S6 Instrument of Delegation - Members of Staff

South Gippsland Shire Council

Instrument of Delegation

to

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&PEO: Building and Planning Enforcement Officer
- CAC: Civil Assets Coordinator
- CC&MBS: Coordinator of Compliance and Municipal Building Surveyor
- CP: Coordinator Property
- CPC: Caravan Park Coordinator
- CR&P: Coordinator Risk and Procurement
- DC&CS: Director Corporate and Community Services
- DDS: Director Development Services
- DI: Director Infrastructure
- EHC: Environmental Health Coordinator
- EHO: Environmental Health Officer
- GPO: Graduate Planning Officer
- LLC: Local Laws Coordinator
- MFR&P: Manager Finance, Risk and Procurement
- MID: Manager Infrastructure Delivery
- MIP: Manager Infrastructure Planning
- MO: Manager Operations
- MP: Manager Planning
- MRS: Manager Regulatory Services
- No delegate: No delegate
- Not applicable: Not applicable
- P&C Admin Officer: People and Culture Administration Officer
- PTO: Planning Technical Officer
- Sen Stat Plan Off: Senior Statutory Planning Officer
- Sen Strat Plan Off: Senior Strategic Planning Officer
- SLL&PO: Senior Local Laws & Prosections Officer
- SPL&A: Supervisor Planning Liaison and Administration
- Stat Plan Coord: Statutory Planning Coordinator
- Stat Plan Off: Statutory Planning Officer
- Strat Plan Coord: Strategic Planning Coordinator
- Strat Plan Off: Strategic Planning Officer
- WWO: Wastewater Officer

3. declares that:

   3.1. this Instrument of Delegation is authorised by a resolution of Council passed on 25 July 2018; 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:

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.

The Common Seal of the South Gippsland Shire Council was affixed in the presence of:

Chief Executive Officer .....

Date: 25 July 2018

THE SOUTH GIPPSLAND SHIRE COUNCIL
THE COMMON SEAL OF

Delegation Sources

- Food Act 1984
- Domestic Animals Act 1994
- Environment Protection Act 1970
- Heritage Act 1995
- Road Management Act 2004
- Planning and Environment Act 1987
- Rail Safety (Local Operations) Act 2006
- Residential Tenancies Act 1997
- Planning and Environment Regulations 2015
- Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010
- Road Management (Works and Infrastructure) Regulations 2015
- Planning and Environment (Fees) Regulations 2016
- Road Management (General) Regulations 2016

S6 Instrument of Delegation - Members of Staff

Food Act 1984			
Provision	**Item Delegated**	**Delegate**	**Conditions and Limitations**
s.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	MRS, EHC, 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	MRS, EHC, EHO	If section 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	MRS, EHC, EHO	If section 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 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	MRS, EHC, EHO	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	MRS, EHC, 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	MRS, EHC, 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).	MRS, EHC, 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	MRS, EHC, 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

Food Act 1984			
s.19AA(7)	duty to revoke order issued under s.19AA and give written notice of revocation, if satisfied that that order has been complied with	MRS, EHC, EHO	where council is the registration authority
s.19CB(4)(b)	power to request copy of records	MRS, EHC, EHO	where council is the registration authority
s.19E(1)(d)	power to request a copy of the food safety program	MRS, EHC, 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	MRS, EHC, 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	MRS, EHC, EHO	where council is the registration authority
s.19NA(1)	power to request food safety audit reports	MRS, EHC, 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	MRS, EHC	
s.19UA	power to charge fees for conducting a food safety assessment or inspection	MRS, EHC	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	MRS, EHC, 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	MRS, EHC, EHO	where council is the registration authority
s.19W(3)(b)	power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	MRS, EHC, EHO	where council is the registration authority
	power to register, renew or transfer registration	MRS, EHC, EHO	where council is the registration authority refusal to grant/renew/transfer registration must be ratified by

Food Act 1984			
			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	MRS, EHC, 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)	MRS, EHC, EHO	where council is the registration authority
s.38A(4)	power to request a copy of a completed food safety program template	MRS, EHC, 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	MRS, EHC, EHO	where council is the registration authority
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	MRS, EHC, EHO	where council is the registration authority
s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	MRS, EHC, 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	MRS, EHC, EHO	where council is the registration authority
s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	MRS, EHC, EHO	where council is the registration authority
s.38D(3)	power to request copies of any audit reports	MRS, EHC, EHO	where council is the registration authority
s.38E(2)	power to register the food premises on a conditional basis	MRS, EHC, 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	MRS, EHC, EHO	where council is the registration authority
s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	MRS, EHC, EHO	where council is the registration authority

Food Act 1984			
s.39A	power to register, renew or transfer food premises despite minor defects	MRS, EHC, 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 Public Health and Wellbeing Act 2008	MRS, EHC, EHO	
s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	MRS, EHC, EHO	where council is the registration authority
s.40D(1)	power to suspend or revoke the registration of food premises	MRS, EHC, EHO	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	MRS, EHC, 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	MRS, EHC, EHO	where council is the registration authority
s.46(5)	power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	MRS, EHC	where council is the registration authority

Domestic Animals Act 1994			
Provision	**Item Delegated**	**Delegate**	**Conditions and Limitations**
s.41A(1)	power to declare a dog to be a menacing dog	MRS, LLC, SLL&PO	Council may delegate this power to an authorised officer

Environment Protection Act 1970			
Provision	**Item Delegated**	**Delegate**	**Conditions and Limitations**
s.53M(3)	power to require further information	MRS, EHC, EHO, WWO	

Environment Protection Act 1970			
s.53M(4)	duty to advise applicant that application is not to be dealt with	MRS, EHC, EHO, WWO	
s.53M(5)	duty to approve plans, issue permit or refuse permit	MRS, EHC, EHO, WWO	refusal must be ratified by council or it is of no effect
s.53M(6)	power to refuse to issue septic tank permit	MRS, EHC, EHO, WWO	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)	MRS, EHC, EHO, WWO	refusal must be ratified by council or it is of no effect

Heritage Act 1995 Note: this Act is to be repealed on the day the Heritage Act 2017 comes into force, which is 1 November 2017, unless proclaimed earlier			
Provision	**Item Delegated**	**Delegate**	**Conditions and Limitations**
s.84(2)	power to sub-delegate Executive Director's functions	No delegate	must obtain Executive Director's written consent first.

Road Management Act 2004			
Provision	**Item Delegated**	**Delegate**	**Conditions and Limitations**
s.11(1)	power to declare a road by publishing a notice in the Government Gazette	DI, MID, MO, MIP, CP	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	DI, MID, MO, MIP, CP	
s.11(9)(b)	duty to advise Registrar	DI, MID, MO, MIP, CP	
s.11(10)	duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	DI, MID, MO, MIP, CP	clause subject to section 11(10A)
s.11(10A)	duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	DI, MID, MO, MIP, CP	where council is the coordinating road authority
s.12(2)	power to discontinue road or part of a road	DI, MID, MO, MIP, CP	were council is the coordinating road authority

Road Management Act 2004			
s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	DI, MID, MO, MIP, CP	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	DI, MID, MO, MIP, CP	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(6)	function of hearing a person in support of their written submission	DI, MID, MO, MIP, CP	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	DI, MID, MO, MIP, CP	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(10)	duty to notify of decision made	DI, MID, MO, MIP, CP	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, MID, MO, MIP, CP	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	DI, MO, MIP	
s.14(7)	power to appeal against decision of VicRoads	DI, MO, MIP	
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, MO, MIP	

Road Management Act 2004			
s.15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	DI, MO, MIP	
s.15(2)	duty to include details of arrangement in public roads register	DI, MO, MIP	
s.16(7)	power to enter into an arrangement under section 15	DI, MO, MIP	
s.16(8)	duty to enter details of determination in public roads register	DI, MO, MIP	
s.17(2)	duty to register public road in public roads register	DI, MO, MIP	where council is the coordinating road authority
s.17(3)	power to decide that a road is reasonably required for general public use	DI, MO, MIP	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	DI, MO, MIP	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, MO, MIP	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, MO, MIP	where council is the coordinating road authority
s.18(1)	power to designate ancillary area	DI, MO, MIP	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	DI, MO, MIP	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, MO, MIP	
s.19(4)	duty to specify details of discontinuance in public roads register	DI, MO, MIP	
s.19(5)	duty to ensure public roads register is available for public inspection	DI, MO, MIP	

Road Management Act 2004			
s.21	function of replying to request for information or advice	DI, MO, MIP	obtain consent in circumstances specified in section 11(2)
s.22(2)	function of commenting on proposed direction	DI, MO, MIP	
s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.	DI, MO, MIP	
s.22(5)	duty to give effect to a direction under this section.	DI, MO, MIP	
s.40(1)	duty to inspect, maintain and repair a public road.	DI, MO, MIP	
s.40(5)	power to inspect, maintain and repair a road which is not a public road	DI, MO, MIP	
s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	DI, MO, MIP	
s.42(1)	power to declare a public road as a controlled access road	DI, MO, MIP	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	DI, MO, MIP	power of coordinating road authority and Schedule 2 also applies
s.42A(3)	duty to consult with VicRoads before road is specified	DI, MO, CAC	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	DI, MO, MIP	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, MO, MIP	where council is the responsible road authority, infrastructure manager or works manager

Road Management Act 2004			
s.48M(3)	function of consulting with the relevant authority for purposes of developing guidelines under section 48M	DI, MO, MIP	
s.49	power to develop and publish a road management plan	DI, MO, MIP	
s.51	power to determine standards by incorporating the standards in a road management plan	DI, MO, MIP	
s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	DI, MO, MIP	
s.54(2)	duty to give notice of proposal to make a road management plan	DI, MO, MIP	
s.54(5)	duty to conduct a review of road management plan at prescribed intervals	DI, MO, MIP	
s.54(6)	power to amend road management plan	DI, MO, MIP	
s.54(7)	duty to incorporate the amendments into the road management plan	DI, MO, MIP	
s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	DI, MO, MIP	
s.63(1)	power to consent to conduct of works on road	DI, MO, MIP	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, MO, MIP, CAC	where council is the infrastructure manager
s.64(1)	duty to comply with clause 13 of Schedule 7	DI, MIP	where council is the infrastructure manager or works manager
s.66(1)	power to consent to structure etc	DI, MIP, LLC, SLL&PO	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	DI, MIP, LLC, SLL&PO	where council is the coordinating road authority
s.67(3)	power to request information	DI, MIP, LLC, SLL&PO	where council is the coordinating road authority

Road Management Act 2004			
s.68(2)	power to request information	DI, MIP, LLC, SLL&PO	where council is the coordinating road authority
s.71(3)	power to appoint an authorised officer	No delegate	Chief Executive Officer
s.72	duty to issue an identity card to each authorised officer	DI, P&C Admin Officer, MIP, LLC, CR&P, SLL&PO	
s.85	function of receiving report from authorised officer	DI, MIP, LLC, SLL&PO	
s.86	duty to keep register re section 85 matters	DI, MIP	
s.87(1)	function of receiving complaints	DI, MIP, LLC, SLL&PO	
s.87(2)	duty to investigate complaint and provide report	DI, MIP, LLC, SLL&PO	
s.112(2)	power to recover damages in court	DI, MIP, LLC, SLL&PO	
s.116	power to cause or carry out inspection	DI, MIP	
s.119(2)	function of consulting with VicRoads	DI, MIP	
s.120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	DI, MIP, LLC, SLL&PO	
s.120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	DI, MIP, LLC, SLL&PO	
s.121(1)	power to enter into an agreement in respect of works	DI, MIP, LLC, SLL&PO	
s.122(1)	power to charge and recover fees	DI, MIP, LLC, CAC, SLL&PO	
s.123(1)	power to charge for any service	DI, MIP, LLC, SLL&PO	
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	DI, MIP, LLC, SLL&PO	
Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	DI, MIP, LLC, SLL&PO	
Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	DI, MIP, LLC, SLL&PO	
Schedule 2 Clause 4	function of receiving details of proposal from VicRoads	DI, MIP, LLC, SLL&PO	
Schedule 2 Clause 5	duty to publish notice of declaration	DI, MIP, LLC, SLL&PO	

Road Management Act 2004			
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	DI, MIP, LLC, SLL&PO	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	DI, MIP, LLC, SLL&PO	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	DI, MIP, LLC, SLL&PO	where council is the infrastructure manager or works manager responsible for non-road infrastructure
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	DI, MIP, LLC, SLL&PO	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	DI, MIP, LLC, SLL&PO	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	DI, MIP	where council is the coordinating road authority
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	DI, MO, MIP	where council is the coordinating road authority
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	DI, MIP	where council is the coordinating road authority
Schedule 7 Clause 12(5)	power to recover costs	DI, MIP	where council is the coordinating road authority

Road Management Act 2004			
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)	DI, MIP	where council is the works manager
Schedule 7 Clause 13(2)	power to vary notice period	DI, MIP	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)	DI, MIP	where council is the infrastructure manager
Schedule 7 Clause 16(1)	power to consent to proposed works	DI, MIP	where council is the coordinating road authority
Schedule 7 Clause 16(4)	duty to consult	DI, MIP	where council is the coordinating road authority, responsible authority or infrastructure manager
Schedule 7 Clause 16(5)	power to consent to proposed works	DI, MIP	where council is the coordinating road authority
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	DI, MIP	where council is the coordinating road authority
Schedule 7 Clause 16(8)	power to include consents and conditions	DI, MIP	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	DI, MIP	where council is the coordinating road authority
Schedule 7 Clause 18(1)	power to enter into an agreement	DI, MIP	where council is the coordinating road authority
Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	DI, MIP	where council is the coordinating road authority

Road Management Act 2004			
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	DI, MIP	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	DI, MIP	where council is the coordinating road authority
Schedule 7A Clause 2	power to cause street lights to be installed on roads	DI, MIP	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	DI, MIP	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	DI, MIP	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	DI, MIP	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 Act 1987			
Provision	**Item Delegated**	**Delegate**	**Conditions and Limitations**
s.4B	power to prepare an amendment to the Victorian Planning Provisions	DDS, MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	if authorised by the Minister
s.4G	function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	DDS, MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.4H	duty to make amendment to Victoria Planning Provisions available	DDS, MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	

Planning and Environment Act 1987			
s.4I	duty to keep Victorian Planning Provisions and other documents availables	DDS, MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.8A(2)	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	DDS, MP	
s.8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	MP, Strat Plan Coord, Sen Strat Plan Off, Stat Plan Off, GPO, PTO	
s.8A(5)	function of receiving notice of the Minister's decision	DDS, MP	
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	DDS, MP	
s.8B(2)	power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	DDS, MP	
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	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, SPL&A, B&PEO, GPO, PTO, CC&MBS	
s.12A(1)	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under section 19 of the Planning and Environment (Planning Schemes) Act 1996)	DDS, MP	
s.12B(1)	duty to review planning scheme	MP	
s.12B(2)	duty to review planning scheme at direction of Minister	MP	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	MP	
s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, SPL&A, B&PEO, GPO, PTO, CC&MBS	
s.17(1)	duty of giving copy amendment to the planning scheme	MP, Strat Plan Coord, Sen Strat Plan Off, Stat Plan Off, GPO, PTO	

Planning and Environment Act 1987			
s.17(2)	duty of giving copy s.173 agreement	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, SPL&A, B&PEO, GPO, PTO, CC&MBS	
s.17(3)	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	DDS, MP	
s.18	duty to make amendment etc. available	MP, Strat Plan Coord, Sen Strat Plan Off, Stat Plan Off, GPO, PTO	
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	DDS, MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.19	function of receiving notice of preparation of an amendment to a planning scheme	DDS, MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	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	DDS, MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.21(2)	duty to make submissions available	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.21A(4)	duty to publish notice in accordance with section	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.22	duty to consider all submissions	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in section 96D)	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.26(1)	power to make report available for inspection	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.26(2)	duty to keep report of panel available for inspection	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	

Planning and Environment Act 1987			
s.27(2)	power to apply for exemption if panel's report not received	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.28	duty to notify the Minister if abandoning an amendment	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	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	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.30(4)(b)	duty to provide information in writing upon request	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.32(2)	duty to give more notice if required	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.33(1)	duty to give more notice of changes to an amendment	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.36(2)	duty to give notice of approval of amendment	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.38(5)	duty to give notice of revocation of an amendment	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.40(1)	function of lodging copy of approved amendment	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.41	duty to make approved amendment available	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.42	duty to make copy of planning scheme available	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.46AAA	duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	Not applicable	where council is a responsible public entity and is a planning authority 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 effect a limited number of councils
s.46AS(ac)	power to request the Victorian Planning Authority to provide advice on any matter relating to land in Victoria or an objective of planning in Victoria	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.46GF	duty to comply with directions issued by the Minister	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	

Planning and Environment Act 1987			
s.46GG	duty to include a condition in a permit relating to matters set out in s.46GG(c) and (d)	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.46GH(1)	power to require the payment of an amount of infrastructure levy to be secured to Council's satisfaction	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	where council is a collecting agency
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	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, GPO, PTO	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	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, GPO, PTO	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 Planning and Environment Act 1987	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, GPO, PTO	must be done in accordance with Local Government Act 1989
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	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, GPO, PTO	
s.46GI(3)	duty to apply levy amount only in accordance with s.46GI(3) (a) and (b)	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, GPO, PTO	
s.46GI(4)	power to refund any amount of infrastructure levy paid to it as a development agency under Part 2 of the Planning and Environment Act 1987 if satisfied that the development is not to proceed	MP, Strat Plan Coord, Stat Plan Coord	
s.46GI(5)	duty to take action described in s.46GI(5)(c) – (e) where s.46GI(5)(a) and (b) applies.	MP, Strat Plan Coord, Stat Plan Coord	
s.46GL	power to recover any amount of infrastructure levy as a debt due to Council	MP, Strat Plan Coord, Stat Plan Coord	where council is a collecting agency

Planning and Environment Act 1987			
s.46GM	duty to prepare report and give a report to the Minister	MP, Strat Plan Coord, Stat Plan Coord	where council is a collecting agency or development agency
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, GPO, PTO	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DDS, MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
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	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	DDS, MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	DDS, MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	DDS, MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.46Q(1)	duty to keep proper accounts of levies paid	MP, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.46Q(1A)	duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency or plan preparation costs incurred by a development agency	Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, SPL&A, GPO, PTO	
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	Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	MP	only applies when levy is paid to Council as a 'development agency'

Planning and Environment Act 1987			
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)	MP, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	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	MP	must be done in accordance with Part 3
s.46Q(4)(e)	duty to expend that amount on other works etc.	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	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	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.46QD	duty to prepare report and give a report to the Minister	MP, Strat Plan Coord, Stat Plan Coord	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 applicable	
s.46Y	duty to carry out works in conformity with the approved strategy plan	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.47	power to decide that an application for a planning permit does not comply with that Act	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	MP, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, SPL&A, GPO, PTO	
s.49(2)	duty to make register available for inspection	MP, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, SPL&A, GPO, PTO	
s.50(4)	duty to amend application	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, SPL&A, GPO, PTO	
s.50(5)	power to refuse to amend application	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.50(6)	duty to make note of amendment to application in register	MP, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, SPL&A, GPO, PTO	

Planning and Environment Act 1987			
s.50A(1)	power to make amendment to application	MP, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.50A(4)	duty to note amendment to application in register	MP, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.51	duty to make copy of application available for inspection	MP, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, SPL&A, GPO, PTO	
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	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
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	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
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	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.52(3)	power to give any further notice of an application where appropriate	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	

Planning and Environment Act 1987			
s.54(1)	power to require the applicant to provide more information	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.54(1A)	duty to give notice in writing of information required under section 54(1)	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.54(1B)	duty to specify the lapse date for an application	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.54A(4)	duty to give written notice of decision to extend or refuse to extend time und section 54A(3)	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, SPL&A, GPO, PTO	
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, SPL&A, GPO, PTO	
s.57(5)	duty to make available for inspection copy of all objections	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, SPL&A, GPO, PTO	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to section 57A(5)	MP	
s.57A(5)	power to refuse to amend application	MP	
s.57A(6)	duty to note amendments to application in register	MP	
s.57B(1)	duty to determine whether and to whom notice should be given	MP	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	MP	
s.57C(1)	duty to give copy of amended application to referral authority	MP	
s.58	duty to consider every application for a permit	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.58A	power to request advice from the Planning Application Committee	DDS, MP	

Planning and Environment Act 1987			
s.60	duty to consider certain matters	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.60(1A)	power to consider certain matters before deciding on application	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.60(1B)	duty to consider number of objectors in considering whether use or development may have significant social effect	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	In accordance with Council Resolution 25 August 2010 Item B2 the delegate must not determine to grant a planning permit and must instead refer the permit application to Council for Council determination where: a) Five or more objection to the grant of the permit are received by Council, or b) In the Chief Executive Officers opinion, the permit application raises significant issues of Council policy or public interest.
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	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	the permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006 In accordance with Council Resolution 25 August 2010 Item B2 the delegate must not determine to grant a planning permit and must instead refer the permit application to Council for Council determination where: a) Five or more objections to the grant of the permit are received by Council, or

Planning and Environment Act 1987			
			b) In the Chief Executive Officer's opinion, the permit application raises significant issues of Coucnil policy or public interest.
s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DDS, MP, Strat Plan Coord, Sen Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without Minister's consent	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.61(3)(b)	duty to refuse to grant the permit without the Minister's consent	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.62(1)	duty to include certain conditions in deciding to grant a permit	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.62(2)	power to include other conditions	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
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	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.62(6)(a)	duty not to include a permit condition requiring a person to pay an amount for or provide works	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	

Planning and Environment Act 1987			
	except in accordance with section 62(5) or section 46N		
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)	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(3)	duty not to issue a permit until after the specified period	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	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	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	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	DDS, MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	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	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.66(1)	duty to give notice under section 64 or section 65 and copy permit to relevant determining referral authorities	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	DDS, MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on

Planning and Environment Act 1987			
			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	DDS, MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	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	DDS, MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	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	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.69(1A)	function of receiving application for extension of time to complete development	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.69(2)	power to extend time	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.70	duty to make copy permit available for inspection	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.71(1)	power to correct certain mistakes	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.71(2)	duty to note corrections in register	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.73	power to decide to grant amendment subject to conditions	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.74	duty to issue amended permit to applicant if no objectors	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	

Planning and Environment Act 1987			
s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	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	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	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	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	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	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.83	function of being respondent to an appeal	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.83B	duty to give or publish notice of application for review	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
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	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	

Planning and Environment Act 1987			
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	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.84(6)	duty to issue permit on receipt of advice within 3 working days	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.86	duty to issue a permit at order of Tribunal within 3 working days	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.91(2)	duty to comply with the directions of VCAT	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.91(2A)	duty to issue amended permit to owner if Tribunal so directs	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.93(2)	duty to give notice of VCAT order to stop development	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.95(3)	function of referring certain applications to the Minister	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.95(4)	duty to comply with an order or direction	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	

Planning and Environment Act 1987			
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.96F	duty to consider the panel's report under section 96E	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
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 Planning and Environment (Planning Schemes) Act 1996)	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.96H(3)	power to give notice in compliance with Minister's direction	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.96J	power to issue permit as directed by the Minister	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.96K	duty to comply with direction of the Minister to give notice of refusal	DDS, MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
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	MP	
s.97C	power to request Minister to decide the application	DDS, MP	
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
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	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.97L	duty to include Ministerial decisions in a register kept under section 49	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.97MH	duty to provide information or assistance to the Planning Application Committee	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	DDS	

Planning and Environment Act 1987			
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
s.97Q(4)	duty to comply with directions of VCAT	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.101	function of receiving claim for expenses in conjunction with claim	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.103	power to reject a claim for compensation in certain circumstances	MP, MRS, Strat Plan Coord, Stat Plan Coord, B&PEO, CC&MBS	
s.107(1)	function of receiving claim for compensation	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
s.107(3)	power to agree to extend time for making claim	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
s.114(1)	power to apply to the VCAT for an enforcement order	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
s.117(1)(a)	function of making a submission to the VCAT where objections are received	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
s.123(1)	power to carry out work required by enforcement order and recover costs	DI, DDS	
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	DI, DDS	except Crown Land

Planning and Environment Act 1987			
s.129	function of recovering penalties	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
s.130(5)	power to allow person served with an infringement notice further time	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
s.149A(1)	power to refer a matter to the VCAT for determination	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	DDS, MP, Strat Plan Coord, Stat Plan Coord	
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)	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	where council is the relevant planning authority
s.171(2)(f)	power to carry out studies and commission reports	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
s.171(2)(g)	power to grant and reserve easements	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	
s.173(1)	power to enter into agreement covering matters set out in section 174	No delegate	Chief Executive Officer
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	No delegate	where council is the relevant responsible authority note: this provision is not yet in force and will commence on 1 June 2018, if not proclaimed earlier Chief Executive Officer
	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the Planning and Environment	CP, MP, MRS, B&PEO, CC&MBS	

Planning and Environment Act 1987			
	Act 1987 requires something to be to the satisfaction of Council or Responsible Authority		
	power to give consent on behalf of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, SPL&A, B&PEO, GPO, PTO, CC&MBS	
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	DDS, CP, MP	
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	DDS, CP, MP	
s.178A(1)	function of receiving application to amend or end an agreement	DDS, CP, MP	
s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	DDS, CP, MP	
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	DDS, CP, MP	
s.178A(5)	power to propose to amend or end an agreement	DDS, CP, MP	
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	DDS, CP, MP	
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	DDS, CP, MP	
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	DDS, CP, MP	
s.178C(4)	function of determining how to give notice under s.178C(2)	DDS, CP, MP	
s.178E(1)	duty not to make decision until after 14 days after notice has been given	DDS, CP, MP	

Planning and Environment Act 1987			
s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	DDS, CP, MP	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	DDS, CP, MP	If no objections are made under s.178D Must consider matters in s.178B
s.178E(2)(c)	power to refuse to amend or end the agreement	DDS, CP, MP	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	DDS, CP, MP	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	DDS, CP, MP	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	DI, DDS, MIP, CP, MP	After considering objections, submissions and matters in s.178B
s.178E(3)(d)	power to refuse to amend or end the agreement	DI, DDS, MIP, CP, MP	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)	DI, DDS, MIP, CP, MP	
s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	DI, DDS, MIP, CP, MP	
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	DDS, MIP, CP, MP	
s.178G	duty to sign amended agreement and give copy to each other party to the agreement	No delegate	Chief Executive Officer

Planning and Environment Act 1987			
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	DDS, MIP, CP, MP	
s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DDS, MIP, CP, MP	
s.179(2)	duty to make available for inspection copy agreement	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, SPL&A, B&PEO, GPO, PTO, CC&MBS	
s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
s.182	power to enforce an agreement	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, SPL&A, B&PEO, GPO, PTO, CC&MBS	
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	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
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	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
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	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
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	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	

Planning and Environment Act 1987			
s.184G(2)	duty to comply with a direction of the Tribunal	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
s.184G(3)	duty to give notice as directed by the Tribunal	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
s.198(1)	function to receive application for planning certificate	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, SPL&A, B&PEO, GPO, PTO, CC&MBS	
s.199(1)	duty to give planning certificate to applicant	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, SPL&A, B&PEO, GPO, PTO, CC&MBS	
s.201(1)	function of receiving application for declaration of underlying zoning	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, SPL&A, B&PEO, GPO, PTO, CC&MBS	
s.201(3)	duty to make declaration	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
	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	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
	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	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
	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	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
	power to give written authorisation in accordance with a provision of a planning scheme	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, B&PEO, GPO, PTO, CC&MBS	
s.201UAB(1)	function of providing the Victoria Planning Authority with information relating to any land within municipal district	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, SPL&A, B&PEO, GPO, PTO, CC&MBS	
s.201UAB(2)	duty to provide the Victoria Planning Authority with information requested under subsection (1) as soon as possible	MP, MRS, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, SPL&A, B&PEO, GPO, PTO, CC&MBS	

Planning and Environment Act 1987			
s.224(8)	duty to provide information requested by Victoria Planning Authority under s.201UAB(1) not yet provided to Growth Areas Authority to Victorian Planning Authority	MP, Stat Plan Coord	

Rail Safety (Local Operations) Act 2006			
Provision	**Item Delegated**	**Delegate**	**Conditions and Limitations**
s.33	duty to comply with a direction of the Safety Director under this section	DI, MID	where council is a utility under section 3
s.33A	duty to comply with a direction of the Safety Director to give effect to arrangements under this section	DI, MID	duty of council as a road authority under the Road Management Act 2004
s.34	duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under section 33(1)	DI, MID	where council is a utility under section 3
s.34C(2)	function of entering into safety interface agreements with rail infrastructure manager	DI, MID	where council is the relevant road authority
s.34D(1)	function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	DI, MID	where council is the relevant road authority
s.34D(2)	function of receiving written notice of opinion	DI, MID	where council is the relevant road authority
s.34D(4)	function of entering into safety interface agreement with infrastructure manager	DI, MID	where council is the relevant road authority
s.34E(1)(a)	duty to identify and assess risks to safety	DI, MID	where council is the relevant road authority
s.34E(1)(b)	duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c)	DI, MID	where council is the relevant road authority
s.34E(3)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	DI, MID	where council is the relevant road authority
s.34F(1)(a)	duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)	DI, MID	where council is the relevant road authority

Rail Safety (Local Operations) Act 2006			
s.34F(1)(b)	duty to determine measures to manage any risks identified and assessed, if written notice has been received under section 34D(2)(a)	DI, MID	where council is the relevant road authority
s.34F(2)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	DI, MID	where council is the relevant road authority
s.34H	power to identify and assess risks to safety as required under sections 34B, 34C, 34D, 34E or 34F in accordance with subsections (a)-(c)	DI, MID	where council is the relevant road authority
s.34I	function of entering into safety interface agreements	DI, MID	where council is the relevant road authority
s.34J(2)	function of receiving notice from Safety Director	DI, MID	where council is the relevant road authority
s.34J(7)	duty to comply with a direction of the Safety Director given under section 34J(5)	DI, MID	where council is the relevant road authority
s.34K(2)	duty to maintain a register of items set out in subsections (a)-(b)	DI, MID	where council is the relevant road authority
Residential Tenancies Act 1997			
Provision	**Item Delegated**	**Delegate**	**Conditions and Limitations**
s.142D	function of receiving notice regarding an unregistered rooming house	MRS, EHC, EHO	
s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal district	MRS, EHC, EHO	
s.142G(2)	power to enter certain information in the Rooming House Register	MRS, EHC, 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	MRS, EHC, EHO	
s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	MIP, CP	where council is the landlord
s.262(1)	power to give tenant a notice to vacate rented premises	MIP, CP	where council is the landlord

Residential Tenancies Act 1997			
s.262(3)	power to publish its criteria for eligibility for the provision of housing by council	MIP, CP	
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	MRS, EHC, EHO	
s.522(1)	power to give a compliance notice to a person	DDS, MRS, EHC, EHO	
s.525(2)	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	No delegate	Chief Executive Officer
s.525(4)	duty to issue identity card to authorised officers	DC&CS, P&C Admin Officer, MFR&P, CR&P	
s.526(5)	duty to keep record of entry by authorised officer under section 526	MRS, EHC, EHO	
s.526A(3)	function of receiving report of inspection	MRS, CPC, EHC, EHO	Caravan Parks Coordinator to only receive reports relating to Council managed Caravan Parks
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	DDS, MRS	

Planning and Environment Regulations 2015			
Provision	**Item Delegated**	**Delegate**	**Conditions and Limitations**
r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	MP, Strat Plan Coord, Sen Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	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	MP, Strat Plan Coord, Sen Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	

Planning and Environment Regulations 2015			
	permit or to amend a permit or any information provided under section 54 of the Act		
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	MP, Strat Plan Coord, Sen Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	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	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	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	MP, Strat Plan Coord, Sen Strat Plan Off, Strat Plan Off, Stat Plan Coord, Sen Stat Plan Off, Stat Plan Off, GPO, PTO	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.
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010			
Provision	**Item Delegated**	**Delegate**	**Conditions and Limitations**
r.7	function of entering into a written agreement with a caravan park owner	MRS, EHC	
r.11	function of receiving application for registration	MRS, EHC	
r.13(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	MRS, EHC	
r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	MRS, EHC	
r.13(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	MRS, EHC	
r.13(4) & (5)	duty to issue certificate of registration	MRS, EHC	
r.15(1)	function of receiving notice of transfer of ownership	MRS, EHC	
r.15(3)	power to determine where notice of transfer is displayed	MRS, EHC	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010			
r.16(1)	duty to transfer registration to new caravan park owner	MRS, EHC	
r.16(2)	duty to issue a certificate of transfer of registration	MRS, EHC	
r.17(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	MRS, EHC	
r.18	duty to keep register of caravan parks	MRS, EHC	
r.19(4)	power to determine where the emergency contact person's details are displayed	MRS, EHC	
r.19(6)	power to determine where certain information is displayed	MRS, EHC	
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	MRS, EHC	
r.22A(2)	duty to consult with relevant emergency services agencies	MRS, EHC	
r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	MRS, EHC	
r.24	power to determine places in which caravan park owner must display copy of public emergency warnings	MRS, EHC	
r.25(3)	duty to consult with relevant floodplain management authority	MRS, EHC	
r.26	duty to have regard to any report of the relevant fire authority	MRS, EHC	
r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	MRS, EHC	
r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	MRS, EHC	
r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	MRS, EHC	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010			
r.40(4)	function of receiving installation certificate	MRS, EHC	
r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	MRS, EHC	
Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	MRS, EHC	
Road Management (Works and Infrastructure) Regulations 2015 Note: these regulations commenced on 20 June 2015, replacing the Roads Management (works & infrastructure) Regulations 2005, which expired on 21 June 2015.			
Provision	**Item Delegated**	**Delegate**	**Conditions and Limitations**
r.15	power to exempt a person from requirement under clause 13(1) of Schedule 7 of the Act to give notice as to the completion of those works	MO, MIP	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	MO, MIP	where council is the coordinating road authority
Planning and Environment (Fees) Regulations 2016			
Provision	**Item Delegated**	**Delegate**	**Conditions and Limitations**
r.19	power to waive or rebate a fee relating to an amendment of a planning scheme	DDS, MP	
r.20	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DDS, MP	
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	DDS, MP	
Road Management (General) Regulations 2016			
Provision	**Item Delegated**	**Delegate**	**Conditions and Limitations**
r.8(1)	duty to conduct reviews of road management plan	MO, MIP	
r.9(2)	duty to produce written report of review of road management plan and make report available	MO, MIP	

Road Management (General) Regulations 2016			
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)	MO, MIP	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	MO, MIP	
r.13(1)	Duty to publish notice of amendments to road management plan	MO, MIP	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	MO, MIP	
r.16(3)	power to issue permit	MO, MIP	where council is the coordinating road authority
r.18(1)	power to give written consent re damage to road	MO, MIP	where council is the coordinating road authority
r.23(2)	power to make submission to Tribunal	MO, MIP	where council is the coordinating road authority
r.23(4)	power to charge a fee for application under section 66(1) Road Management Act	MO, MIP	where council is the coordinating road authority
r.25(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	MO, MIP	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)	MO, MIP	where council is the responsible road authority
r.25(5)	power to recover in the Magistrates' Court, expenses from person responsible	MO, MIP	