



Maddocks

Maddocks Delegations and Authorisations

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

**Surf Coast Shire Council**

**Instrument of Delegation**

**to**

**Members of Council Staff**



### Instrument of Delegation

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

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:

<b>Title Abbreviation</b>	<b>Meaning of the Title Abbreviation</b>
CEO	Chief Executive Officer
GMCC	General Manager Culture & Community
GMGI	General Manager Governance & Infrastructure
GMED	General Manager Environment & Development
MGR	Manager Governance & Risk
MF	Manager Finance
MFOSO	Manager Facilities & Open Space Operations
MES	Manager Engineering Services
SAM	Strategic Asset Manager
MPD	Manager Planning & Development
CFA	Coordinator Financial Accounting
CMA	Coordinator Management Accounting
CIT	Coordinator Information Technology
CCW	Coordinator Civil Works
CDT	Coordinator Design & Traffic
CWM	Coordinator Waste Management
CFF	Coordinator Facilities and Fleet
COSP	Coordinator Open Space Planning
CSR	Coordinator Recreation Planning
CEH	Coordinator Environmental Health



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CSLUP	Coordinator Strategic/Land Use Planning
CDCLL	Coordinator Development Compliance & Local Laws
CSP	Coordinator Statutory Planning
PSP	Principal Planner, Principal Strategic Planner, Principal Statutory Planner,
SSP	Senior Statutory Planner/ Senior Strategic Planner, Team Leader Para Planning
PPIO	Principal Investigations Officer
SPIO	Senior Planning & Investigations Officer
PIO	Planning & Investigations Officer
PLSO	Property & Legal Services Officer
TLLL	Team Leader Local Laws
SP/PO	Strategic Planner/Planning Officer including: Administration, Statutory Planning Officer, Planning Enquiries Officer, Planning Subdivisions Officer, Statutory Planning Administrative Officer, Statutory Planning Customer Services Officer, Strategic Planning Administration Officer
EHO	Environmental Health Officer
MBS	Municipal Building Surveyor

3. declares that:
  - 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 23 May 2017; and
  - 3.2 the delegation:
    - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
    - 3.2.2 remains in force until varied or revoked;
    - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
    - 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
  - 3.3 the delegate must not determine the issue, take the action or do the act or thing:



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- 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; or
- 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
  - (a) policy; or
  - (b) strategy
 adopted by Council; or
- 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; 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.

Executed by the Chief Executive Officer on behalf of the Surf Coast Shire Council pursuant to the Council resolution dated 23 May 2017.

Signed on behalf of the Surf Coast Shire Council)  
 by the Chief Executive Officer )  
 pursuant to the instrument of delegation )  
 dated 23 May 2017 in the presence of: )

.....  
 Witness

Dated:



## SCHEDULE



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Does not currently apply to Surf Coast Shire Council

### **CEMETERIES AND CREMATORIA ACT 2003**

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



<b>DOMESTIC ANIMALS ACT 1994</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
s.41A(1)	power to declare a dog to be a menacing dog	CDCLL, GMED, MPD, TLLL, PPIO	Council may delegate this power to an authorised officer





<b>ENVIRONMENT PROTECTION ACT 1970</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.53M(3)	power to require further information	CEH, EHO	
s.53M(4)	duty to advise applicant that application is not to be dealt with	CEH, EHO	
s.53M(5)	duty to approve plans, issue permit or refuse permit	CEH, EHO	refusal must be ratified by council or it is of no effect
s.53M(6)	power to refuse to issue septic tank permit	CEH, EHO	refusal must be ratified by council or it is of no effect
s.53M(7)	duty to refuse to issue a permit in circumstances in (a)-(c)	CEH, EHO	refusal must be ratified by council or it is of no effect



<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	CEH, EHO	If section 19(1) applies
s.19(2)(b)	power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	CEH, EHO	If section 19(1) applies
s.19(4)(a)	power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	CEO, CEH	If section 19(1) applies
s.19(6)(a)	duty to revoke any order under section 19 if satisfied that an order has been complied with	CEO, CEH, EHO	If section 19(1) applies
s.19(6)(b)	duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	CEO, CEH, EHO	If section 19(1) applies
s.19AA(2)	power to direct, by written order, that a person must take any of the actions described in (a)-(c).	CEH, EHO	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	CEH, EHO	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	CEH, EHO	where council is the registration authority
s.19CB(4)(b)	power to request copy of records	CEH, EHO	where council is the registration authority



<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.19E(1)(d)	power to request a copy of the food safety program	CEH, EHO	where council is the registration authority
s.19GB	power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	CEH, EHO	where council is the registration authority
s.19M(4)(a) & (5)	power to conduct a food safety audit and take actions where deficiencies are identified	Not applicable	where council is the registration authority
s.19NA(1)	power to request food safety audit reports	CEH, EHO	where council is the registration authority
s.19U(3)	power to waive and vary the costs of a food safety audit if there are special circumstances	Not applicable	
s.19UA	power to charge fees for conducting a food safety assessment or inspection	CEH	except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39.
s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	CEH, EHO	where council is the registration authority
s.19W(3)(a)	power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	CEH	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	CEH	where council is the registration authority



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<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
---	power to register, renew or transfer registration	CEH, EHO	where council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see section 58A(2))
s.38AA(5)	power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	CEH, EHO	where council is the registration authority
s.38AB(4)	power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)	CEH	where council is the registration authority
s.38A(4)	power to request a copy of a completed food safety program template	CEH, EHO	where council is the registration authority
s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	CEH, EHO	where council is the registration authority
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	CEH, EHO	where council is the registration authority
s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	CEH, EHO	where council is the registration authority
s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	CEH, EHO	where council is the registration authority
s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	CEH, EHO	where council is the registration authority
s.38D(3)	power to request copies of any audit reports	CEH, EHO	where council is the registration authority



<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.38E(2)	power to register the food premises on a conditional basis	CEH, EHO	where council is the registration authority; not exceeding the prescribed time limit defined under subsection (5).
s.38E(4)	duty to register the food premises when conditions are satisfied	CEH, EHO	where council is the registration authority
s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	CEH, EHO	where council is the registration authority
s.39A	power to register, renew or transfer food premises despite minor defects	CEH, EHO	where council is the registration authority only if satisfied of matters in subsections (2)(a)-(c)
s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	CEH	
s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	CEH, EHO	where council is the registration authority
s.40D(1)	power to suspend or revoke the registration of food premises	CEH	where council is the registration authority
s.43F(6)	duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	CEH, EHO	where council is the registration authority
s.43F(7)	power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	CEH, EHO	where council is the registration authority



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<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.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	CEH, EHO	where council is the registration authority



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<b>HERITAGE ACT 1995</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.84(2)	power to sub-delegate Executive Director's functions	CEO, GMED	must obtain Executive Director's written consent first.



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.4B	power to prepare an amendment to the Victoria Planning Provisions	GMED, MPD, CSLUP, CSP	if authorised by the Minister
s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	GMED, MPD, CSLUP, CSP	
s.4H	duty to make amendment to Victoria Planning Provisions available	GMED, MPD, CSLUP, CSP, PSP, SSP, SP/PO	
s.4I	duty to keep Victoria Planning Provisions and other documents available	GMED, MPD, CSLUP, CSP, PSP, SSP, SP/PO	
s.8A(2)	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	GMED, MPD, CSLUP, CSP	
s. 8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	GMED, MPD, CSLUP, CSP	
s.8A(5)	function of receiving notice of the Minister's decision	GMED, MPD, CSLUP, CSP	
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	GMED, MPD, CSLUP, CSP	





<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.8B(2)	power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	GMED, MPD, CSLUP, CSP	
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	GMED, MPD, CSLUP, CSP	
s.12A(1)	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under section 19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i> )	GMED, MPD, CSLUP, CSP	
s.12B(1)	duty to review planning scheme	GMED, MPD, CSLUP, CSP	
s.12B(2)	duty to review planning scheme at direction of Minister	GMED, MPD, CSLUP, CSP	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	GMED, MPD, CSLUP, CSP,	
s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	GMED, MPD, CSLUP, CSP	
s.17(1)	duty of giving copy amendment to the planning scheme	GMED, MPD, CSLUP, CSP, PSP, SSP, SP/PO	



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.17(2)	duty of giving copy s.173 agreement	GMED MPD, CSLUP, CSP PSP, SSP, SP/PO	
s.17(3)	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	GMED MPD, CSLUP, CSP PSP, SSP, SP/PO	
s.18	duty to make amendment etc. available	GMED MPD, CSLUP, PSP, SSP, SP/PO	
s.19	power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under section 19 to a planning scheme	GMED MPD, CSLUP, CSP, PSP, SSP, SP/PO	
s.19	function of receiving notice of preparation of an amendment to a planning scheme	GMED MPD, CSLUP, CSP, PSP, SSP, SP/PO	where Council is not the planning authority and the amendment affects land within Council's municipal district; or  where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s.20(1)	power to apply to Minister for exemption from the requirements of section 19	GMED MPD, CSLUP, CSP, PSP, SSP,	



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.21(2)	duty to make submissions available	MPD, CSLUP,CSP, PSP, SSP, SP/PO	
s.21A(4)	duty to publish notice in accordance with section	MPD, CSLUP, CSP, PSP, SSP, SP/PO	
s.22	duty to consider all submissions	MPD, CSLUP, CSP, PSP, SSP, SP/PO	
s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	MPD, CSLUP, CSP	
s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	MPD, CSLUP, CSP	
s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in section 96D)	GMED, MPD, CSLUP, CSP, PSP, SSP	
s.26(1)	power to make report available for inspection	GMED, MPD, CSLUP, CSP PSP	
s.26(2)	duty to keep report of panel available for inspection	MPD, CSLUP, CSP, PSP, SSP, SP/PO	



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.27(2)	power to apply for exemption if panel's report not received	GMED, MPD, CSLUP, CSP	
s.28	duty to notify the Minister if abandoning an amendment	GMED, MPD, CSLUP, CSP	Note: the power to make a decision to abandon an amendment cannot be delegated
s.30(4)(a)	duty to say if amendment has lapsed	MPD, CSLUP, CSP, PSP	
s.30(4)(b)	duty to provide information in writing upon request	MPD, CSLUP, CSP, PSP, SSP	
s.32(2)	duty to give more notice if required	MPD, CSLUP, CSP, PSP, SSP, SP/PO	
s.33(1)	duty to give more notice of changes to an amendment	MPD, CSLUP, CSP, PSP, SSP, SP/PO	
s.36(2)	duty to give notice of approval of amendment	MPD, CSLUP, CSP, PSP, SSP, SP/PO	
s.38(5)	duty to give notice of revocation of an amendment	MPD, CSLUP, CSP, PSP	
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT	GMED, MPD, CSLUP, CSP, PSP	



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.40(1)	function of lodging copy of approved amendment	GMED, MPD, CSLUP, CSP, PSP, SPP, SP/PO	
s.41	duty to make approved amendment available	GMED, MPD, CSLUP, CSP, PSP, SSP, SP/PO	
s.42	duty to make copy of planning scheme available	GMED, MPD, CSLUP, CSP, PSP, SSP, SP/PO	
s.46AS(ac)	power to request the Growth Areas Authority to provide advice on any matter relating to land in Victoria or an objective of planning in Victoria	GMED, MPD, CSLUP, CSP	
s.46GF	duty to comply with directions issued by the Minister	GMED, MPD, CSLUP, CSP, PSP	
s.46GG	duty to include a condition in a permit relating to matters set out in s.46GG(c) and (d)	GMED, MPD, CSLUP, CSP, PSP	
s.46GH(1)	power to require the payment of an amount of infrastructure levy to be secured to Council's satisfaction	GMED, MPD, CSLUP, CSP, PSP	where council is a collecting agency



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.46GH(2)	power to accept the provision of land, works, services or facilities in part or full satisfaction of the amount of infrastructure levy payable	GMED, MPD, CSLUP, CSP, PSP	where council is a collecting agency
s.46GH(3)	duty to obtain the agreement of the relevant development agency or agencies specified in the approved infrastructure contributions plan before accepting the provision of land, works, services or facilities by the applicant	GMED, MPD, CSLUP, CSP, PSP	where council is a collecting agency
s.46GI(1)	duty to keep proper accounts of any amount of infrastructure levy paid to it as a collecting agency or a development agency under part 2 of the <i>Planning and Environment Act 1987</i>	MPD, MF	must be done in accordance <i>with Local Government Act 1989</i> .
s.46GI(2)	duty to forward to a development agency any part of an infrastructure levy paid to council which is imposed for plan preparation costs incurred by development agency or for carrying out of works, services or facilities on behalf of the development agency	GMED, MPD, CSLUP, CSP, PSP	
s.46GI(3)	duty to apply levy amount only in accordance with s.46GI(3) (a) and (b)	GMED, MPD, CSLUP, CSP, PSP	
s.46GI(4)	power to refund any amount of infrastructure levy paid to it as a development agency under Part 2 of the <i>Planning and Environment Act 1987</i> if satisfied that the development is not to proceed	GMED, GMGI, MPD, MF	
s.46GI(5)	duty to take action described in s.46GI(5)(c) – (e) where s.46GI(5)(a) and (b) applies.	GMED, GMGI, MPD, MF	



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.46GL	power to recover any amount of infrastructure levy as a debt due to Council	GMED, GMGI, MPD, MF	where council is a collecting agency
s.46GM	duty to prepare report and give a report to the Minister	GMED, GMGI, MPD, MF	where council is a collecting agency or development agency
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	GMED, MPD, CSP, CSLUP, PSP	
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	GMED, MPD, CSP, CSLUP, PSP	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	GMED, MPD, CSP, CSLUP, PSP	
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	GMED, MPD, CSP, CSLUP, PSP	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	GMED, MPD, CSP, CSLUP, PSP	
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	GMED, MPD, CSP, CSLUP, PSP	
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	GMED, MPD, CSLUP, CSP	



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<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.46Q(1)	duty to keep proper accounts of levies paid	GMED, GMGI, MPD, MF, CSLUP, CSP, CFA	
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	GMED, GMGI, MPD, MF, SAM, CSLUP, CSP, CFA	
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.	CEO, GMED, GMGI, MPD, MF, SAM, CSLUP, CSP, CFA	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	GMED, GMGI, MPD, MF, CSLUP, CSP, CFA	only applies when levy is paid to Council as a 'development agency'
s.46Q(4)(c)	duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the council or for the provision by the council of works, services or facilities in an area under s.46Q(4)(a)	GMED, GMGI, MPD, MF, CSLUP, CSP, CFA	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	GMED,MPD, CSLUP, CSP	must be done in accordance with Part 3





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<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s46Q(4)(e)	duty to expend that amount on other works etc.	GMED, GMGI, MPD, MF, SAM, CSLUP, CSP, CFA	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	GMED, GMGI, MPD, MF, SAM, CSLUP, CSP, CFA	
s.46QD	duty to prepare report and give a report to the Minister	GMED, GMGI, MPD, MF	where council is a collecting agency or development agency
s.46V(3)	duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	Not delegated	Not applicable
s.46Y	duty to carry out works in conformity with the approved strategy plan	Not delegated	Not applicable
s.47	power to decide that an application for a planning permit does not comply with that Act	GMED, MPD, CSLUP, CSP,CDCLL, PSP, PPIO, SPIO, SPP, SP/PO	



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	GMED, MPD, CSLUP, CSP,CDCLL, PSP, PPIO, SPIO, SPP, SP/PO	
s.49(2)	duty to make register available for inspection	GMED, MPD, CSLUP, CSP, PSP, SPP, SP/PO	
s.50(4)	duty to amend application	GMED, MPD, CSLUP, CSP, PSP, SPP, SP/PO	
s.50(5)	power to refuse to amend application	GMED, MPD, CSLUP, CSP, PSP	
s.50(6)	duty to make note of amendment to application in register	GMED, MPD, CSLUP, CSP, PSP, SPP, SP/PO	
s.50A(1)	power to make amendment to application	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.51	duty to make copy of application available for inspection	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.50A(4)	duty to note amendment to application in register	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
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	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	



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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
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	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
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	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.52(3)	power to give any further notice of an application where appropriate	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.54(1)	power to require the applicant to provide more information	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.54(1A)	duty to give notice in writing of information required under section 54(1)	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.54(1B)	duty to specify the lapse date for an application	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	GMED, MPD, CSP, CSLUP, PSP, SSP	
s.54A(4)	duty to give written notice of decision to extend or refuse to extend time und section 54A(3)	GMED, MPD, CSP, CSLUP, PSP, SSP	



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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	GMED, MPD, CSP, CSLUP	
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.57(5)	duty to make available for inspection copy of all objections	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to section 57A(5)	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.57A(5)	power to refuse to amend application	GMED, MPD, CSP, CSLUP, PSP	
s.57A(6)	duty to note amendments to application in register	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	



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s.57B(1)	duty to determine whether and to whom notice should be given	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.57C(1)	duty to give copy of amended application to referral authority	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.58	duty to consider every application for a permit	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.58A	power to request advice from the Planning Application Committee	GMED, MPD, CSP, CSLUP, PSP	
s.60	duty to consider certain matters	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	



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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s60(1A)	power to consider certain matters before deciding on application	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.60(1B)	duty to consider number of objectors in considering whether use or development may have significant social effect	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.61(1)	power to determine permit application to decide to grant a permit, to decide to grant a permit with conditions where there are no objections	GMED, MPD, CSP, CSLUP, PSP, SSP	the permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>
s.61(1)	power to determine permit application to decide to grant a permit, to decide to grant a permit with conditions where there are objections	GMED, MPD, CSLUP, CSP	The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>  Must be three or less objections for an application for a permit. If greater than three objections – matter to be determined by Planning Committee or call-in by Council.  The determination is for an application to amend an existing permit and the change is not a transformation of the original application
s.61(1)	power to determine permit application to decide to refuse a permit application	GMED, MPD, CSLUP, CSP	The determination must be for an application to amend an existing permit and the change is not a transformation of the original application





<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	GMED, MPD, CSP, CSLUP, PSP	
s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	GMED, MPD, CSP, CSLUP	
s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without Minister's consent	GMED, MPD, CSP, CSLUP, PSP	
s.61(3)(b)	duty to refuse to grant the permit without the Minister's consent	GMED, MPD, CSP, CSLUP PSP	
s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	GMED, MPD, CSP, CSLUP	
s.62(1)	duty to include certain conditions in deciding to grant a permit	GMED, MPD, CSP, SLUP, PSP, SSP	
s.62(2)	power to include other conditions	GMED, MPD, CSP, CSLUP, PSP, SSP	
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	GMED, MPD, CSP, CSLUP, PSP, SSP	



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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	GMED, MPD, CSP, CSLUP, PSP, SSP	
s.62(5)(b)	power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement	GMED, MPD, CSP, CSLUP, PSP, SSP	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	GMED, MPD, CSP, CSLUP, PSP, SSP	
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 section 62(5) or section 46N	GMED, MPD, CSP, CSLUP, PSP, SSP	
s.62(6)(b)	duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in section 62(1)(a)	GMED, MPD, CSP, CSLUP, PSP, SSP	
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	this provision applies also to a decision to grant an amendment to a permit - see section 75



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.64(3)	duty not to issue a permit until after the specified period	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(5)	duty to give each objector a copy of an exempt decision	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64A	duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	this provision applies also to a decision to grant an amendment to a permit - see section 75A
s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.66(1)	duty to give notice under section 64 or section 65 and copy permit to relevant determining referral authorities	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	



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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	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	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	if the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s.69(1)	function of receiving application for extension of time of permit	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.69(1A)	function of receiving application for extension of time to complete development	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	



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s.69(2)	power to extend time	GMED, MPD, CSP, CSLUP, PSP	
s.70	duty to make copy permit available for inspection	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.71(1)	power to correct certain mistakes	GMED, MPD, CSP, PSP,	
s.71(2)	duty to note corrections in register	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.73	power to decide to grant amendment subject to conditions	GMED, MPD, CSP, PSP, SSP	The conditions and limitations that apply to section 61(1) also apply to decisions to amend a permit.
s.74	duty to issue amended permit to applicant if no objectors	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	



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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	if the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	if the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under section 64 or 76	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	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	GMED, MPD, CSP, CSLUP, PSP	
s.83	function of being respondent to an appeal	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	



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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.83B	duty to give or publish notice of application for review	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	GMED, MPD, CSP, CSLUP, PSP	
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	GMED, MPD, CSP, CSLUP, PSP	
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	GMED, MPD, CSP, PSP, SSP	
s.84(6)	duty to issue permit on receipt of advice within 3 working days	GMED, MPD, CSLUP, CSP, PSP, SSP	
s.86	duty to issue a permit at order of Tribunal within 3 working days	GMED, MPD, CSP, CSLUP, PSP, SSP	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	GMED, MPD, CSP, CSLUP, CDCLL	



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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	GMED, MPD, CSP, CSLUP, PSP, CDCLL	
s.91(2)	duty to comply with the directions of VCAT	GMED, MPD, CSP, CSLUP, PSP, CDCLL, SPIO	
s.91(2A)	duty to issue amended permit to owner if Tribunal so directs	GMED, MPD, CSP, CSLUP, CDCLL, PSP	
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	GMED, MPD, CSP, CSLUP, SSP, CDCLL,	
s.93(2)	duty to give notice of VCAT order to stop development	GMED, MPD, CSP, CSLUP, CDCLL, PSP, PPIO, SSP, SPIO	
s.95(3)	function of referring certain applications to the Minister	GMED, MPD, CSP, CSLUP, PSP	
s.95(4)	duty to comply with an order or direction	GMED, MPD, CSP, CSLUP, PSP, SSP	





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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	GMED, MPD, CSP, CSLUP, PSP, SSP	
s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	GMED, MPD, CSP, CSLUP	
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	GMED, MPD, CSP, CSLUP	
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	GMED, MPD, CSP, CSLUP, PSP, SSP, SP/PO	
s.96F	duty to consider the panel's report under section 96E	Not Delegated	
s.96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i> )	Not Delegated	
s.96H(3)	power to give notice in compliance with Minister's direction	GMED, MPD, CSP, CSLUP, SSP, SP/PO	
s.96J	power to issue permit as directed by the Minister	GMED, MPD, CSP, CSLUP	



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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.96K	duty to comply with direction of the Minister to give notice of refusal	GMED, MPD, CSP, CSLUP	
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	GMED, MPD, CSP, CSLUP, SSP, SP/PO	
s.97C	power to request Minister to decide the application	GMED, MPD	
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	GMED, MPD, CSP, CSLUP, SSP, SP/PO	
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	GMED, MPD, CSP, CSLUP, SSP, SP/PO	
s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	GMED, MPD, CSP, CSLUP, SSP, SP/PO	
s.97L	duty to include Ministerial decisions in a register kept under section 49	GMED, MPD, CSP, CSLUP, SSP, SP/PO	
s.97MH	duty to provide information or assistance to the Planning Application Committee	GMED, MPD, CSP, CSLUP, SSP, SP/PO	
s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	GMED, MPD	



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<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	GMED, MPD, CSP, CSLUP, CDCLL, SSP	
s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO	
s.97Q(4)	duty to comply with directions of VCAT	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO	
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO, SP/PO	



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO	
s.101	function of receiving claim for expenses in conjunction with claim	GMED, MPD, CSP, CSLUP, CDCLL	
s.103	power to reject a claim for compensation in certain circumstances	GMED, MPD, CSP, CSLUP, CDCLL	
s.107(1)	function of receiving claim for compensation	GMED, MPD, CSP, CSLUP, CDCLL	
s.107(3)	power to agree to extend time for making claim	GMED, MPD, CSP, CSLUP, CDCLL	
s.114(1)	power to apply to the VCAT for an enforcement order	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO	
s.117(1)(a)	function of making a submission to the VCAT where objections are received	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO	



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO	
s.123(1)	power to carry out work required by enforcement order and recover costs	GMED, MPD, CSP, CSLUP, CDCLL	
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	GMED, MPD, CSP, CSLUP, CDCLL	except Crown Land
s.129	function of recovering penalties	GMED, MPD, CSP, CSLUP, CDCLL	
s.130(5)	power to allow person served with an infringement notice further time	GMED, MPD, CSP, CSLUP, CDCLL	
s.149A(1)	power to refer a matter to the VCAT for determination	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO	
s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO	



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.156	duty to pay fees and allowances (including a payment to the Crown under subsection (2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under subsection (2B)power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	GMED, MPD, CSP, CSLUP	where council is the relevant planning authority
s.171(2)(f)	power to carry out studies and commission reports	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO	
s.171(2)(g)	power to grant and reserve easements	GMED, MPD, CSP, CSLUP	
s.173	power to enter into agreement covering matters set out in section 174	GMED	Where the Chief Executive Officer has a conflict of interest
---	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO, PIO, PO	
---	power to give consent on behalf of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO	
s.177(2)	power to end a section 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	GMED, MPD	



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.178	power to amend a s.173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	GMED	Where the Chief Executive Officer has a conflict of interest.
s.178A(1)	function of receiving application to amend or end an agreement	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO, PIO, PO	
s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	GMED	Requires agreement of the CEO unless the CEO has a conflict of interest.
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	GMED	Requires agreement of the CEO unless the CEO has a conflict of interest.
s.178A(5)	power to propose to amend or end an agreement	GMED	Requires agreement of the CEO unless the CEO has a conflict of interest.
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	GMED, MPD, CSP, CSLUP	
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	GMED, MPD, CSP, CSLUP	
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	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO, PIO, PO	
s.178C(4)	function of determining how to give notice under s.178C(2)	GMED, MPD, CSP, CSLUP, CDCLL, SSP	
s.178E(1)	duty not to make decision until after 14 days after notice has been given	GMED, MPD	



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	GMED, MPD	If no objections are made under s.178D Must consider matters in s.178B Requires agreement of the CEO unless the CEO has a conflict of interest.
s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	GMED, MPD	If no objections are made under s.178D Must consider matters in s.178B. Requires agreement of the CEO unless the CEO has a conflict of interest.
s.178E(2)(c)	power to refuse to amend or end the agreement	GMED, MPD	If no objections are made under s.178D Must consider matters in s.178B Requires agreement of the CEO unless the CEO has a conflict of interest.
s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	GMED, MPD	After considering objections, submissions and matters in s.178B Requires agreement of the CEO unless the CEO has a conflict of interest.
s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	GMED, MPD	After considering objections, submissions and matters in s.178B Requires agreement of the CEO unless the CEO has a conflict of interest.
s.178E(3)(c)	power to propose to amend or end the agreement in a manner that is substantively different from the proposal	GMED, MPD	After considering objections, submissions and matters in s.178B Requires agreement of the CEO unless the CEO has a conflict of interest.





<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.178E(3)(d)	power to refuse to amend or end the agreement	GMED, MPD	After considering objections, submissions and matters in s.178B Requires agreement of the CEO unless the CEO has a conflict of interest.
s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	GMED, MPD	
s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	GMED, MPD	
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	GMED, MPD	
s.178G	duty to sign amended agreement	GMED	Where the Chief Executive Officer has a conflict of interest
s.178G	duty to give copy to each other party to the agreement	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO, SP/PO	
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	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO, SP/PO	
s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO SP/PO	
s.179(2)	duty to make available for inspection copy agreement	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO, SP/PO	



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO SP/PO	
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO, SP/PO	
s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO, SP/PO	
s.182	power to enforce an agreement	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO, PIO, PO	
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO, PIO, PO	
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	GMED, MPD	
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	GMED, MPD	



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.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	GMED, MPD, CSP, CSLUP, CDCLL, SSP,SPIO, PIO, PO	
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	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO, PIO, PO	
s.184G(2)	duty to comply with a direction of the Tribunal	GMED, MPD	
s.184G(3)	duty to give notice as directed by the Tribunal	GMED, MPD,	
s.198(1)	function to receive application for planning certificate	GMED, MPD, CSP, CSLUP, SSP	
s.199(1)	duty to give planning certificate to applicant	GMED, MPD, CSP, CSLUP, SSP, PO	
s.201(1)	function of receiving application for declaration of underlying zoning	GMED, MPD, CSP, CSLUP, SSP	
s.201(3)	duty to make declaration	GMED, MPD, CSP, CSLUP, SSP	
-	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	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO, PIO, PO	



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
-	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	GMED, MPD, CSP, CSLUP, CDCLL, SSP, SPIO, PIO, PO	
-	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	GMED, MPD, CSP, CSLUP, CDCLL, SSP	Approval of development plans where there are no unresolved submissions objecting to the plan Approval of minor amendments to development plans previously approved by Council resolution where there were submissions objecting to the plan and the new plan makes no significant change to the plan that would require public notice of that change
-	power to give written authorisation in accordance with a provision of a planning scheme	GMED, MPD, CSP, CSLUP, CDCLL, SSP	
s.201UAB(1)	function of providing the Growth Areas Authority with information relating to any land within municipal district	GMED, MPD, CSP, CSLUP, SSP	
s.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	GMED, MPD, CSP, CSLUP, SSP	



Maddocks

**Does not currently apply to Surf Coast Shire Council**

**RAIL SAFETY (LOCAL OPERATIONS) ACT 2006**



<b>RESIDENTIAL TENANCIES ACT 1997 (Not a Council delegation earlier)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.142D	function of receiving notice regarding an unregistered rooming house	CEH, EHO	
s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal district	CEH	
s. 142G(2)	power to enter certain information in the Rooming House Register	CEH, EHO	
s.142I(2)	power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	CEH, EHO	
s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	GMGI	where council is the landlord
s.262(1)	power to give tenant a notice to vacate rented premises	GMGI	where council is the landlord
s.262(3)	power to publish its criteria for eligibility for the provision of housing by council	GMGI, GMCC	
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	CEH, EHO, MBS	
s.522(1)	power to give a compliance notice to a person	CEH, EHO, MBS	
s.525(2)	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	CEO only	



<b>RESIDENTIAL TENANCIES ACT 1997 (Not a Council delegation earlier)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.525(4)	duty to issue identity card to authorised officers	CEO only	
s.526(5)	duty to keep record of entry by authorised officer under section 526	CEH, EHO, MBS	
s.526A(3)	function of receiving report of inspection	CEH, EHO	
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	CEH, EHO, MBS	



<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.11(1)	power to declare a road by publishing a notice in the Government Gazette	GMGI, SAM, MES	obtain consent in circumstances specified in section 11(2)
s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	GMGI, SAM, MES	
s.11(9)(b)	duty to advise Registrar	GMGI, SAM, MES	
s.11(10)	duty to inform Secretary to Department Environment, Land, Water and Planning of declaration etc.	GMGI, SAM, MES	clause subject to section 11(10A)
s.11(10A)	duty to inform Secretary to Department Environment, Land, Water and Planning or nominated person	GMGI, SAM, MES	where council is the coordinating road authority
s.12(2)	power to discontinue road or part of a road	GMGI, SAM, MES, PLSO	were council is the coordinating road authority
s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	GMGI, SAM, MES, PLSO	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(5)	duty to consider written submissions received within 28 days of notice	GMGI, SAM, MES	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies





<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.12(6)	function of hearing a person in support of their written submission	GMGI, SAM, MES	function of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	GMGI, SAM, MES, PLSO	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(10)	duty to notify of decision made	GMGI, SAM, MES, PLSO	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	GMGI, SAM, MES	power of coordinating road authority and obtain consent under section 13(3) and section 13(4) as appropriate
s.14(4)	function of receiving notice from VicRoads	GMGI, SAM, MES	
s.14(7)	power to appeal against decision of VicRoads	GMGI, SAM, MES	
s.15(1)	power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	CMCI, SAM, MES	
s.15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	SAM, MES	



<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.15(2)	duty to include details of arrangement in public roads register	SAM, MES	
s.16(7)	power to enter into an arrangement under section 15	SAM, MES	
s.16(8)	duty to enter details of determination in public roads register	SAM	
s.17(2)	duty to register public road in public roads register	SAM	where council is the coordinating road authority
s.17(3)	power to decide that a road is reasonably required for general public use	SAM, MES	where council is the coordinating road authority
s.17(3)	duty to register a road reasonably required for general public use in public roads register	SAM	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	SAM, MES	where council is the coordinating road authority
s.17(4)	duty to remove road no longer reasonably required for general public use from public roads register	SAM	where council is the coordinating road authority
s.18(1)	power to designate ancillary area	SAM, MES	where council is the coordinating road authority, and obtain consent in circumstances specified in section 18(2)
s.18(3)	duty to record designation in public roads register	SAM	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	SAM	



<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.19(4)	duty to specify details of discontinuance in public roads register	SAM	
s.19(5)	duty to ensure public roads register is available for public inspection	SAM	
s.21	function of replying to request for information or advice	SAM, MES	obtain consent in circumstances specified in section 11(2)
s.22(2)	function of commenting on proposed direction	SAM, MES	
s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.	GMGI	
s.22(5)	duty to give effect to a direction under this section.	GMGI	
s.40(1)	duty to inspect, maintain and repair a public road.	SAM, CCW, MES	
s.40(5)	power to inspect, maintain and repair a road which is not a public road	SAM, MES, CCW	
s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	SAM, MES, CCW	
s.42(1)	power to declare a public road as a controlled access road	SAM, MES	power of coordinating road authority and Schedule 2 also applies
s.42(2)	power to amend or revoke declaration by notice published in Government Gazette	SAM, MES	power of coordinating road authority and Schedule 2 also applies



<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.42A(3)	duty to consult with VicRoads before road is specified	GMGI, SAM, MES	where council is the coordinating road authority if road is a municipal road or part thereof
s.42A(4)	power to approve Minister's decision to specify a road as a specified freight road	GMGI, SAM, MES, CDT	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)	GMGI, SAM, MES, CDT	where council is the responsible road authority, infrastructure manager or works manager
s.48M(3)	function of consulting with the relevant authority for purposes of developing guidelines under section 48M	GMGI, MES, SAM	
s.49	power to develop and publish a road management plan	GMGI, SAM, MES	
s.51	power to determine standards by incorporating the standards in a road management plan	GMGI, SAM, MES	
s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	GMGI, SAM, MES	
s.54(2)	duty to give notice of proposal to make a road management plan	GMGI, SAM, MES	
s.54(5)	duty to conduct a review of road management plan at prescribed intervals	GMGI, SAM, MES	



<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.54(6)	power to amend road management plan	GMGI, SAM, MES	
s.54(7)	duty to incorporate the amendments into the road management plan	GMGI, SAM, MES	
s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	GMGI, SAM, MES	
s.63(1)	power to consent to conduct of works on road	SAM, MES, CCW	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	SAM, MES, CCW	where council is the infrastructure manager
s.64(1)	duty to comply with clause 13 of Schedule 7	SAM, MES	where council is the infrastructure manager or works manager
s.66(1)	power to consent to structure etc	SAM, MES	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	SAM, MES	where council is the coordinating road authority
s.67(3)	power to request information	SAM, MES	where council is the coordinating road authority
s.68(2)	power to request information	SAM, MES	where council is the coordinating road authority
s.71(3)	power to appoint an authorised officer	CEO	
s.72	duty to issue an identity card to each authorised officer	CEO	



<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.85	function of receiving report from authorised officer	SAM	
s.86	duty to keep register re section 85 matters	SAM	
s.87(1)	function of receiving complaints	SAM, MES	
s.87(2)	duty to investigate complaint and provide report	SAM, MES	
s.112(2)	power to recover damages in court	SAM, MES, CCW	
s.116	power to cause or carry out inspection	SAM, MES, CCW	
s.119(2)	function of consulting with VicRoads	GMGI, SAM, MES	
s.120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	GMCI, SAM, MES	
s.120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	SAM, MES, CCW	
s.121(1)	power to enter into an agreement in respect of works	GMCI, SAM, MES, CDT	
s.122(1)	power to charge and recover fees	GMCI, SAM, MES, CDT	
s.123(1)	power to charge for any service	GMCI, SAM, MES, CDT	



<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	SAM, MES	
Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	Not Delegated	
Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	Not Delegated	
Schedule 2 Clause 4	function of receiving details of proposal from VicRoads	SAM, MES, CDT	
Schedule 2 Clause 5	duty to publish notice of declaration	SAM, MES, CDT	
Schedule 7, Clause 7(1)	duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	SAM, MES, CDT	where council is the infrastructure manager or works manager
Schedule 7, Clause 8(1)	duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	SAM, MES, CDT	where council is the infrastructure manager or works manager
Schedule 7, Clause 9(1)	duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	SAM, MES, CCW	where council is the infrastructure manager or works manager responsible for non-road infrastructure



<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
Schedule 7, Clause 9(2)	duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	SAM, MES	where council is the infrastructure manager or works manager
Schedule 7, Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	SAM, MES	where council is the infrastructure manager or works manager
Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	SAM, MES	where council is the coordinating road authority
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	SAM, MES	where council is the coordinating road authority
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	SAM, MES, CCW	where council is the coordinating road authority
Schedule 7 Clause 12(5)	power to recover costs	SAM, MES	where council is the coordinating road authority
Schedule 7, Clause 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2)	SAM, MES	where council is the works manager
Schedule 7 Clause 13(2)	power to vary notice period	SAM, MES	where council is the coordinating road authority
Schedule 7, Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1)	SAM, MES	where council is the infrastructure manager





<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
Schedule 7 Clause 16(1)	power to consent to proposed works	SAM, MES	where council is the coordinating road authority
Schedule 7 Clause 16(4)	duty to consult	GMGI, SAM, MES	where council is the coordinating road authority, responsible authority or infrastructure manager
Schedule 7 Clause 16(5)	power to consent to proposed works	GMGI, SAM, MES	where council is the coordinating road authority
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	GMGI, SAM, MES	where council is the coordinating road authority
Schedule 7 Clause 16(8)	power to include consents and conditions	GMGI, SAM, MES	where council is the coordinating road authority
Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	SAM, MES	where council is the coordinating road authority
Schedule 7 Clause 18(1)	power to enter into an agreement	SAM, MES	where council is the coordinating road authority
Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	SAM, MES	where council is the coordinating road authority
Schedule 7 Clause 19(2) & (3)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	SAM, MES	where council is the coordinating road authority
Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	SAM, MES	where council is the coordinating road authority



<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
Schedule 7A Clause 2	power to cause street lights to be installed on roads	MES, CDT	power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
Schedule 7A Clause 3(1)(d)	duty to pay installation and operation costs of street lighting - where road is not an arterial road	MES, CDT	where council is the responsible road authority
Schedule 7A Clause 3(1)(e)	duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	MES, CDT	where council is the responsible road authority
Schedule 7A Clause (3)(1)(f),	duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with clauses 3(2) and 4	MES, CDT	duty of council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs)



**Does not currently apply to Surf Coast Shire Council**

**CEMETERIES AND CREMATORIA REGULATIONS 2005**

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

Note: these Regulations are due to expire on 28 June 2015



<b>PLANNING AND ENVIRONMENT REGULATIONS 2015</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
r. 6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	GMED, MPD, CSP, CSLUP, SSP, PO	where Council is not the planning authority and the amendment affects land within its municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	GMED, MPD, CSP, CSLUP, SSP, PO	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	GMED, MPD, CSP, CSLUP, SSP, PO	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	GMED, MPD, CSP, CSLUP, SSP, PO	where Council is not the responsible authority but the relevant land is within Council's municipal district
r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	GMED, MPD, CSP, CSLUP, SSP, PO	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>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
r.19	power to waive or rebate a fee relating to an amendment of a planning scheme	GMED, MPD, CSLUP	
r.20	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	GMED, MPD CSP	
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	GMED, MPD, CSLUP, CSP	



<b>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r.7	function of entering into a written agreement with a caravan park owner	CEH, EHO, MBS	
r.11	function of receiving application for registration	CEH, EHO	
r.13(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	CEH, EHO	
r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	CEH, EHO	
r.13(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEH	
r.13(4) & (5)	duty to issue certificate of registration	CEH, EHO	
r.15(1)	function of receiving notice of transfer of ownership	CEH, EHO	
r.15(3)	power to determine where notice of transfer is displayed	CEH, EHO	
r.16(1)	duty to transfer registration to new caravan park owner	CEH, EHO	
r.16(2)	duty to issue a certificate of transfer of registration	CEH, EHO	
r.17(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	CEH	
r.18	duty to keep register of caravan parks	CEH	



<b>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r.19(4)	power to determine where the emergency contact person's details are displayed	CEH, EHO	
r.19(6)	power to determine where certain information is displayed	CEH, EHO	
r.22A(1)	duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	CEH, EHO	
r.22A(2)	duty to consult with relevant emergency services agencies	CEH, EHO	
r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	CEH, EHO	
r.24	power to determine places in which caravan park owner must display copy of public emergency warnings	CEH, EHO	
r.25(3)	duty to consult with relevant floodplain management authority	CEH, EHO	
r.26	duty to have regard to any report of the relevant fire authority	CEH, EHO	
r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	CEH, EHO	
r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	CEH, EHO, MBS	
r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	CEH, EHO, MBS	



<b>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r.40(4)	function of receiving installation certificate	CEH, EHO, MBS	
r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	MBS	
Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	MBS	





ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.8(1)	duty to conduct reviews of road management plan	SAM, MES	
r.9(2)	duty to produce written report of review of road management plan and make report available	SAM, MES	
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)	MES, SAM	where council is the coordinating road authority
r.10	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	SAM, MES	
r.13(1)	duty to publish notice of amendments to road management plan	MES, SAM	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	SAM, MES	
r.16(3)	power to issue permit	SAM, MES	where council is the coordinating road authority
r.18(1)	power to give written consent to re damage to road	SAM, MES, CDT,	where council is the coordinating road authority
r.23(2)	power to make submission to Tribunal	SAM, MES	where council is the coordinating road authority
r.23(4)	power to charge a fee for application under section 66(1) Road Management Act	MES,SAM	where council is the coordinating road authority
r.25(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	SAM, MES, CCW, CWM	where council is the responsible road authority



# Maddocks

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.25(2)	power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	SAM, MES	where council is the responsible road authority
r.25(45)	power to recover in the Magistrates' Court, expenses from person responsible	SAM, MES	



<b>ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015</b>			
Note: these regulations are due to expire in 2025			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r.15	power to exempt a person from requirement under clause 13(1) of Schedule 7 to the Act to give notice as to the completion of those works	SAM, MES	where council is the coordinating road authority and where consent given under section 63(1) of the Act
r.22(2)	power to waive whole or part of fee in certain circumstances	SAM, MES	where council is the coordinating road authority