSP1, SSP, SP1, DSD, GSP, PA, MBPC, TLSC	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	TLSP1, PSP1, SSP, SP1, DSD, GSP, PA, MBPC, TLSC	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	DSD	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, SSOBPC, MBPC, TLSC, SOBPC, CS	
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, SSOBPC, MBPC, TLSC, SOBPC, CS	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	TLSP1, PSP1, SSP, SP1, DSD, GSP, PA, MBPC, TLSC	
s 57A(5)	Power to refuse to amend application	Not Delegated	
s 57A(6)	Duty to note amendments to application in register	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57B(1)	Duty to determine whether and to whom notice should be given	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 57C(1)	Duty to give copy of amended application to referral authority	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 58	Duty to consider every application for a permit	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 58A	Power to request advice from the Planning Application Committee	TLSP1, PSP1, SSP, SP1, DSD, SP2,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		GSP, PA, MBPC, TLSC	
s 60	Duty to consider certain matters	TLSP1, PSP1, SSP, SP1, DSD, GSP, PA, MBPC, TLSC	
s 60(1A)	Duty to consider certain matters	TLSP1, PSP1, SSP, SP1, DSD, GSP, PA, MBPC, TLSC	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
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	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	Not Delegated	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DSD, MBPC, TLSC, SP	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Not Delegated	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	Not Delegated	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	Not Delegated	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 62(1)	Duty to include certain conditions in deciding to grant a permit	TLSP1, PSP1, SSP, SP1, DSD, GSP, PA, MBPC, TLSC	
s 62(2)	Power to include other conditions	TLSP1, PSP1, SSP, SP1, DSD, GSP, PA, MBPC, TLSC	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	TLSP1, PSP1, SSP, SP1, DSD, GSP, PA, MBPC, TLSC	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	TLSP1, PSP1, SSP, SP1, DSD, GSP, PA, MBPC, TLSC	
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	TLSP1, PSP1, SSP, SP1, DSD, GSP, PA, MBPC, TLSC	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	TLSP1, PSP1, SSP, SP1, DSD, GSP, PA, MBPC, TLSC	
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)	TLSP1, PSP1, SSP, SP1, DSD, GSP, PA, MBPC, TLSC	
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)	TLSP1, PSP1, SSP, SP1, DSD, GSP, PA, MBPC, TLSC	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	This provision applies also to a decision to grant an amendment to a permit - see s 75



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 64(3)	Duty not to issue a permit until after the specified period	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	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	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	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	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	This provision applies also to a decision to grant an amendment to a permit - see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	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	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 69(1)	Function of receiving application for extension of time of permit	TLSP1, PSP1, SSP, SP1, DSD, GSP, PA, MBPC, TLSC	
s 69(1A)	Function of receiving application for extension of time to complete development	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 69(2)	Power to extend time	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 70	Duty to make copy permit available for inspection in accordance with the public availability requirements	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, SSOBPC, MBPC, TLSC, SOBPC, CS	
s 71(1)	Power to correct certain mistakes	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 71(2)	Duty to note corrections in register	TLSP1, PSP1, SSP, SP1, DSD, SP2,	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
		GSP, PA, SSOBPC, MBPC, TLSC, SOBPC, CS	
s 73	Power to decide to grant amendment subject to conditions	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 74	Duty to issue amended permit to applicant if no objectors	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	TLSP1, PSP1, SSP, SP1, DSD, SP2,	If the recommending referral authority objected to the amendment of the permit or the responsible

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		GSP, PA, MBPC, TLSC	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	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	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	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s 76D	Duty to comply with direction of Minister to issue amended permit	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 83	Function of being respondent to an appeal	TLSP1, PSP1, SSP, SP1, DSD, SP2,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		GSP, PA, MBPC, TLSC	
s 83B	Duty to give or publish notice of application for review	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
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	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
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	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	

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	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 84AB	Power to agree to confining a review by the Tribunal	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 91(2)	Duty to comply with the directions of VCAT	TLSP1, PSP1, SSP, SP1, DSD, SP2,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		GSP, PA, MBPC, TLSC	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 93(2)	Duty to give notice of VCAT order to stop development	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 95(3)	Function of referring certain applications to the Minister	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 95(4)	Duty to comply with an order or direction	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	TLSP1, TLSP2, PSP1, SSP, DSD, MBPC, TLSC	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	TLSP1, TLSP2, PSP1, PSP2, SSP2, DSD, MBPC, TLSC, SP	
s 96F	Duty to consider the panel's report under s 96E	TLSP2, PSP2, SSP2, DSD, MBPC, TLSC, SP	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 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	TLSP1, TLSP2, PSP1, PSP2, DSD, MBPC, TLSC	
s 96H(3)	Power to give notice in compliance with Minister's direction	TLSP1, TLSP2, PSP1, PSP2, DSD, MBPC, TLSC	
s 96J	Duty to issue permit as directed by the Minister	TLSP1, TLSP2, PSP1, PSP2, DSD, MBPC, TLSC	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	TLSP1, TLSP2, PSP1, PSP2, DSD, MBPC, TLSC	
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	TLSP1, TLSP2, PSP1, PSP2, DSD, MBPC, TLSC	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 97C	Power to request Minister to decide the application	TLSP1, TLSP2, PSP1, PSP2, DSD, MBPC, TLSC	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	TLSP1, TLSP2, PSP1, PSP2, DSD, MBPC, TLSC	
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	TLSP1, TLSP2, PSP1, PSP2, DSD, MBPC, TLSC	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with the public availability requirements	TLSP1, TLSP2, PSP1, PSP2, DSD, MBPC, TLSC	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, SP1, DSD, SP2, GSP, GSP1, PA, GSP2, MBPC, TLSC, SP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 97MH	Duty to provide information or assistance to the Planning Application Committee	TLSP2, PSP2, SSP2, DSD, MBPC, TLSC, SP	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	TLSP2, PSP2, SSP2, DSD, MBPC, TLSC, SP	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 97Q(4)	Duty to comply with directions of VCAT	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, SSOBPC, MBPC, TLSC, SOBPC, CS	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 101	Function of receiving claim for expenses in conjunction with claim	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 103	Power to reject a claim for compensation in certain circumstances	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s.107(1)	function of receiving claim for compensation	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 107(3)	Power to agree to extend time for making claim	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 114(1)	Power to apply to the VCAT for an enforcement order	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	TLSP1, PSP1, SSP, PI, SP1, DSD, CO, SP2, GSP, PA, MBPC, SCO1, TLSC, PCO1, CPC	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 123(1)	Power to carry out work required by enforcement order and recover costs	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	DSD, MBPC	Except Crown Land
s 129	Function of recovering penalties	TLSP1, PSP1, SSP, DSD, MBPC, TLSC	
s 130(5)	Power to allow person served with an infringement notice further time	TLSP1, PSP1, SSP, PI, DSD, CO, MBPC, SCO1, TLSC, PCO1, CPC	
s 149A(1)	Power to refer a matter to the VCAT for determination	TLSP1, PSP1, SSP, PI, DSD, CO, MBPC, SCO1, TLSC, PCO1, CPC	
s 149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	TLSP1, PSP1, DSD, MBPC, TLSC	
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	TLSP2, PSP2, DSD, MBPC, TLSC	Where Council is the relevant planning authority

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	156(2B)power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)		
s 171(2)(f)	Power to carry out studies and commission reports	TLSP2, PSP2, DSD, MBPC, TLSC	
s 171(2)(g)	Power to grant and reserve easements	TLSP1, TLSP2, PSP1, PSP2, DSD, MBPC, TLSC	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	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)	TLSP1, TLSP2, PSP1, PSP2, DI, DSD, MEA, TLES, MBPC, TLSC	Where Council is a collecting agency specified in an approved infrastructure contributions plan
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council	TLSP1, TLSP2, PSP1, PSP2, DI,	Where Council is the development agency specified in an approved infrastructure contributions plan



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	under the plan, before the time that the land is required to be provided under s 46GV(4)	DSD, MEA, TLES, MBPC, TLSC	
s 173(1)	Power to enter into agreement covering matters set out in s 174	TLSP1, PSP1, DSD, MBPC, TLSC	
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	TLSP1, PSP1, DSD, MBPC, TLSC	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	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DSD, SP2, GSP, PA, MBPC, TLSC, SP	
	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	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DSD, SP2, GSP, PA, MBPC, TLSC, SP	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 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	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DSD, MBPC, TLSC, SP	
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	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DSD, MBPC, TLSC, SP	
s 178A(1)	Function of receiving application to amend or end an agreement	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, SP1, DSD, SP2, GSP, PA, MBPC, TLSC, SP	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DSD, SP2, GSP, PA, MBPC, TLSC, SP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DSD, MBPC, TLSC, SP	
s 178A(5)	Power to propose to amend or end an agreement	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DSD, MBPC, TLSC, SP	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DSD, SP2, GSP, PA, MBPC, TLSC, SP	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DSD, SP2, GSP, PA, MBPC, TLSC, SP	

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	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 178C(4)	Function of determining how to give notice under s 178C(2)	TLSP1, PSP1, SSP, SP1, DSD, SP2, GSP, PA, MBPC, TLSC	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DSD, MBPC, TLSC, SP	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DSD, MBPC, TLSC, SP	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	TLSP1, TLSP2, PSP1, PSP2, SSP,	If no objections are made under s 178D

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
		SSP2, DSD, MBPC, TLSC, SP	Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	Not Delegated	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	Not Delegated	After considering objections, submissions and matters in s 178B
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	Not Delegated	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	Not Delegated	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)(d)	Power to refuse to amend or end the agreement	Not Delegated	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)	TLSP1, TLSP2, PSP1, PSP2, DSD, MBPC, TLSC	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	TLSP1, TLSP2, PSP1, PSP2, DSD, MBPC, TLSC	
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	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DSD, MBPC, TLSC, SP	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DSD, MBPC, TLSC, SP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, SP1, DSD, SP2, GSP, PA, SSOBPC, MBPC, TLSC, SOBPC, SP	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DSD, MBPC, TLSC, SP	
s 179(2)	Duty to make copy of each agreement available in accordance with the public availability requirements	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DSD, MBPC, TLSC, SP	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, SP1, DSD, SP2, GSP, PA, MBPC, TLSC, SP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DSD, MBPC, TLSC, SP	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DSD, MBPC, TLSC, SP	
s 182	Power to enforce an agreement	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, PI, DSD, CO, SP2, GSP, PA, MBPC, SCO1, TLSC, PCO1, SP, CPC	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DSD, SP2, GSP, PA, MBPC, TLSC, SP	



<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 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	TLSP1, TLSP2, PSP1, PSP2, DSD, MBPC, TLSC	
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	TLSP1, TLSP2, PSP1, PSP2, DSD, MBPC, TLSC	
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	TLSP1, TLSP2, PSP1, PSP2, DSD, MBPC, TLSC	
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	TLSP1, TLSP2, PSP1, PSP2, DSD, MBPC, TLSC	
s 184G(2)	Duty to comply with a direction of the Tribunal	TLSP1, TLSP2, PSP1, PSP2, DSD, MBPC, TLSC	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 184G(3)	Duty to give notice as directed by the Tribunal	TLSP1, TLSP2, PSP1, PSP2, DSD, MBPC, TLSC	
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	DSD, MBPC	
s 198(1)	Function to receive application for planning certificate	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DSD, SP2, GSP, PA, MBPC, TLSC, SP	
s 199(1)	Duty to give planning certificate to applicant	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DSD, MBPC, TLSC, SP	
s 201(1)	Function of receiving application for declaration of underlying zoning	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, DSD, SP2,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		GSP, PA, MBPC, TLSC, SP	
s 201(3)	Duty to make declaration	TLSP1, PSP1, DSD, MBPC, TLSC	
	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	TLSP1, PSP1, SSP, PI, SP1, DSD, CO, SP2, GSP, PA, MBPC, SCO1, TLSC, PCO1	
	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	TLSP1, PSP1, SSP, PI, SP1, DSD, CO, GSP, PA, MBPC, SCO1, TLSC, PCO1	
	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	TLSP1, PSP1, SSP, DSD, MBPC	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
	Power to give written authorisation in accordance with a provision of a planning scheme	TLSP1, PSP1, SSP, DSD, SP2, GSP, PA, MBPC	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	TLSP1, TLSP2, PSP1, PSP2, DSD, MBPC, TLSC	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	TLSP1, TLSP2, PSP1, PSP2, DSD, MBPC, TLSC	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
	Power to represent or authorise the representation of Council in a proceeding under the Planning and Environment Act 1987 before the Victorian Civil and Administrative Tribunal and the power to make a	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, PI, DSD, CO,	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
	decision in relation to the conduct of the proceeding, including (where lawfully able to do so) the power to settle the proceeding	SP2, GSP, PA, MBPC, SCO1, TLSC, PCO1, SP	
S.13 Powers, duties and functions of Council as Responsible Authority	Power to determine that a specified document required under the Planning Scheme (eg. a development plan required under the Development Overlay) is to the satisfaction of the Council in its capacity as the responsible authority.	TLSP1, PSP1, DSD, MBPC, TLSC	Officers do not have the power to decide either not to satisfaction or not consent. Any recommendation for refusal must be referred to DHP or Council.
S.13 Powers, duties and functions of Council as Responsible Authority	Power to determine that a planning permit application is generally in accordance with a specified document prepared and approved pursuant to the Planning Scheme (eg. a planning permit application made following the approval of a development plan prepared pursuant to the Development Plan Overlay)	TLSP1, PSP1, DSD, MBPC, TLSC	Officers do not have the power to decide either not to satisfaction or not consent. Any recommendation for refusal must be referred to DHP or Council.
S.13 Powers, duties and functions of Council as Responsible Authority	Any other discretion vested in the Council under the Planning Scheme, including whether a document or plan is to the satisfaction of the Council in its capacity as the responsible authority (including engineering plans)	TLSP1, PSP1, SSP, DI, DSD, MPD, TLCIP, MBPC, TLSC	Officers do not have the power to decide either not to satisfaction or not consent. Any recommendation for refusal must be referred to DHP or Council.

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
S.13 Powers, duties and functions of Council as Responsible Authority	Power vested in Council under a planning permit to provide secondary consent under a planning permit condition to approve a document or plan or allow modifications to an endorsed document or plan	TLSP1, PSP1, SSP, DI, DSD, MPD, TLCIP, MBPC, TLSC	Officers do not have the power to decide either not to satisfaction or not consent. Any recommendation for refusal must be referred to DHP or Council.
S.13 Powers, duties and functions of Council as Responsible Authority	Power vested in Council under agreement made under s173 of the Planning and Environment Act 1987 or s52A of Town and Country Planning Act 1961 to provide secondary consent for the approval of a document or plan or to approve the amendment of a document or plan	TLSP1, PSP1, SSP, DI, DSD, MPD, TLCIP, MBPC, TLSC	Officers do not have the power to decide either not to satisfaction or not consent. Any recommendation for refusal must be referred to DHP or Council.

<b>Residential Tenancies Act 1997</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	TLEH, CEH, EHO, DSD, ME	

<b>Residential Tenancies Act 1997</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 522(1)	Power to give a compliance notice to a person	TLEH, CEH, EHO, DSD, ME	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	Refer S5	
s 525(4)	Duty to issue identity card to authorised officers	Refer S5	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	TLEH, CEH, EHO, DSD, ME	
s 526A(3)	Function of receiving report of inspection	TLEH, CEH, EHO, DSD, ME	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	Refer S5	

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	DI, MIM, TLCIM	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	DI, MIM, TLCIM	
s 11(9)(b)	Duty to advise Registrar	DI, MIM, TLCIM	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	DI, MIM, TLCIM	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	Not Delegated	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	Not Delegated	Where Council is the coordinating road authority



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	DI, MIM, TLCIM	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	DI, MIM, TLCIM	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	DI, MIM, TLCIM	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	DI, MIM, TLCIM	Duty of coordinating road authority where it is the discontinuing body  Unless s 12(11) applies

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 12(10)	Duty to notify of decision made	DI, MIM, TLCIM	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	DI, MIM, TLCIM	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	DI, MIM, TLCIM	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	DI, MIM, TLCIM	
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	DI	

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	Refer S5	
s 15(2)	Duty to include details of arrangement in public roads register	DI, MIM, TLCIM	
s 16(7)	Power to enter into an arrangement under s 15	Not Delegated	
s 16(8)	Duty to enter details of determination in public roads register	DI, MIM, TLCIM	
s 17(2)	Duty to register public road in public roads register	DI, MIM, TLCIM	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	DI, MIM, TLCIM	Where Council is the coordinating road authority

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	DI, MIM, TLCIM	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	DI, MIM, TLCIM	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	DI, MIM, TLCIM	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	DI, MIM, TLCIM	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	DI, MIM, TLCIM	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	DI, MIM, TLCIM	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19(4)	Duty to specify details of discontinuance in public roads register	DI, MIM, TLCIM	
s 19(5)	Duty to ensure public roads register is available for public inspection	DI, MIM, TLCIM	
s 21	Function of replying to request for information or advice	DI, MIM, TLCIM	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	DI, MIM, TLCIM	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	Not Delegated	
s 22(5)	Duty to give effect to a direction under s 22	Not Delegated	

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 40(1)	Duty to inspect, maintain and repair a public road.	DI, MIM, TLCIM	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	Not Delegated	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	DI, MIM, TLCIM	
s 42(1)	Power to declare a public road as a controlled access road	DI	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	Not Delegated	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	DI, MIM, TLCIM	Where Council is the coordinating road authority  If road is a municipal road or part thereof

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	DI, MIM, TLCIM	Where Council is the coordinating road authority  If road is a municipal road or part thereof and where road is to be specified a freight road
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	DI, MIM, TLCIM	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	Not Delegated	
s 49	Power to develop and publish a road management plan	Not Delegated	
s 51	Power to determine standards by incorporating the standards in a road management plan	Not Delegated	

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	DI, MIM, TLCIM	
s 54(2)	Duty to give notice of proposal to make a road management plan	DI, MIM, TLCIM	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	DI, MIM, TLCIM	
s 54(6)	Power to amend road management plan	Not Delegated	
s 54(7)	Duty to incorporate the amendments into the road management plan	Not Delegated	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	DI, MIM, TLCIM	



<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 63(1)	Power to consent to conduct of works on road	DI, MEA, MIM, TLCIM	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	DI, MIM, TLCIM	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	DI, MIM, TLCIM	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	DI, MIM, TLCIM	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	Not Delegated	Where Council is the coordinating road authority
s 67(3)	Power to request information	DI, MIM, TLCIM	Where Council is the coordinating road authority

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 68(2)	Power to request information	DI, MIM, TLCIM	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	Refer S5	
s 72	Duty to issue an identity card to each authorised officer	TLG, DCS, MCG, SGO	
s 85	Function of receiving report from authorised officer	Refer S5	
s 86	Duty to keep register re s 85 matters	DCS, DI, MIM, TLCIM	
s 87(1)	Function of receiving complaints	Refer S5	
s 87(2)	Duty to investigate complaint and provide report	DI, MIM, TLCIM	

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 96	Power to authorise a person for the purpose of instituting legal proceedings	DCS, DI	
s 112(2)	Power to recover damages in court	Refer S5	
s 116	Power to cause or carry out inspection	DI, MIM, TLCIM	
s 119(2)	Function of consulting with the Head, Transport for Victoria	DI	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	DI, MIM, TLCIM	
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)	DI, MIM, TLCIM	

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 121(1)	Power to enter into an agreement in respect of works	DI	
s 122(1)	Power to charge and recover fees	Refer S5	
s 123(1)	Power to charge for any service	Refer S5	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	DI, MIM, TLCIM	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	Not Delegated	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	Not Delegated	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	Refer S5	

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
sch 2 cl 5	Duty to publish notice of declaration	DI, MIM, TLCIM	
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	DI, MIM, TLCIM	Where Council is the infrastructure manager or works manager
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	DI, MIM, TLCIM	Where Council is the infrastructure manager or works manager
sch 7 cla 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	DI, MIM, TLCIM	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	DI, MIM, TLCIM	Where Council is the infrastructure manager or works manager

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
	shown on records, appear to be in an unsafe condition or appear to need maintenance		
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	DI, MIM, TLCIM	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	DI, MIM, TLCIM	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	DI, MIM, TLCIM	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	DI, MIM, TLCIM	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	DI, MIM, TLCIM	Where Council is the coordinating road authority

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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)	DI, MIM, TLCIM	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	DI, MIM, TLCIM	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)	DI, MIM, TLCIM	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	DI	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	Refer S5	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	Refer S5	Where Council is the coordinating road authority

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
sch 7 cl 16(6)	Power to set reasonable conditions on consent	Refer S5	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	Refer S5	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	DI, MIM, TLCIM	Where Council is the coordinating road authority
sch 7 cl18(1)	Power to enter into an agreement	DI, MIM, TLCIM	Where Council is the coordinating road authority
sch7 cl 19(1)	Power to give notice requiring rectification of works	DI, MIM, TLCIM	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	Refer S5	Where Council is the coordinating road authority



<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DI, MIM, TLCIM	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	DI, MIM, TLCIM	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	DI, MIM, TLCIM	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	DI, MIM, TLCIM	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	DI, MIM, TLCIM	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)



Planning and Environment Regulations 2015			
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	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, SP1, DI, DSD, SP2, GSP, TLCIP, PA, MBPC, TLSC, SP	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	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, SP1, DI, DSD, SP2, GSP, TLCIP, PA, MBPC, TLSC, SP	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	TLSP1, PSP1, SSP, DSD, SP2, GSP, PA, MBPC	where Council is the responsible authority
r.25(b)	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	TLSP1, PSP1, SSP, PI, SP1, DSD, CO, SP2, GSP, PA, SSOBPC, MBPC, SCO1, TLSC, PCO1, SOBPC, CPC	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	TLSP1, TLSP2, PSP1, PSP2, SSP, SSP2, SP1, DI, DSD, SP2, GSP, TLCIP, PA, MBPC, TLSC, SP	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.

<b>Planning and Environment (Fees) Regulations 2016</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	TLSP1, TLSP2, DI, DSD, MBPC	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DSD	
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	TLSP1, TLSP2, DI, DSD, MBPC	

<b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 7	Function of entering into a written agreement with a caravan park owner	TLEH, DSD, ME	
r 10	Function of receiving application for registration	TLEH, CEH, EHO, DSD, ME	
r 11	Function of receiving application for renewal of registration	TLEH, CEH, EHO, DSD, ME	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	TLEH, CEH, EHO, DSD, ME	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	TLEH, CEH, EHO, DSD, ME	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	TLEH, CEH, EHO, DSD, ME	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	DSD, ME	

<b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	TLEH, CEH, EHO, DSD, ME	
r 12(4) & (5)	Duty to issue certificate of registration	TLEH, CEH, EHO, DSD, ME	
r 14(1)	Function of receiving notice of transfer of ownership	TLEH, CEH, EHO, DSD, ME	
r 14(3)	Power to determine where notice of transfer is displayed	TLEH, CEH, EHO, DSD, ME	
r 15(1)	Duty to transfer registration to new caravan park owner	TLEH, CEH, EHO, DSD, ME	
r 15(2)	Duty to issue a certificate of transfer of registration	TLEH, CEH, EHO, DSD, ME	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	Not Delegated	

<b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 17	Duty to keep register of caravan parks	TLEH, CEH, EHO, DSD, ME	
r 18(4)	Power to determine where the emergency contact person's details are displayed	TLEH, CEH, EHO, DSD, ME	
r 18(6)	Power to determine where certain information is displayed	TLEH, CEH, EHO, DSD, ME	
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	TLEH, CEH, EHO, DSD, ME	
r 22(2)	Duty to consult with relevant emergency services agencies	TLEH, CEH, EHO, DSD, ME	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	TLEH, CEH, EHO, DSD, ME	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	TLEH, CEH, EHO, DSD, ME	



<b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 25(3)	Duty to consult with relevant floodplain management authority	TLEH, CEH, EHO, DSD, ME	
r 26	Duty to have regard to any report of the relevant fire authority	TLEH, CEH, EHO, DSD, ME	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	TLEH, CEH, EHO, DSD, ME	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	TLEH, CEH, EHO, DSD, MBPC, ME	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	TLEH, CEH, EHO, DSD, MBPC, ME	
r 41(4)	Function of receiving installation certificate	TLEH, CEH, EHO, DSD, MBPC, ME	

<b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	DSD, MBPC, ME	
sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	DSD, MBPC, ME	

<b>Road Management (General) Regulations 2016</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 8(1)	Duty to conduct reviews of road management plan	DI	
r 9(2)	Duty to produce written report of review of road management plan and make report available	DI	

<b>Road Management (General) Regulations 2016</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 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)	DI, MIM, TLCIM	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	DI	
r 13(1)	Duty to publish notice of amendments to road management plan	DI, MIM, TLCIM	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	DI	
r 16(3)	Power to issue permit	DI, MEA, MIM, TLCIP, PM, TLCIM	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	DI, MIM, TLCIM	Where Council is the coordinating road authority

<b>Road Management (General) Regulations 2016</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 23(2)	Power to make submission to Tribunal	DI, MIM, TLCIM	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	DI, MIM, TLCIM	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	GCGR, DI, DSD, MEA, MIM, CDM, TLCIP, PM, GCSR, CR, MBPC, TLAM, TLSC, ME, TLCIM	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))	DCS, DI, DSD, MIM, MBPC, ME, TLCIM	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	DCS, DI	

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

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	DI, MIM, TLCIM	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	DI, MIM, TLCIM	Where Council is the coordinating road authority