

**5.1 CONTRACT 2018/19-118
GILLIES STREET ROUNDABOUT
(RO – Terry Demeo / Robin Hand)**

SUMMARY

This report recommends that the Contracts Committee recommend to Council that it award a Contract for the construction of a Roundabout at Kennedys Road / Gillies Road, Sulky.

RESOLUTION

That the Contracts Approval Special Committee recommend to Council that it:

- 1. Award Tender 2018/19-118 'Roundabout Construction – Kennedys Road/Gillies Road, Sulky' to Fulton Hogan Industries Pty Ltd for the total tendered price of \$1,499,528.85 (excluding GST).**

Moved Cr Ben Taylor
Seconded Cr Grant Tillett

CARRIED

**5.2 CONTRACT 2018/19-115
BALLYMANUS CENTRAL PARK
(RO – Terry Demeo / Robin Hand)**

SUMMARY

This report recommends that the Contracts Committee recommend to Council that it award a Contract for Landscape and Civil Works Construction at Ballymanus Central Park, Alfredton.

No recommendation was made by the Committee

General Business:

No general business was discussed.

RESOLUTION

That the Contracts Approval Special Committee resolve to come out of Section 89 and adopt the resolutions made therein.

Moved Cr Ben Taylor
Seconded Cr Grant Tillett

CARRIED

There being no further business, the Chairperson declared the meeting closed at 5:06pm

Confirmed this 13th day of March, 2019


.....
**Cr Mark Harris
Chairperson**

10.17. S11A INSTRUMENT OF APPOINTMENT AND AUTHORISATION (PLANNING AND ENVIRONMENT ACT 1987)

Division: Business Services
Director: Glenn Kallio
Author/Position: Sarah Anstis - Administration Officer Statutory Compliance

OFFICER RECOMMENDATION**Council resolves to:**

- 1. Revoke the S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Abbie Stark (R156/17), effective as at 15 May 2019.**
- 2. Revoke the S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Eddie Wyman (R45/17), effective as at 15 May 2019.**
- 3. Revoke the S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Luke Gavin (R231/18), effective as at 15 May 2019.**
- 4. Endorse the S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Edwin Wyman, effective as at 15 May 2019.**
- 5. Endorse the S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Rhett English, effective as at 15 May 2019.**
- 6. Endorse the S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Terry Natt, effective as at 15 May 2019.**
- 7. Sign and affix Council's Common Seal to the S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*).**

EXECUTIVE SUMMARY

The purpose of this report is to enable Council to revoke the S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Abbie Stark, Eddie Wyman and Luke Gavin.

The report is to also endorse the S11A Instrument of Appointment and Authorisation (*Planning and environment Act 1987*) to Edwin Wyman, Rhett English and Terry Natt.

RATIONALE

At the Council Meeting held on 10 May 2017, Council resolved (R156/17) to endorse the authorisation of Abbie Stark under the *Planning and Environment Act 1987*. Abbie Stark is no longer in the role of Statutory Planner and the authorisation requires revocation by Council resolution, to be effective as at 15 May 2019.

At the Council Meeting held on 22 August 2018, Council resolved (R231/18) to endorse the authorisation of Luke Gavin under the *Planning and Environment Act 1987*. Luke Gavin is no longer in the role of Statutory Planner and the authorisation requires revocation by Council resolution, to be effective as at 15 May 2019.

At the Council Meeting held on 8 February 2017, Council resolved (R45/17) to endorse the authorisation of Eddie Wyman under the *Planning and Environment Act 1987*. Eddie Wyman's full name is Edwin Wyman and requires Council to endorse the authorisation for the Officer to undertake duties authorised by Council, to be effective as at 15 May 2019.

Rhett English holds the position of Coordinator Compliance and Parking Enforcement and the *Planning and Environment Act 1987* requires Council to endorse the authorisation for the Officer to undertake duties authorised by Council, to be effective as at 15 May 2019.

Terry Natt holds the position of Principal Planner Strategic Projects and the *Planning and Environment Act 1987* requires Council to endorse the authorisation for the Officer to undertake duties authorised by Council, to be effective as at 15 May 2019.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*;
- *Local Government Act 1989*;
- *Planning and Environment Act 1987*; and
- City of Ballarat Council Plan 2017-2021.

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/Cultural	No	No
Environmental/Sustainability	No	No
Economic	No	No
Financial/Resources	No	No
Risk Management	Yes	Yes
Implementation and Marketing	No	No
Evaluation and Review	Yes	Yes

Human Rights - It is considered that this report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

Risk Management - It is essential that Council's authorisations are constantly maintained and periodically monitored so that appropriate Officers have the power to carry out their duties lawfully. This is a key component in Council meetings, through its legislative compliance obligations.

Evaluation and Review - Council's authorisations are reviewed and updated upon changes to the role of a Council Officer, legislative changes and at cessation of employment.

CONSULTATION

There has been consultation with relevant Council Officers to ensure the correct legislation has been adhered to.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this report.

ATTACHMENTS

1. S11A Rhett English **[10.17.1]**
2. S11A Edwin Wyman **[10.17.2]**
3. S11A Terry Natt **[10.17.3]**

*S11A Instrument of Appointment and Authorisation (Planning and
Environment Act 1987)*

Ballarat City Council

**Instrument of Appointment and Authorisation
for Rhett English**

(Planning and Environment Act 1987 only)

**Instrument of Appointment and Authorisation
 (Planning and Environment Act 1987)**

In this instrument "officer" means -

Rhett English

By this instrument of appointment and authorisation Ballarat City/Shire Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under s 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the Ballarat City Council on [insert date and resolution]

Date:

The Common Seal of Ballarat City Council)
 was affixed by authority of the Council in the)
 presence of:)

..... Mayor/Councillor

..... Councillor

..... Chief Executive Officer

*S11A Instrument of Appointment and Authorisation (Planning and
Environment Act 1987)*

Ballarat City Council

**Instrument of Appointment and Authorisation
for Edwin Wyman**

(Planning and Environment Act 1987 only)

**Instrument of Appointment and Authorisation
 (Planning and Environment Act 1987)**

In this instrument "officer" means -

Edwin Wyman

By this instrument of appointment and authorisation Ballarat City/Shire Council -

- 1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- 2. under s 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the Ballarat City Council on [insert date and resolution]

Date:

The Common Seal of Ballarat City Council)
 was affixed by authority of the Council in the)
 presence of:)

..... Mayor/Councillor

..... Councillor

..... Chief Executive Officer

*S11A Instrument of Appointment and Authorisation (Planning and
Environment Act 1987)*

Ballarat City Council

**Instrument of Appointment and Authorisation
for Terry Natt**

(Planning and Environment Act 1987 only)

**Instrument of Appointment and Authorisation
 (Planning and Environment Act 1987)**

In this instrument "officer" means -

Terry Natt

By this instrument of appointment and authorisation Ballarat City/Shire Council -

- 1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be **an** authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- 2. under s 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the Ballarat City Council on [insert date and resolution]

Date:

The Common Seal of Ballarat City Council)
 was affixed by authority of the Council in the)
 presence of:)

..... Mayor/Councillor

..... Councillor

..... Chief Executive Officer

10.18. S6 INSTRUMENT OF DELEGATION - MEMBERS OF STAFF

Division: Business Services
Director: Glenn Kallio
Author/Position: Sarah Anstis - Administration Officer Statutory Compliance

OFFICER RECOMMENDATION

Council resolves to:

- 1. Revoke the S6. Instrument of Delegation - Members of Staff endorsed on 20 February 2019 (R35/19).**
- 2. Exercise Councils power conferred by section 98(1) of the *Local Government Act 1989* and the other legislation referred to in the attached S6. Instrument of Delegation – Members of Staff.**
- 3. Delegate 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.**
- 4. Authorise the S6. Instrument of Delegation – Members of Staff (Attachment 1) to:**
 - i. Come into force immediately once the Common Seal of Council is affixed;**
 - ii. Remains in force until varied or revoked;**
 - iii. Be subject to any conditions and limitations set out in sub-paragraph 3.3 of the delegation and the Schedule; and**
 - iv. Be exercised in accordance with any guidelines or policies which Council, from time to time, adopts.**
- 5. Sign and affix Council’s Common Seal to the S6. Instrument of Delegation - Members of Staff.**

EXECUTIVE SUMMARY

The purpose of this report is to present the revised changes to the S6 Instrument of Delegation – Members of Staff for Council’s consideration. Changes to the Instrument of Delegation since the last approved iteration include.

- The new position Supervisor Asset Surveillance (SASU);
- The new position Municipal Building Surveyor (MBS);
- The new position Principal Planner Strategic Projects (PPSP);
- Removed the position Senior Strategic Planner (SPP); and
- The change of position title Coordinator Traffic and Transport (CTT) to Coordinator Integrated Transport (CIT).

The revised delegation has been reviewed at Officer level and is considered appropriate for the ongoing administrative efficiency of Council. The revised Instrument is presented in attachment one. Attachment two represents the delegations required for the new position Supervisor Asset Surveillance (SASU). Attachment three represents the delegations required for the new position Municipal Building Surveyor (MBS). Attachment four represents the delegations required for the new position Principal Planner Strategic Projects (PPSP).

To adopt the amended Instrument, Council must revoke the Instrument that was endorsed at the Council Meeting held on 20 February 2019 (R35/19) and endorse the revised Instrument (attachment one) reflecting changes and conditions within the *Environment Protection Act 1970*, *Residential Tenancies Act 1997*, *Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010*, *Road Management Act 2004* and *Planning and Environment Act 1987*.

RATIONALE

Section 98 of the *Local Government Act 1989* (the Act) enables Councils, by an Instrument of Delegation, to delegate to a member of staff, any *duty and/or function and/or power* under the Act or any other Act other than:

- The power of delegation;
- The power to declare a rate or charge;
- The power to borrow money;
- The power to approve any expenditure not contained in a budget approved by the Council;
- Any power, duty or function of the Council under section 223; and
- Any prescribed power*.

**A prescribed power is the ability to establish rules, laws, guides or directions or to assert a title or right to something on the grounds of prescription.*

Council is a legal entity composed of its Councillors, which acts in one of two ways – by resolution or through another acting on Council's behalf. Where Council chooses to act through others, this must be formalised through a written means known as an *Instrument of Delegation* wherever practical, which articulates the nature of the delegation, and any condition or limitation under which the delegation is to be exercised.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*;
- *Planning and Environment Act 1987*;
- *Local Government Act 1989*;
- *Local Government (General) Regulations 2015*; and
- City of Ballarat Council Plan 2017-2021.

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in report	Implications Identified
Human Rights	Yes	No
Social/Cultural	No	No
Environmental/Sustainability	No	No
Economic	No	No
Financial Resources	No	No
Risk Management	Yes	Yes
Implementation and Marketing	Yes	Yes
Evaluation and Review	Yes	Yes

Human Rights - It is considered that this Report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

Risk Management - Council delegations need to be constantly maintained and periodically monitored to ensure that appropriate Officers have the power to carry out their duties lawfully. This is a key component in Council meeting through its essential legislative compliance obligations.

Implementation/Marketing - As per Section 12(d) of the *Local Government (General) Regulation 2015* Council will make the details of current delegations under section 87 and 98 of the Act available for public inspection.

Evaluation and Review - Council reviews Instruments within 12 months of Local Government Elections and completes a review every six months thereafter.

CONSULTATION

There has been consultation with relevant Officers to ensure the correct delegations have been appointed.

The revocation and conferring of delegations does not require any public consultation, however, Council is required to keep registers of all delegations and authorisations made and revoked.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this report.

REFERENCE DOCUMENTS

- Council report and resolution 20 February 2019 (R35/19).

ATTACHMENTS

1. S6 Instrument of Delegation - Members of Staff **[10.18.1]**
2. Provisions for Supervisor Asset Surveillance (SASU) **[10.18.2]**
3. Provisions for Municipal Building Surveyor (MBS) **[10.18.3]**
4. Provisions for Principal Planner Strategic Projects (PPSP) **[10.18.4]**

S6. Instrument of Delegation - Members of Staff

Ballarat City Council

Instrument of Delegation

to

Members of Council Staff

S6 Instrument of Delegation - Members of Staff

Preamble

Instrument of Delegation

In exercise of the power conferred by s 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:

Titles

- AOBS: Administration Officer Building Services
- AOEH: Administration Officer Environmental Health
- AOGAF: Administration Officer Growth Areas Facilitation
- AOLLT: Administration Officer Local Laws and Traffic
- AOSC: Administration Officer Statutory Compliance
- CAM: Coordinator Asset Management
- CBS: Coordinator Building Services
- CEH: Coordinator Environmental Health
- CGAF: Coordinator Growth Areas Facilitation
- CID: Coordinator Infrastructure Delivery
- CIT: Coordinator Integrated Transport
- CO: Compliance Officer
- CPG: Coordinator Parks and Gardens
- CRC: Coordinator Risk and Compliance
- CRM: Coordinator Road Maintenance
- CSS: Construction Site Supervisor
- CSTP: Coordinator Statutory Planning
- DBS: Director Business Services
- DDP: Director Development and Planning
- DFAO: Development Facilitation Administration Officer
- DIE: Director Infrastructure and Environment
- DWWMPO: Domestic Waste Water Management Project Officer
- EHO: Environmental Health Officer
- EMDF: Executive Manager Development Facilitation
- EMEP: Executive Manager Economic Partnerships
- EMI: Executive Manager Infrastructure
- EMMP: Executive Manager Major Projects
- EMOE: Executive Manager Operations and Environment
- EMPMO: Executive Manager Project Management Office
- EMPSFM: Executive Manager Property Services and Facilities Management
- EMRS: Executive Manager Regulatory Services
- EMSRCS: Executive Manager Safety, Risk and Compliance Services
- HSO: Health Services Officer
- LLEO: Local Laws Events Officer
- MBS: Municipal Building Surveyor
- MED: Manager Economic Development
- MSP: Manager Strategic Planning
- MSTP: Manager Statutory Planning

- Not Applicable: Not Applicable
- Not Delegated: Not Delegated
- PMUR: Project Manager Urban Renewal
- POC: Project Officer Compliance
- PPSP: Principal Planner Strategic Projects
- PSTP: Principal Statutory Planner
- RMCS: Road Maintenance Contract Supervisor
- RMS: Road Maintenance Scheduler
- SAO: Subdivision Administration Officer
- SASO: Senior Asset Surveillance Officer
- SASU: Supervisor Asset Surveillance
- SCO: Statutory Compliance Officer
- SO: Subdivision Officer
- SP: Strategic Planner
- SPAO: Strategic Planning Administration Officer
- SSTP: Senior Statutory Planner
- STP: Statutory Planner
- TLEH: Team Leader Environmental Health
- TLPD: Team Leader Pathways and Drainage
- TLPSE: Team Leader Parking Services
- TLRs: Team Leader Road Safety
- TLRsATS: Team Leader Regulatory Services Administration/Technical Support
- TLRsR: Team Leader Sealed Roads
- TLRsUR: Team Leader Unsealed Roads
- TOEH: Technical Officer Environmental Health
- TSODF: Technical Support Officer Development Facilitation

3. declares that:

3.1 this Instrument of Delegation is authorised by [#insert "a resolution" or "resolutions"#] of Council passed on [#date#] [#add "and [date]", if appropriate#]; 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 s 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 Ballarat City Council
was affixed by authority of the Council in the
presence of:

)
)
)

..... Mayor/Councillor

..... Councillor

..... Chief Executive Officer

Delegation Sources

- Cemeteries and Crematoria Act 2003
- Domestic Animals Act 1994
- Environment Protection Act 1970
- Food Act 1984
- Heritage Act 2017
- Local Government Act 1989
- Planning and Environment Act 1987
- Rail Safety (Local Operations) Act 2006
- Residential Tenancies Act 1997
- Road Management Act 2004
- Cemeteries and Crematoria Regulations 2015
- Planning and Environment Regulations 2015
- Planning and Environment (Fees) Regulations 2016
- Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010
- Road Management (General) Regulations 2016
- Road Management (Works and Infrastructure) Regulations 2015

S6 Instrument of Delegation - Members of Staff

Cemeteries and Crematoria Act 2003 [##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	CPG, DIE, EMOE, EMPSFM	Where Council is a Class B cemetery trust
s 12(1)	Function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	CPG, DIE, EMOE, EMPSFM	Where Council is a Class B cemetery trust
s 12(2)	Duty to have regard to the matters set out in paragraphs (a) - (c) in exercising its functions	CPG, DIE, EMOE, EMPSFM	Where Council is a Class B cemetery trust
s 13	Duty to do anything necessary or convenient to enable it to carry out its functions	CPG, DIE, EMOE, EMPSFM	
s 14	Power to manage multiple public cemeteries as if they are one cemetery.	CPG, DIE, EMOE, EMPSFM	
s 15(1) and (2)	Power to delegate powers or functions other than those listed	CPG, DIE, EMOE, EMPSFM	
s 15(4)	Duty to keep records of delegations	CRC, DBS, EMSRCS	
s 17(1)	Power to employ any persons necessary	DIE, EMPSFM	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	CPG, DIE, EMOE, EMPSFM	
s 17(3)	Power to determine the terms and conditions of employment or engagement	DIE, EMPSFM	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	CPG, DIE, EMOE, EMPSFM	

Cemeteries and Crematoria Act 2003

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

s 19	Power to carry out or permit the carrying out of works	CPG, DIE, EMOE, EMPSFM	
s 20(1)	Duty to set aside areas for the interment of human remains	CPG, DIE, EMOE, EMPSFM	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	CPG, DDP, DIE, EMOE, EMPSFM	
s 20(3)	Power to set aside areas for those things in paragraphs (a) - (e)	CPG, DDP, DIE, EMOE, EMPSFM	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	CPG, DIE, EMOE, EMPSFM	
s 36	Power to grant licences to enter and use part of the land or building in a public cemetery in accordance with s 36	CPG, DIE, EMOE, EMPSFM	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	CPG, DIE, EMOE, EMPSFM	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	CPG, DIE, EMOE, EMPSFM	
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	DBS	Provided the street was constructed pursuant to the Local Government Act 1989
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	CPG, DIE, EMOE, EMPSFM	Report must contain the particulars listed in s 57(2)
s 59	Duty to keep records for each public cemetery	CPG, DIE, EMOE, EMPSFM	

Cemeteries and Crematoria Act 2003			
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
s 60(1)	Duty to make information in records available to the public for historical or research purposes	CRC, EMSRCS	
s 60(2)	Power to charge fees for providing information	DBS	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	CPG, DIE, EMOE, EMPSFM	
s 64B(d)	Power to permit interments at a reopened cemetery	CPG, DIE, EMOE, EMPSFM	
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	CPG, DIE, EMOE, EMPSFM	The application must include the requirements listed in s 66(2)(a)-(d)
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park	DIE, EMPSFM	
s 70(1)	Duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	CPG, DIE, EMOE, EMPSFM	
s 70(2)	Duty to make plans of existing place of interment available to the public	CPG, DIE, EMOE, EMPSFM	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	CPG, DIE, EMOE, EMPSFM	
s 71(2)	Power to dispose of any memorial or other structure removed	CPG, DIE, EMOE, EMPSFM	
s 72(2)	Duty to comply with request received under s 72	CPG, DIE, EMOE, EMPSFM	
s 73(1)	Power to grant a right of interment	CPG, DIE, EMOE, EMPSFM	
s 73(2)	Power to impose conditions on the right of interment	CPG, DIE, EMOE, EMPSFM	
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	CPG, DIE, EMOE, EMPSFM	

Cemeteries and Crematoria Act 2003

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

s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	CPG, DIE, EMOE, EMPSFM	
s 77(4)	Power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	DIE, EMPSFM	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	CPG, DIE, EMOE, EMPSFM	
s 80(2)	Function of recording transfer of right of interment	CPG, DIE, EMOE, EMPSFM	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	DBS	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment (sole holder)	DBS	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	CPG, DIE, EMOE, EMPSFM	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	CPG, DIE, EMOE, EMPSFM	
s.85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	CPG, DIE, EMOE, EMPSFM	The notice must be in writing and contain the requirements listed in s 85(2)
s 85(2)(b)	Duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	CPG, DIE, EMOE, EMPSFM	Does not apply where right of interment relates to remains of a deceased veteran.
85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or; remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location.	DIE, EMPSFM	May only be exercised where right of interment relates to cremated human remains of a

Cemeteries and Crematoria Act 2003

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

			deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment
s 86	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	DIE, EMPSFM	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	DIE, EMPSFM	
s 86(3)(a)	Power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	DIE, EMPSFM	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	DIE, EMPSFM	
s.86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains	DIE, EMPSFM	
s.86(5)	duty to provide notification before taking action under s.86(4)	DIE, EMPSFM	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	DIE, EMPSFM	
s 87(3)	Duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	DIE, EMPSFM	
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	DIE, EMPSFM	
s 91(1)	Power to cancel a right of interment in accordance with s 91	DIE, EMPSFM	
s 91(3)	Duty to publish notice of intention to cancel right of interment	CPG, DIE, EMOE, EMPSFM	
s 92	Power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	CPG, DBS, DIE, EMOE, EMPSFM	
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	CPG, DIE, EMOE, EMPSFM	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	CPG, DIE, EMOE, EMPSFM	

Cemeteries and Crematoria Act 2003

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

s 99(4)	Duty to make a decision on an application under s 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	CPG, DIE, EMOE, EMPSFM	
s 100(1)	Power to require a person to remove memorials or places of interment	DIE, EMPSFM	
s 100(2)	Power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with s 100(1)	DIE, EMPSFM	
s 100(3)	Power to recover costs of taking action under s 100(2)	CPG, DIE, EMOE, EMPSFM	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	CPG, DIE, EMOE, EMPSFM	
s 102(1)	Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	CPG, DIE, EMOE, EMPSFM	
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	CPG, DIE, EMOE, EMPSFM	
s 103(1)	Power to require a person to remove a building for ceremonies	CPG, DIE, EMOE, EMPSFM	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	CPG, DIE, EMOE, EMPSFM	
s 103(3)	Power to recover costs of taking action under s 103(2)	CPG, DIE, EMOE, EMPSFM	
s 106(1)	Power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	CPG, DIE, EMOE, EMPSFM	
s 106(2)	Power to require the holder of the right of interment to provide for an examination	CPG, DIE, EMOE, EMPSFM	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	DIE, EMPSFM	
s 106(4)	Power to repair or - with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under s 106(1) is not complied with	DIE, EMPSFM	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	CPG, DIE, EMOE, EMPSFM	
s 107(2)	Power to repair or take down, remove and dispose any building for ceremonies if notice under s 107(1) is not complied with	DIE, EMPSFM	
s 108	Power to recover costs and expenses	CPG, DIE, EMOE, EMPSFM	

Cemeteries and Crematoria Act 2003

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

s 109(1)(a)	Power to open, examine and repair a place of interment	DIE, EMPSFM	Where the holder of right of interment or responsible person cannot be found
s 109(1)(b)	Power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	DIE, EMPSFM	Where the holder of right of interment or responsible person cannot be found
s 109(2)	Power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	CPG, DIE, EMOE, EMPSFM	Where the holder of right of interment or responsible person cannot be found
s 110(1)	Power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder. with consent of the Secretary	CPG, DIE, EMOE, EMPSFM	
s 110(2)	Power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	CPG, DIE, EMOE, EMPSFM	
s 110A	Power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	DBS	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	CPG, DIE, EMOE, EMPSFM	
s 112	Power to sell and supply memorials	CPG, DIE, EMOE, EMPSFM	
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	CPG, DIE, EMOE, EMPSFM	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	CPG, DIE, EMOE, EMPSFM	

Cemeteries and Crematoria Act 2003			
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	CPG, DIE, EMOE, EMPSFM	
s 119	Power to set terms and conditions for interment authorisations	DIE, EMPSFM	
s 131	Function of receiving an application for cremation authorisation	DIE, EMPSFM	
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	CPG, DIE, EMOE, EMPSFM	Subject to s 133(2)
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	CPG, DIE, EMOE, EMPSFM	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	DIE, EMPSFM	Subject to the approval of the Secretary
s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	DIE, EMPSFM	
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	DIE, EMPSFM	
s 150 & 152(1)	Power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	DIE, EMPSFM	
s 151	Function of receiving applications to inter or cremate body parts	DIE, EMPSFM	
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	CPG, DIE, EMOE, EMPSFM	
sch 1 cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	CPG, DIE, EMOE, EMPSFM	
sch 1 cl 8(8)	Power to regulate own proceedings	CPG, CSS, DIE, EMOE, EMPSFM	Subject to cl 8
Domestic Animals Act 1994			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 41A(1)	Power to declare a dog to be a menacing dog	CC, DIE, EMRS	Council may delegate this power to a

Domestic Animals Act 1994			
			Council authorised officer
Environment Protection Act 1970			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 53M(3)	Power to require further information	CEH, CSTP, DDP, DIE, DWWMPO, EHO, EMOE, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP, TLEH, TOEH	
s 53M(4)	Duty to advise applicant that application is not to be dealt with	CEH, CSTP, DDP, DIE, DWWMPO, EHO, EMOE, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP, TLEH, TOEH	
s 53M(5)	Duty to approve plans, issue permit or refuse permit	CEH, DWWMPO, EHO, TLEH, TOEH	Refusal must be ratified by Council or it is of no effect
s 53M(6)	Power to refuse to issue septic tank permit	CEH, DWWMPO, EHO, TLEH, TOEH	Refusal must be ratified by Council or it is of no effect
s 53M(7)	Duty to refuse to issue a permit in circumstances in (a)-(c)	CEH, DWWMPO, EHO, TLEH, TOEH	Refusal must be ratified by Council or it is of no effect

Food Act 1984			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	CEH, EHO, TLEH	If s 19(1) applies
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	CEH, EHO, TLEH	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	CEH, DIE, EHO, TLEH	If s 19(1) applies Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	DIE	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	CEH, EHO, TLEH	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	CEH, EHO, TLEH	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	CEH, EHO, TLEH	Where Council is the registration authority
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	CEH, EHO, TLEH	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	CEH, EHO, TLEH	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	CEH, EHO, TLEH	Where Council is the registration authority

Food Act 1984			
s 19E(1)(d)	Power to request a copy of the food safety program	CEH, EHO, TLEH	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	CEH, EHO, TLEH	Where Council is the registration authority
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	Not Delegated	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, TLEH, TLRATS	Where Council is the registration authority
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	Not Delegated	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	CEH	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	CEH, DIE, EHO, TLEH	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	CEH, TLEH	Where Council is the registration authority
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	CEH, TLEH	Where Council is the registration authority
	Power to register, renew or transfer registration	CEH, DIE, EHO, TLEH	Where Council is the registration authority

Food Act 1984			
			refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see s 58A(2))
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, TLEH, TLRATS	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	CEH, EHO	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, TLEH, TLRATS	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	CEH, DIE, EHO, TLEH	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	CEH, DIE, EHO, TLEH	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	CEH, DIE, EHO, TLEH	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	CEH, DIE, EHO, TLEH	Where Council is the registration authority

Food Act 1984			
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	CEH, DIE, EHO, TLEH	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, TLEH, TLRATS	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	CEH, DIE, EHO, TLEH	Where Council is the registration authority not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	CEH, DIE, EHO, TLEH	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	CEH, DIE, EHO, TLEH	Where Council is the registration authority
s 39A	Power to register, renew or transfer food premises despite minor defects	CEH, DIE, EHO, TLEH	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008	CEH, DIE, EHO, TLEH	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	CEH, TLEH	Where Council is the registration authority

Food Act 1984			
s 40D(1)	Power to suspend or revoke the registration of food premises	CEH, TLEH	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	CEH, EHO, TLEH	Where Council is the registration authority
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	CEH, EHO, TLEH	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	CEH, DIE, EHO, TLEH	Where Council is the registration authority
Heritage Act 2017			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 116	Power to sub-delegate Executive Director's functions, duties or powers	DDP, DIE	<p>Must first obtain Executive Director's written consent</p> <p>Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation</p>
Local Government Act 1989			
Provision	Item Delegated	Delegate	Conditions and Limitations

Local Government Act 1989			
s 181H	Power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge	DDP, DIE, EMDF	
Planning and Environment Act 1987			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 4H	Duty to make amendment to Victoria Planning Provisions available	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
s 4I	Duty to keep Victorian Planning Provisions and other documents available	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	CSTP, DDP, DIE, EMDF, EMEP,	

Planning and Environment Act 1987			
		MSP, MSTP, PSTP	
s 8A(5)	Function of receiving notice of the Minister's decision	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	CSTP, DDP, DIE, EMDF, MSP, MSTP, PSTP	
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	CSTP, DDP, DIE, EMDF, MSP, MSTP, PSTP	
s 12A(1)	Duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s19 of the Planning and Environment (Planning Schemes) Act 1996)	CSTP, DDP, DIE, EMDF, MSP, MSTP, PSTP	
s 12B(1)	Duty to review planning scheme	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 12B(2)	Duty to review planning scheme at direction of Minister	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 14	duties of a Responsible Authority as set out in s 14(a) to (d)	CSTP, DDP, DIE, EMDF, EMEP,	

Planning and Environment Act 1987			
		MSP, MSTP, PSTP	
s 17(1)	Duty of giving copy amendment to the planning scheme	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	
s 17(2)	Duty of giving copy s 173 agreement	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	
s 18	Duty to make amendment etc. available	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	Where Council is not the planning authority and the amendment affects land within Council's

Planning and Environment Act 1987			
			municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 21(2)	Duty to make submissions available	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	
s 21A(4)	Duty to publish notice	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	
s 22	Duty to consider all submissions	CSTP, DDP, DFAO, DIE, EMDF, EMEP, EMOE, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	Except submissions which request a change to the items in s 22(5)(a) and (b)

Planning and Environment Act 1987		
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP
s 26(1)	Power to make report available for inspection	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO
s 26(2)	Duty to keep report of panel available for inspection	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP
s 27(2)	Power to apply for exemption if panel's report not received	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP

Planning and Environment Act 1987			
s 28	Duty to notify the Minister if abandoning an amendment	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	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	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PSTP, SP, SPAO, SSTP, STP	
s 30(4)(b)	Duty to provide information in writing upon request	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PSTP, SP, SPAO, SSTP, STP	
s 32(2)	Duty to give more notice if required	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP	
s 33(1)	Duty to give more notice of changes to an amendment	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP	
s 36(2)	Duty to give notice of approval of amendment	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	

Planning and Environment Act 1987			
s 38(5)	Duty to give notice of revocation of an amendment	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP	
s 40(1)	Function of lodging copy of approved amendment	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	
s 41	Duty to make approved amendment available	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	
s 42	Duty to make copy of planning scheme available	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
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

Planning and Environment Act 1987			
			Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils
s 46AW	Function of being consulted by the Minister	DDP, DIE, EMDF, EMEP	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy Power to endorse the draft Statement of Planning Policy	DDP, DIE, EMDF, EMEP	Where Council is a responsible public entity
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	Where Council is a responsible public entity
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	CSTP, DBS, DDP, DIE, EMDF, EMEP, MSTP, PSTP	Where Council is the planning authority, the municipal

Planning and Environment Act 1987			
			Council of the municipal district in which the land is located and/or the development agency
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	DIE, EMDF	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	DIE, EMDF	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	AOGAF, CGAF, DIE, EMDF	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	DIE, EMDF	
s 46GP	Function of receiving a notice under s 46GO	DIE, EMDF	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	AOGAF, CGAF, DIE, EMDF	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	AOGAF, CGAF, DIE, EMDF	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	DIE, EMDF	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	DIE, EMDF	
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	DIE, EMDF	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	DIE, EMDF	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	AOGAF, CGAF, DIE, EMDF	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	AOGAF, CGAF, DIE	

Planning and Environment Act 1987			
s 46GU	Duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	AOGAF, CGAF, DIE	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution Power to specify the manner in which the payment is to be made	DBS, DIE, EMDF	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	DIE, EMDF	Where Council is the collecting agency
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DIE, EMDF	Where Council is the development agency
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DIE, EMDF	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	DIE, EMDF	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	DIE, EMDF	Where Council is the collecting agency
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	AOGAF, CGAF, CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP	Where Council is the collecting agency
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	DIE, EMDF	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	AOGAF, CGAF, DBS, DIE, EMDF	Where Council is the collecting agency

Planning and Environment Act 1987			
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 1989	AOGAF, CGAF, DBS, DIE, EMDF	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	AOGAF, CGAF, DBS, DIE, EMDF	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component	AOGAF, CGAF, DBS, DIE, EMDF	Where the Council is the planning authority This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan, as responsible for those works, services or facilities	AOGAF, CGAF, CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply

Planning and Environment Act 1987			
			where Council is also the relevant development agency
s 46GZ(2)(b)	Function of receiving the monetary component	AOGAF, CGAF, DBS, DIE, EMDF	Where Council is the development agency under an approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	AOGAF, CGAF, DBS, DIE, EMDF	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	AOGAF, CGAF, CSTP, DBS, DDP, DFAO, DIE, EMDF, MSTP, PSTP	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply

Planning and Environment Act 1987			
			where Council is also the relevant development agency
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	AOGAF, CGAF, DBS, DIE, EMDF	Where Council is the development agency specified in the approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	AOGAF, CGAF, DBS, DIE, EMDF	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	AOGAF, CGAF, CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	If any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be

Planning and Environment Act 1987			
			<p>provided to Council under s 46GV(4)</p> <p>Where Council is the collecting agency under an approved infrastructure contributions plan</p> <p>This duty does not apply where Council is also the development agency</p>
s 46GZ(9)	Function of receiving the fee simple in the land	AOGAF, CGAF, DBS, DIE, EMDF	<p>Where Council is the development agency under an approved infrastructure contributions plan</p> <p>This duty does not apply where Council is also the collecting agency</p>
s 46GZA(1)	Duty to keep proper and separate accounts and records	AOGAF, CGAF, DBS, DIE, EMDF	Where Council is the development agency under an approved

Planning and Environment Act 1987			
			infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 1989	AOGAF, CGAF, CSTP, DBS, DDP, DIE, EMDF, MSTP, PSTP	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	AOGAF, CGAF, DBS, DIE, EMDF	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	AOGAF, CGAF, CSTP, DBS, DDP, DIE, EMDF, MSTP, PSTP	<p>If the VPA is the collecting agency under an approved infrastructure contributions plan</p> <p>Where Council is a development agency under an approved infrastructure contributions plan</p>

Planning and Environment Act 1987			
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	AOGAF, CGAF, DIE, EMDF	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	AOGAF, CGAF, DBS, DIE, EMDF	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	AOGAF, CGAF, CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	AOGAF, CGAF, CSTP, DBS, DDP, DIE, EMDF, MSTP, PSTP	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also

Planning and Environment Act 1987			
			the collecting agency
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	AOGAF, CGAF, DBS, DIE, EMDF	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	AOGAF, CGAF, DBS, DIE, EMDF	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	AOGAF, CGAF, DBS, DIE, EMDF	Where Council is the development agency under an approved infrastructure contributions plan
s.46GZF(3)	Duty, if land is sold under s.46GZF(2)(b), to follow the steps in s.46GZF(3)(a) and (b)	AOGAF, CGAF, DBS, DIE, EMDF	Where Council is the development agency under an approved

Planning and Environment Act 1987			
			infrastructure contributions plan
s 46GZF(3)	s 46GZF(3)(a) function of receiving proceeds of sale	AOGAF, CGAF, DBS, DIE, EMDF	Where Council is the collection agency under an approved infrastructure contributions plan This provision does not apply where Council is also the development agency
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	AOGAF, CGAF, DBS, DIE, EMDF	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	AOGAF, CGAF, DBS, DIE, EMDF	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	AOGAF, CGAF, DBS, DIE, EMDF	Where Council is the collecting agency under an approved infrastructure

Planning and Environment Act 1987			
			contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	Where Council is a collecting agency or development agency
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	AOGAF, CGAF, DBS, DIE, EMDF	Where Council is a collecting agency or development agency
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	AOGAF, CGAF, DBS, DIE, EMDF	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	AOGAF, CGAF, CSTP, DDP, DFAO, DIE, EMDF, MSTP, PSTP, SSTP, STP	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	AOGAF, CGAF, CSTP, DDP, DIE, EMDF, MSTP, PSTP	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	AOGAF, CGAF, CSTP, DDP, DIE, EMDF, MSTP, PSTP	
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	AOGAF, CGAF, CSTP, DDP, DIE, EMDF, MSTP, PSTP	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	AOGAF, CGAF, CSTP, DDP, DIE,	

Planning and Environment Act 1987			
		EMDF, MSTP, PSTP	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	AOGAF, CGAF, CSTP, DDP, DIE, EMDF, MSTP, PSTP	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	AOGAF, CGAF, CSTP, DDP, DIE, EMDF, MSTP, PSTP	
s 46Q(1)	Duty to keep proper accounts of levies paid	AOGAF, CGAF, CSTP, DBS, DDP, DFAO, DIE, EMDF, MSTP, PSTP	
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	AOGAF, CGAF, CSTP, DBS, DDP, DFAO, DIE, EMDF, MSTP, PSTP	
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	AOGAF, CGAF, CSTP, DDP, DFAO, DIE, EMDF, MSTP, PSTP	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	AOGAF, CGAF, CSTP, DBS, DDP, DIE, EMDF, MSTP, PSTP	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal Council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	AOGAF, CGAF, CSTP, DBS, DDP, DFAO, DIE,	Must be done within six months of the end of the

Planning and Environment Act 1987			
		EMDF, MSTP, PSTP	period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP	Must be done in accordance with Part 3
s46Q(4)(e)	Duty to expend that amount on other works etc.	AOGAF, CGAF, CSTP, DDP, DIE, EMDF, MSTP, PSTP	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	AOGAF, CGAF, CSTP, DBS, DDP, DIE, EMDF, MSTP, PSTP	
s 46QD	Duty to prepare report and give a report to the Minister	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	Where Council is a collecting agency or development agency
s 46Y	Duty to carry out works in conformity with the approved strategy plan	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP	
s 47	Power to decide that an application for a planning permit does not comply with that Act	CO, CSTP, DDP, DIE, EMDF,	

Planning and Environment Act 1987			
		EMEP, MSTP, POC, PSTP	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PSTP, SO, SPAO, SSTP, STP, TSODF	
s 49(2)	Duty to make register available for inspection	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PSTP, SO, SPAO, SSTP, STP, TSODF	
s 50(4)	Duty to amend application	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSTP, STP, TSODF	
s 50(45)	Power to refuse to amend application	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	
s 50(6)	Duty to make note of amendment to application in register	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PPSP, PSTP, SO, SPAO, STP, TSODF	
s 50A(1)	Power to make amendment to application	CSTP, DDP, DFAO, DIE, EMDF, MSTP,	

Planning and Environment Act 1987			
		PMUR, PPSP, PSTP, SAO, SO, SP, SPAO, SSTP, STP, TSODF	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSTP, STP, TSODF	
s 50A(4)	Duty to note amendment to application in register	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF	
s 51	Duty to make copy of application available for inspection	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF	
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	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
s 52(1)(b)	Duty to give notice of the application to other municipal Council where appropriate	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SP,	

Planning and Environment Act 1987			
		SPAO, SSTP, STP	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
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	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSTP, STP, TSODF	
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	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSTP, STP, TSODF	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO,	

Planning and Environment Act 1987			
		SP, SPAO, SSTP, STP, TSODF	
s 52(3)	Power to give any further notice of an application where appropriate	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSTP, STP, TSODF	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSTP, STP, TSODF	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSTP, STP, TSODF	
s 54(1)	Power to require the applicant to provide more information	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSTP, STP, TSODF	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO,	

Planning and Environment Act 1987			
		SSTP, STP, TSODF	
s 54(1B)	Duty to specify the lapse date for an application	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSTP, STP, TSODF	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SSTP, STP, TSODF	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSTP, STP, TSODF	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SO, TSODF	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	CSTP, DDP, DFAO, DIE,	

Planning and Environment Act 1987			
		EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SAO, SO, SP, SPAO, SSTP, STP, TSODF	
s 57(5)	Duty to make available for inspection copy of all objections	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SAO, SO, SP, SPAO, SSTP, STP, TSODF	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SAO, SO, SP, SPAO, SSTP, STP, TSODF	
s 57A(5)	Power to refuse to amend application	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SSTP, STP, TSODF	
s 57A(6)	Duty to note amendments to application in register	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PSTP, SO, SPAO, SSTP, STP, TSODF	

Planning and Environment Act 1987			
s 57B(1)	Duty to determine whether and to whom notice should be given	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SSTP, STP, TSODF	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SSTP, STP, TSODF	
s 57C(1)	Duty to give copy of amended application to referral authority	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SAO, SO, SP, SPAO, SSTP, STP, TSODF	
s 58	Duty to consider every application for a permit	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PSTP, SO, SPAO, SSTP, STP, TSODF	
s 58A	Power to request advice from the Planning Application Committee	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP	
s 60	Duty to consider certain matters	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	

Planning and Environment Act 1987			
s 60(1A)	Duty to consider certain matters	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SSTP, STP, TSODF	
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	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SO, SP, SSTP, STP, TSODF	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Not Delegated	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	Not Delegated	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP, SO, SSTP, STP, TSODF	

Planning and Environment Act 1987			
s 62(1)	Duty to include certain conditions in deciding to grant a permit	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SSTP, STP, TSODF	
s 62(2)	Power to include other conditions	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SSTP, STP, TSODF	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSTP, STP, TSODF	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, TSODF	
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, TSODF	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, TSODF	
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	CSTP, DDP, DIE, EMDF, EMEP,	

Planning and Environment Act 1987			
		MSTP, PSTP, SO, TSODF	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SO, TSODF	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSTP, STP, TSODF	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SPAO, SSTP, STP	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(3)	Duty not to issue a permit until after the specified period	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SPAO, SSTP, STP	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSTP, STP, TSODF	This provision applies also to a decision to grant an amendment to a permit - see s 75

Planning and Environment Act 1987			
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	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSTP, STP, TSODF	This provision applies also to a decision to grant an amendment to a permit - see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSTP, STP, TSODF	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SAO, SO, SP, SPAO, SSTP, STP, TSODF	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the

Planning and Environment Act 1987			
			recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	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(46)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SAO, SP, SPAO, SSTP, STP	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	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SAO, SO, SP, SPAO, SSTP, STP, TSODF	

Planning and Environment Act 1987			
s 69(1A)	Function of receiving application for extension of time to complete development	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSTP, STP, TSODF	
s 69(2)	Power to extend time	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSTP, STP, TSODF	
s 70	Duty to make copy permit available for inspection	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SAO, SO, SP, SPAO, SSTP, STP, TSODF	
s 71(1)	Power to correct certain mistakes	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSTP, STP, TSODF	
s 71(2)	Duty to note corrections in register	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PSTP, SO, SPAO, SSTP, STP, TSODF	

Planning and Environment Act 1987			
s 73	Power to decide to grant amendment subject to conditions	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSTP, STP, TSODF	
s 74	Duty to issue amended permit to applicant if no objectors	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSTP, STP, TSODF	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSTP, STP, TSODF	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SAO, SO, SP, SPAO, SSTP, STP, TSODF	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SAO, SP, SPAO, SSTP, STP	If the recommending referral authority objected to the amendment of the permit or the responsible authority

Planning and Environment Act 1987			
			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	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SAO, SP, SPAO, SSTP, STP	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(46)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SAO, SP, SPAO, SSTP, STP	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit

Planning and Environment Act 1987			
s 76D	Duty to comply with direction of Minister to issue amended permit	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSTP, STP, TSODF	
s 83	Function of being respondent to an appeal	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 83B	Duty to give or publish notice of application for review	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SO, TSODF	
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	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SO, TSODF	
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	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 84(6)	Duty to issue permit on receipt of advice within 3 working days	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SO, SSTP, STP, TSODF	

Planning and Environment Act 1987			
s 84AB	Power to agree to confining a review by the Tribunal	AOGAF, CGAF, DBS, DIE, EMDF, SO, TSODF	
s 86	Duty to issue a permit at order of Tribunal within 3 working days	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SO, TSODF	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 91(2)	Duty to comply with the directions of VCAT	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 93(2)	Duty to give notice of VCAT order to stop development	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SO,	

Planning and Environment Act 1987			
		SSTP, STP, TSODF	
s 95(3)	Function of referring certain applications to the Minister	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP	
s 95(4)	Duty to comply with an order or direction	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SSTP, STP	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP	
s 96F	Duty to consider the panel's report under s 96E	Not Delegated	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the Planning and Environment (Planning Schemes) Act 1996)	CSTP, DDP, DIE, EMDF, EMEP, EMMP, EMPMO, MSP, MSTP, PSTP	
s 96H(3)	Power to give notice in compliance with Minister's direction	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 96J	Power to issue permit as directed by the Minister	CSTP, DDP, DIE, EMDF, EMEP,	

Planning and Environment Act 1987			
		MSP, MSTP, PSTP	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
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	CO, CSTP, DDP, DIE, EMDF, EMEP, MSTP, POC, PSTP	
s 97C	Power to request Minister to decide the application	DDP	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP	
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	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP	
s 97G(6)	Duty to make a copy of permits issued under s 97F available for inspection	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SSTP, STP	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP, SSTP, STP	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	CSTP, DDP, DIE, EMDF, EMEP,	

Planning and Environment Act 1987			
		MSP, MSTP, PSTP	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP, SSTP, STP	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP, SSTP, STP	
s 97Q(4)	Duty to comply with directions of VCAT	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP, SSTP, STP	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PSTP, SAO, SSTP, STP	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 101	Function of receiving claim for expenses in conjunction with claim	CSTP, DDP, DIE, EMDF, EMEP,	

Planning and Environment Act 1987			
		MSP, MSTP, PSTP	
s 103	Power to reject a claim for compensation in certain circumstances	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s.107(1)	function of receiving claim for compensation	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 107(3)	Power to agree to extend time for making claim	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 114(1)	Power to apply to the VCAT for an enforcement order	CSTP, DDP, DIE, EMDF, EMEP, EMRS, MSTP, PSTP	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	CSTP, DDP, DIE, EMDF, EMEP, EMRS, MSTP, PSTP	
s 123(1)	Power to carry out work required by enforcement order and recover costs	CSTP, DDP, DIE, EMDF, EMEP, EMRS, MSTP, PSTP	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	CSTP, DBS, DDP, DIE, EMDF, MSTP, PSTP	Except Crown Land

Planning and Environment Act 1987			
s 129	Function of recovering penalties	CSTP, DBS, DDP, DIE, EMDF, MSTP, PSTP	
s 130(5)	Power to allow person served with an infringement notice further time	CSTP, DBS, DDP, DIE, EMDF, EMEP, EMRS, MSTP, PSTP	
s 149A(1)	Power to refer a matter to the VCAT for determination	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	CSTP, DDP, DIE, EMDF, EMEP, EMRS, MSP, MSTP, PSTP	
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B)power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 171(2)(g)	Power to grant and reserve easements	CSTP, MSTP, PPSP, PSTP, SP	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	DBS, DIE, EMDF	Where Council is a development agency specified in an approved infrastructure contributions plan

Planning and Environment Act 1987			
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	DBS, DIE, EMDF	Where Council is a collecting agency specified in an approved infrastructure contributions plan
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	DBS, DIE, EMDF	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	CSTP, DBS, DDP, DIE, EMDF, MSP, MSTP, PSTP	
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	DBS, DDP, DIE, MED	Where Council is the relevant responsible authority
	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	CSTP, DBS, DDP, DIE, EMDF, MSP, MSTP, PSTP	
	Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	CSTP, DBS, DDP, DIE, EMDF, MSP, MSTP, PSTP	
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CSTP, DDP, DIE, EMDF, MSP, MSTP, PSTP	
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	CSTP, DBS, DDP, DIE, EMDF, MSP, MSTP, PSTP	

Planning and Environment Act 1987		
s 178A(1)	Function of receiving application to amend or end an agreement	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP
s 178A(5)	Power to propose to amend or end an agreement	CSTP, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	CSTP, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	CSTP, DDP, DIE, EMDF, MSP, MSTP, PMUR,

Planning and Environment Act 1987			
		PPSP, PSTP, SP, SSTP, STP	
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	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
s 178C(4)	Function of determining how to give notice under s 178C(2)	CSTP, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	CSTP, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	CSTP, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	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	CSTP, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	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	CSTP, DDP, DIE, EMDF, MSP, MSTP, PMUR,	If no objections are made under s 178D

Planning and Environment Act 1987			
		PPSP, PSTP, SP, SSTP, STP	Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	CSTP, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	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	CSTP, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	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	CSTP, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	After considering objections, submissions and matters in s.178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	CSTP, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	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)	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	

Planning and Environment Act 1987			
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
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	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	CSTP, DDP, DIE, EMDF, MSP, MSTP, PSTP	
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	CSTP, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CSTP, DDP, DFAO, DIE, EMDF, EMPSFM, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
s 179(2)	Duty to make available for inspection copy agreement	CSTP, DDP, DFAO, DIE, EMDF, MSTP, PSTP	

Planning and Environment Act 1987			
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	CSTP, DDP, DIE, EMDF, MSTP, PSTP	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	CSTP, DDP, DIE, EMDF, MSTP, PSTP	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	CSTP, DDP, DIE, EMDF, MSTP, PSTP	
s 182	Power to enforce an agreement	CSTP, DDP, DIE, EMDF, EMRS, MSTP, PSTP	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	CSTP, DDP, DIE, EMDF, MSTP, PSTP	
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	CSTP, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	
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	CSTP, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
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	CSTP, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
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	CSTP, DDP, DIE, EMDF, MSP,	

Planning and Environment Act 1987			
		MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	
s 184G(2)	Duty to comply with a direction of the Tribunal	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
s 184G(3)	Duty to give notice as directed by the Tribunal	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSTP, STP	
s 198(1)	Function to receive application for planning certificate	CSTP, DDP, DFAO, DIE, EMDF, MSTP, PSTP, SAO, SSTP, STP	
s 199(1)	Duty to give planning certificate to applicant	CSTP, DDP, DFAO, DIE, EMDF, MSTP, PSTP, SPAO, SSTP, STP	
s 201(1)	Function of receiving application for declaration of underlying zoning	CSTP, DDP, DIE, EMDF, MSTP, PSTP, SSTP, STP	
s 201(3)	Duty to make declaration	CSTP, DDP, DIE, EMDF, MSTP, PSTP	
	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	CSTP, DDP, DIE, EMDF, MSP,	

Planning and Environment Act 1987			
		MSTP, PMUR, PPSP, PSTP, SP, SSTP, STP	
	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	CSTP, DDP, DIE, EMDF, MSTP, PSTP	
	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	CSTP, DDP, DIE, EMDF, EMEP, MSTP, PSTP	
	Power to give written authorisation in accordance with a provision of a planning scheme	CSTP, DDP, EMEP, MSTP, PSTP	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	Not Delegated	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	Not Delegated	
Rail Safety (Local Operations) Act 2006			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 33	Duty to comply with a direction of the Safety Director under s 33	DDP, DIE, EMI, EMOE	Where Council is a utility under s 3
s 33A	Duty to comply with a direction of the Safety Director to give effect to arrangements under s 33A	DDP, DIE, EMI, EMOE	Duty of Council as a road authority under the Road Management Act 2004
s 34	Duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under s 33(1)	DDP, DIE, EMI, EMOE	Where Council is a utility under s 3
s 34C(2)	Function of entering into safety interface agreements with rail infrastructure manager	DDP, DIE, EMI, EMOE	Where Council is the relevant road authority

Rail Safety (Local Operations) Act 2006			
s 34D(1)	Function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	CRM, DDP, DIE, EMI, EMOE	Where Council is the relevant road authority
s 34D(2)	Function of receiving written notice of opinion	DDP, DIE, EMOE	Where Council is the relevant road authority
s 34D(4)	Function of entering into safety interface agreement with infrastructure manager	DDP, DIE, EMOE	Where Council is the relevant road authority
s 34E(1)(a)	Duty to identify and assess risks to safety	CAM, CRM, DDP, DIE, EMI, EMOE, SASO, SASU	Where Council is the relevant road authority
s 34E(1)(b)	Duty to determine measures to manage any risks identified and assessed having regard to items set out in s 34E(2)(a)-(c)	CRM, DDP, DIE, EMI, EMOE	Where Council is the relevant road authority
s 34E(3)	Duty to seek to enter into a safety interface agreement with rail infrastructure manager	DDP, DIE, EMI, EMOE	Where Council is the relevant road authority
s 34F(1)(a)	Duty to identify and assess risks to safety, if written notice has been received under s 34D(2)(a)	CRM, DDP, DIE, EMI, EMOE	Where Council is the relevant road authority
s 34F(1)(b)	Duty to determine measures to manage any risks identified and assessed, if written notice has been received under s 34D(2)(a)	CRM, DDP, DIE, EMI, EMOE	Where Council is the relevant road authority
s 34F(2)	Duty to seek to enter into a safety interface agreement with rail infrastructure manager	CRM, DDP, DIE, EMI, EMOE	Where Council is the relevant road authority
s 34H	Power to identify and assess risks to safety as required under s 34B, 34C, 34D, 34E or 34F in accordance with s 34H(a)-(c)	CAM, CRM, DDP, DIE, EMI, EMOE, SASO, SASU	Where Council is the relevant road authority
s 34I	Function of entering into safety interface agreements	DDP, DIE, EMI, EMOE	Where Council is the relevant road authority

Rail Safety (Local Operations) Act 2006			
s 34J(2)	Function of receiving notice from Safety Director	DDP, DIE, EMI, EMOE	Where Council is the relevant road authority
s 34J(7)	Duty to comply with a direction of the Safety Director given under s 34J(5)	DDP, DIE, EMI, EMOE	Where Council is the relevant road authority
s 34K(2)	Duty to maintain a register of items set out in s 34K(a)-(b)	DIE, EMI	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	AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, TLEH, TLRSA TS, TOEH	
s 142G(1)	Duty to enter required information in Rooming House Register for each rooming house in municipal district	CEH, EMRS	
s 142G(2)	Power to enter certain information in the Rooming House Register	AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, TLEH, TLRSA TS, TOEH	
s 142I(2)	Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, TLEH, TLRSA TS, TOEH	
s 252	Power to give tenant a notice to vacate rented premises if s 252(1) applies	DIE, EMPSFM	Where Council is the landlord
s 262(1)	Power to give tenant a notice to vacate rented premises	DIE, EMPSFM	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	DDP, DIE, EMOE, EMPSFM	
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	CEH, EHO, EMPSFM, EMRS, TLEH, TOEH	
s 522(1)	Power to give a compliance notice to a person	CBS, CEH, EHO, EMRS, MBS, TLEH, TOEH	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	DIE	
s 525(4)	Duty to issue identity card to authorised officers	AOSC	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	CBS, CEH, EHO, EMPSFM, EMRS, MBS, TLEH, TOEH	
s 526A(3)	Function of receiving report of inspection	AOEH, CEH, EHO, HSO, TLEH, TLRATS, TOEH	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CBS, CEH, EHO, EMPSFM, EMRS, MBS, TLEH, TOEH	
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	DDP, DIE, EMDF, EMI, EMOE	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	DDP, DIE, EMDF, EMI, EMOE	
s 11(9)(b)	Duty to advise Registrar	DDP, DIE, EMDF, EMI, EMOE	

Road Management Act 2004			
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	DDP, DIE, EMDF, EMI, EMOE	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	DDP, DIE, EMDF, EMI, EMOE	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	DDP, DIE, EMDF, EMI, EMOE, MSP	Where Council is the coordinating road authority
s 12(4)	Power to publish, and provide copy, notice of proposed discontinuance	DDP, DIE, EMDF, EMI, EMOE	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(5)	Duty to consider written submissions received within 28 days of notice	DDP, DIE, EMDF, EMI, EMOE	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(6)	Function of hearing a person in support of their written submission	DDP, DIE, EMDF, EMI, EMOE	Function of coordinating road authority where it is the discontinuing body Unless s 12(11) applies

Road Management Act 2004			
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	DDP, DIE, EMDF, EMI, EMOE	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(10)	Duty to notify of decision made	DDP, DFAO, DIE, EMDF, EMI, EMOE	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	DDP, DIE, EMDF, EMI, EMOE	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from VicRoads	CIT, DDP, DIE, EMDF, EMI, EMOE	

Road Management Act 2004			
s 14(7)	Power to appeal against decision of VicRoads	CAM, CIT, DDP, DIE, EMDF, EMI, EMOE	
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	CAM, DDP, DIE, EMDF, EMI, EMOE	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	CAM, DIE, EMDF, EMI	
s 15(2)	Duty to include details of arrangement in public roads register	CAM, DFAO, DIE, EMDF, EMI	
s 16(7)	Power to enter into an arrangement under s 15	CAM, DIE, EMDF, EMI	
s 16(8)	Duty to enter details of determination in public roads register	CAM, DFAO, DIE, EMDF, EMI	
s 17(2)	Duty to register public road in public roads register	CAM, DFAO, DIE, EMDF, EMI	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	CAM, DIE, EMDF, EMI	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	CAM, DFAO, DIE, EMDF, EMI	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	CAM, DIE, EMDF, EMI	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	CAM, DFAO, DIE, EMDF, EMI	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	CAM, DIE, EMDF, EMI	Where Council is the coordinating road authority, and obtain

Road Management Act 2004			
			consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	CAM, DFAO, DIE, EMDF, EMI	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	CAM, DFAO, DIE, EMDF, EMI	
s 19(4)	Duty to specify details of discontinuance in public roads register	CAM, DFAO, DIE, EMDF, EMI	
s 19(5)	Duty to ensure public roads register is available for public inspection	CAM, DFAO, DIE, EMDF, EMI	
s 21	Function of replying to request for information or advice	CAM, DIE, EMDF, EMI	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	CAM, DIE, EMDF, EMI	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	DDP, DIE, EMOE	
s 22(5)	Duty to give effect to a direction under s 22	DDP, DIE, EMOE	
s 40(1)	Duty to inspect, maintain and repair a public road.	CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRS, TLSR, TLUR	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRS, TLSR, TLUR	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	CAM, CRM, DIE, EMDF, EMI,	

Road Management Act 2004			
		EMOE, RMCS, RMS, SASU, TLPD, TLRS, TLSR, TLUR	
s 42(1)	Power to declare a public road as a controlled access road	CAM, DIE, EMDF, EMI	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	CAM, DIE, EMDF, EMI	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with VicRoads before road is specified	CAM, DDP, DIE, EMDF, EMI, EMOE	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	CIT, DDP, DIE, EMDF, EMI, EMOE	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)	DDP, DIE, EMDF, EMI, EMOE	Where Council is the responsible road authority, infrastructure

Road Management Act 2004			
			manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	DDP, DIE, EMDF, EMI, EMOE	
s 49	Power to develop and publish a road management plan	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
s 51	Power to determine standards by incorporating the standards in a road management plan	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
s 54(2)	Duty to give notice of proposal to make a road management plan	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
s 54(6)	Power to amend road management plan	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
s 54(7)	Duty to incorporate the amendments into the road management plan	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
s 63(1)	Power to consent to conduct of works on road	CAM, CRM, EMI, EMOE, RMCS, RMS, SASU, TLPD, TLRS, TLSR, TLUR	Where Council is the coordinating road authority

Road Management Act 2004			
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	CAM, CEH, CRM, EMI, RMCS, RMS, SASU, TLPD, TLRs, TLRs, TLUR	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	CAM, DIE, EMDF, EMI	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	CAM, DIE, EMDF, EMI	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	CAM, DIE, EMDF, EMI	Where Council is the coordinating road authority
s 67(3)	Power to request information	CAM, DIE, EMDF, EMI	Where Council is the coordinating road authority
s 68(2)	Power to request information	CAM, DIE, EMDF, EMI	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	CAM, CID, CIT, CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, SASU, TLPD, TLPSE, TLRs, TLRs, TLUR	
s 72	Duty to issue an identity card to each authorised officer	AOSC, CRC, DBS, EMSRCS, SCO	
s 85	Function of receiving report from authorised officer	DIE, EMDF, EMI	
s 86	Duty to keep register re s 85 matters	DIE, EMDF, EMI	

Road Management Act 2004			
s 87(1)	Function of receiving complaints	CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRs, TLSR, TLUR	
s 87(2)	Duty to investigate complaint and provide report	CRM, DBS, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRs, TLSR, TLUR	
s 112(2)	Power to recover damages in court	CRC, CRM, DIE, EMDF, EMI, EMOE, EMSRCS, RMCS, TLPD, TLRs, TLSR, TLUR	
s 116	Power to cause or carry out inspection	CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRs, TLSR, TLUR	
s 119(2)	Function of consulting with VicRoads	DDP, DIE, EMDF, EMI, EMOE	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of VicRoads)	DDP, DIE, EMDF, EMI, EMOE	
s 120(2)	Duty to seek consent of VicRoads to exercise road management functions before exercising power in s 120(1)	CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRs, TLSR, TLUR	
s 121(1)	Power to enter into an agreement in respect of works	CAM, DDP, DIE, EMDF, EMI, EMOE	

Road Management Act 2004			
s 122(1)	Power to charge and recover fees	CAM, DDP, DIE, EMDF, EMI, EMOE	
s 123(1)	Power to charge for any service	CRM, DBS, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRs, TLSR, TLUR	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	CAM, DIE, EMDF, EMI	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	Not Delegated	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	Not Delegated	
sch 2 cl 4	Function of receiving details of proposal from VicRoads	CAM, DIE, EMDF, EMI	
sch 2 cl 5	Duty to publish notice of declaration	CAM, DIE, EMDF, EMI	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	CAM, DIE, EMDF, EMI	Where Council is the infrastructure manager or works manager
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	CAM, DIE, EMDF, EMI	Where Council is the infrastructure manager or works manager
sch 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	CAM, CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRs, TLSR, TLUR	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure

Road Management Act 2004			
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	CAM, DIE, EMDF, EMI	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	CAM, DIE, EMDF, EMI	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	CAM, DIE, EMDF, EMI, SASU	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	CAM, DIE, EMDF, EMI, SASU	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	CAM, CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRs, TLRs, TLUR	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	CAM, DIE, EMDF, EMI	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	CAM, DIE, EMDF, EMI	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	CAM, DIE, EMDF, EMI	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	CAM, DIE, EMDF, EMI	Where Council is the infrastructure manager

Road Management Act 2004			
sch 7 cl 16(1)	Power to consent to proposed works	CAM, DIE, EMDF, EMI	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	CAM, DDP, DIE, EMDF, EMI, EMOE	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	CAM, DDP, DIE, EMDF, EMI, EMOE	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	CAM, DDP, DIE, EMDF, EMI, EMOE	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	CAM, DDP, DIE, EMDF, EMI, EMOE	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	CAM, DIE, EMDF, EMI	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	CAM, DIE, EMDF, EMI	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	CAM, DIE, EMDF, EMI	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	CAM, DIE, EMDF, EMI	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	CAM, DIE, EMDF, EMI	Where Council is the coordinating road authority

Road Management Act 2004			
sch 7A cl 2	Power to cause street lights to be installed on roads	DIE, EMDF, EMI	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	DIE, EMDF, EMI	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas	DIE, EMDF, EMI	Where Council is the responsible road authority
sch 7A cl 3(1)(f)	Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4	DIE, EMDF, EMI	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)
Cemeteries and Crematoria Regulations 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the Cemeteries and Crematoria Act 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Provision	Item Delegated	Delegate	Conditions and Limitations
r 24	Duty to ensure that cemetery complies with depth of burial requirements	DIE, EMPSFM	

Cemeteries and Crematoria Regulations 2015

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

r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	DIE, EMPSFM	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	DIE, EMPSFM	
r 28(1)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	DIE, EMPSFM	
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	DIE, EMPSFM	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	DIE, EMPSFM	
r 30(2)	Power to release cremated human remains to certain persons	DIE, EMPSFM	Subject to any order of a court
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	DIE, EMPSFM	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	DIE, EMPSFM	
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	DIE, EMPSFM	
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	DIE, EMPSFM	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	CPG, EMOE, EMPSFM	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	CPG, EMOE, EMPSFM	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	CPG, EMOE, EMPSFM	
r 34	Duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs (a)-(b)	CPG, EMOE, EMPSFM	
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	CPG, EMOE, EMPSFM	
r 40	Power to approve a person to play sport within a public cemetery	DIE, EMPSFM	
r 41(1)	Power to approve fishing and bathing within a public cemetery	DIE, EMPSFM	
r 42(1)	Power to approve hunting within a public cemetery	DIE, EMPSFM	
r 43	Power to approve camping within a public cemetery	DIE, EMPSFM	
r 45(1)	Power to approve the removal of plants within a public cemetery	CPG, EMPSFM	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	CPG, EMOE, EMPSFM	

Cemeteries and Crematoria Regulations 2015

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

r 47(3)	Power to approve the use of fire in a public cemetery	DIE, EMPSFM	
r 48(2)	Power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	CPG, EMOE, EMPSFM	
	Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules	CPG, EMOE, EMPSFM	
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch 2	CPG, EMOE, EMPSFM	See note above regarding model rules
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	CPG, EMOE, EMPSFM	See note above regarding model rules
sch 2 cl 5(2)	Duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	CPG, EMOE, EMPSFM	See note above regarding model rules
sch 2 cl 6(1)	Power to give directions regarding the manner in which a funeral is to be conducted	CPG, EMOE, EMPSFM	See note above regarding model rules
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	CPG, EMOE, EMPSFM	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	CPG, EMOE, EMPSFM	See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	CPG, EMOE, EMPSFM	See note above regarding model rules
sch 2 cl 11(2)	Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	CPG, EMOE, EMPSFM	See note above regarding model rules

Cemeteries and Crematoria Regulations 2015

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

sch 2 cl 12	Power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	CPG, EMOE, EMPSFM	See note above regarding model rules
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	CPG, EMOE, EMPSFM	See note above regarding model rules
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	CPG, EMOE, EMPSFM	See note above regarding model rules
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	CPG, EMOE, EMPSFM	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	CPG, EMOE, EMPSFM	See note above regarding model rules

Planning and Environment Regulations 2015

Provision	Item Delegated	Delegate	Conditions and Limitations
r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	DDP, DIE, EMDF, EMEP, MSP, MSTP	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

Planning and Environment Regulations 2015			
			acquiring authority.
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	CSTP, DDP, DIE, EMDF, MSP, MSTP, PSTP, SAO, SP, SSTP, STP	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	CSTP, DDP, DFAO, DIE, EMDF, MSP, MSTP, PSTP, SAO, SP, SSTP, STP	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	CSTP, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PSTP, SAO, SP, SSTP, STP	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	DDP, DIE, EMDF, EMEP, MSP, MSTP	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.

Planning and Environment (Fees) Regulations 2016			
Provision	Item Delegated	Delegate	Conditions and Limitations
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	DDP, DIE, EMDF, EMEP, MSP, MSTP	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DDP, DIE, EMDF, EMEP, MSP, MSTP	
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	DDP, DIE, EMDF, EMEP, MSP, MSTP	
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	CEH, EHO, EMPSFM, TLEH, TOEH	
r 11	Function of receiving application for registration	AOBS, AOEH, AOLLT, CEH, EHO, EMRS, HSO, LLEO, TLEH, TLRSA, TOEH	
r 13(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	CEH, EHO, TLEH, TOEH	
r 13(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	CEH, EHO, TLEH, TOEH	
r.13(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEH, EHO, TLEH	
r 13(4) & (5)	Duty to issue certificate of registration	CEH, EHO, TLEH, TOEH	
r 15(1)	Function of receiving notice of transfer of ownership	AOBS, AOEH, AOLLT, CEH,	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010			
		EHO, EMRS, HSO, LLEO, TLEH, TLRSATS, TOEH	
r 15(3)	Power to determine where notice of transfer is displayed	CEH, EHO, TLEH, TOEH	
r 16(1)	Duty to transfer registration to new caravan park owner	CEH, EHO, TLEH, TOEH	
r 16(2)	Duty to issue a certificate of transfer of registration	CEH, EHO, TLEH, TOEH	
r 17(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	CEH, EHO, EMPSFM, TLEH	
r 18	Duty to keep register of caravan parks	CEH, TLEH	
r 19(4)	Power to determine where the emergency contact person's details are displayed	CEH, EHO, TLEH, TOEH	
r 19(6)	Power to determine where certain information is displayed	CEH, EHO, TLEH, TOEH	
r 22A(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	CEH, EHO, TLEH, TOEH	
r 22A(2)	Duty to consult with relevant emergency services agencies	CEH, EHO, TLEH, TOEH	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	CEH, EHO, TLEH, TOEH	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	CEH, EHO, TLEH, TOEH	
r 25(3)	Duty to consult with relevant floodplain management authority	CEH, EHO, TLEH, TOEH	
r 26	Duty to have regard to any report of the relevant fire authority	CEH, EHO, TLEH, TOEH	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	CEH, EHO, TLEH, TOEH	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010			
r 39	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	AOBS, AOEH, AOLLT, CBS, CEH, EHO, EMPSFM, EMRS, HSO, LLEO, MBS, TLEH, TLRATS, TOEH	
r 39(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	CBS, DIE, EMPSFM, EMRS, MBS	
r 40(4)	Function of receiving installation certificate	CBS, DIE, EMPSFM, EMRS, MBS	
r 42	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	CBS, DIE, EMPSFM, EMRS, MBS	
sch 3 cl4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	DIE, EMRS	
Road Management (General) Regulations 2016			
Provision	Item Delegated	Delegate	Conditions and Limitations
r 8(1)	Duty to conduct reviews of road management plan	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
r 9(2)	Duty to produce written report of review of road management plan and make report available	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
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)	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	Where Council is the coordinating road authority
r.10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	

Road Management (General) Regulations 2016			
r 13(1)	Duty to publish notice of amendments to road management plan	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	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	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
r 16(3)	Power to issue permit	CAM, DIE, EMDF, EMI, EMOE	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	CAM, DIE, EMDF, EMI, EMOE	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	CAM, DIE, EMDF, EMI, EMOE	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	CAM, DIE, EMDF, EMI, EMOE	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	CAM, DIE, EMDF, EMI, EMOE	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))	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS	
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

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.

r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	CRC, DIE, EMDF, EMI, EMOE, EMSRCS	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	CRC, DIE, EMDF, EMI, EMOE, EMSRCS	Where Council is the coordinating road authority

Provisions for Supervisor Asset Surveillance (SASU)

Road Management Act 2004			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	CAM, CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRS, TLSR, TLUR, SASU	
s 63(1)	Power to consent to conduct of works on road	CAM, CRM, EMI, EMOE, RMCS, RMS, TLPD, TLRS, TLSR, TLUR, SASU	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	CAM, CEH, CRM, EMI, RMCS, RMS, TLPD, TLRS, TLSR, TLUR, SASU	Where Council is the infrastructure manager
s 71(3)	Power to appoint an authorised officer	CAM, CID, CIT, CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLPSE, TLRS, TLSR, TLUR, SASU	
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	CAM, DIE, EMDF, EMI, SASU	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	CAM, DIE, EMDF, EMI, SASU	Where Council is the coordinating road authority

Provisions for Municipal Building Surveyor (MBS)

S6 Instrument of Delegation - Members of Staff - Residential Tenancies Act 1997			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 522(1)	Power to give a compliance notice to a person	EHO, CEH, TLEH, TOEH, EMRS, CBS, MBS	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	EHO, CEH, EMPSFM, TLEH, TOEH, EMRS, CBS, MBS	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	EHO, CEH, EMPSFM, TLEH, TOEH, EMRS, CBS, MBS	
S6 Instrument of Delegation - Members of Staff - Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010			
Provision	Item Delegated	Delegate	Conditions and Limitations
r 39	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	AOLLT, AOBS, AOEH, EHO, CEH, EMPSFM, TLEH, TOEH, EMRS, HSO, TLRATS, CBS, LLEO, MBS	
r 39(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	DIE, EMPSFM, EMRS, CBS, MBS	
r 40(4)	Function of receiving installation certificate	DIE, EMPSFM, EMRS, CBS, MBS	
r 42	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	DIE, EMPSFM, EMRS, CBS, MBS	

Provisions for Principal Planner Strategic Projects (PPSP)

S6 Instrument of Delegation - Members of Staff - Environment Protection Act 1970			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 53M(3)	Power to require further information	CSTP, DWWMPO, DDP, DIE, EHO, EMOE, CEH, MSTP, SP, STP, TLEH, TOEH, PPSP, MSP, SPAO, PSTP, SSTP, PMUR	
s 53M(4)	Duty to advise applicant that application is not to be dealt with	CSTP, DWWMPO, DDP, DIE, EHO, EMOE, CEH, MSTP, SP, STP, TLEH, TOEH, PPSP, MSP, SPAO, PSTP, SSTP, PMUR	
S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987			
Provision	Item Delegated	Delegate	Conditions and Limitations
s 4H	Duty to make amendment to Victoria Planning Provisions available	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s 4I	Duty to keep Victorian Planning Provisions and other documents available	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s 17(1)	Duty of giving copy amendment to the planning scheme	CSTP, DDP, DIE, MSTP, SP, PPSP,	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

		EMEP, MSP, SPAO, EMDF, PSTP, PMUR	
s 17(2)	Duty of giving copy s 173 agreement	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, PSTP, PMUR	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, PSTP, PMUR	
s 18	Duty to make amendment etc. available	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR	
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, PSTP, PMUR	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, PSTP, PMUR	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

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

			designate Council as an acquiring authority.
s 21(2)	Duty to make submissions available	CSTP, DDP, DIE, MSTP, SP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR	
s 21A(4)	Duty to publish notice	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR	
s 22	Duty to consider all submissions	CSTP, DDP, DIE, EMOE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, EMDF, PSTP, PMUR	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

s 26(1)	Power to make report available for inspection	CSTP, DDP, DIE, MSTP, SP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR	
s 26(2)	Duty to keep report of panel available for inspection	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s 32(2)	Duty to give more notice if required	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, EMDF, PSTP, PMUR	
s 33(1)	Duty to give more notice of changes to an amendment	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, EMDF, PSTP, PMUR	
s 36(2)	Duty to give notice of approval of amendment	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, PSTP, PMUR	
s 38(5)	Duty to give notice of revocation of an amendment	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, PSTP, PMUR	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, EMDF, PSTP, PMUR	
s 40(1)	Function of lodging copy of approved amendment	CSTP, DDP, DIE, MSTP, SP, PPSP,	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

		EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR	
s 41	Duty to make approved amendment available	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR	
s 42	Duty to make copy of planning scheme available	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR	Where Council is a responsible public entity
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, CGAF, EMDF, PSTP, PMUR, AOGAF	Where Council is the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan, as responsible for those works, services or facilities	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, CGAF, EMDF,	Where Council is the collecting agency under an approved

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

		PSTP, PMUR, AOGAF	<p>infrastructure contributions plan</p> <p>This provision does not apply where Council is also the relevant development agency</p>
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, CGAF, EMDF, DFAO, PSTP, PMUR, AOGAF	<p>If any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s 46GV(4)</p> <p>Where Council is the collecting agency under an approved infrastructure contributions plan</p> <p>This duty does not apply where Council is also the development agency</p>
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP,	Where Council is the collecting agency under an

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

		CGAF, EMDF, PSTP, PMUR, AOGAF	approved infrastructure contributions plan
s 50(4)	Duty to amend application	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
s 50(45)	Power to refuse to amend application	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, EMEP, EMDF, PSTP, SSTP, PMUR	
s 50(6)	Duty to make note of amendment to application in register	CSTP, DDP, DIE, MSTP, SO, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, TSODF	
s 50A(1)	Power to make amendment to application	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, EMEP,	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

		SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s 52(1)(b)	Duty to give notice of the application to other municipal Council where appropriate	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
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	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
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	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP,	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

		EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
s 52(3)	Power to give any further notice of an application where appropriate	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
s 54(1)	Power to require the applicant to provide more information	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	CSTP, DDP, DIE, MSTP, SO, STP, PPSP, EMEP, EMDF, PSTP, SSTP, PMUR, TSODF	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

s 54(1B)	Duty to specify the lapse date for an application	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, EMDF, PSTP, SSTP, PMUR, TSODF	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
s 57(5)	Duty to make available for inspection copy of all objections	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SAO, SPAO, EMDF,	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

		DFAO, PSTP, SSTP, PMUR, TSODF	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
s 57A(5)	Power to refuse to amend application	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, EMDF, PSTP, SSTP, PMUR, TSODF	
s 57B(1)	Duty to determine whether and to whom notice should be given	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, EMDF, PSTP, SSTP, PMUR, TSODF	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, EMDF, PSTP, SSTP, PMUR, TSODF	
s 57C(1)	Duty to give copy of amended application to referral authority	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
s 60	Duty to consider certain matters	CSTP, DDP, DIE, MSTP, SP, STP,	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

		PPSP, EMEP, MSP, EMDF, PSTP, SSTP, PMUR	
s 60(1A)	Duty to consider certain matters	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, EMEP, MSP, EMDF, PSTP, SSTP, PMUR	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, EMDF, PSTP, SSTP, PMUR, TSODF	
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	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, MSP, EMDF, PSTP, SSTP, PMUR, TSODF	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006
s 62(1)	Duty to include certain conditions in deciding to grant a permit	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, EMDF, PSTP, SSTP, PMUR, TSODF	
s 62(2)	Power to include other conditions	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, EMDF, PSTP, SSTP, PMUR, TSODF	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SPAO, EMDF, PSTP, SSTP, PMUR, TSODF	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	CSTP, DDP, DIE, MSTP, SO, SP, PPSP, EMEP, EMDF, PSTP, PMUR, TSODF	
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	CSTP, DDP, DIE, MSTP, SO, SP, PPSP, EMEP, EMDF, PSTP, PMUR, TSODF	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	CSTP, DDP, DIE, MSTP, SO, SP, PPSP, EMEP, EMDF, PSTP, PMUR, TSODF	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	CSTP, DDP, DIE, MSTP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(3)	Duty not to issue a permit until after the specified period	CSTP, DDP, DIE, MSTP, STP, PPSP, EMEP, SPAO, EMDF,	This provision applies also to a decision to grant an amendment

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

		DFAO, PSTP, SSTP, PMUR	to a permit - see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	This provision applies also to a decision to grant an amendment to a permit - see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	If the recommending referral authority objected to the grant of the permit or the responsible authority

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

			decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	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(46)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, EMEP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	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	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SAO, SPAO, EMDF, DFAO, PSTP,	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

		SSTP, PMUR, TSODF	
s 69(1A)	Function of receiving application for extension of time to complete development	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
s 69(2)	Power to extend time	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SPAO, EMDF, PSTP, SSTP, PMUR, TSODF	
s 70	Duty to make copy permit available for inspection	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
s 71(1)	Power to correct certain mistakes	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
s 73	Power to decide to grant amendment subject to conditions	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SPAO, EMDF, PSTP, SSTP, PMUR, TSODF	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

s 74	Duty to issue amended permit to applicant if no objectors	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, EMEP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	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	CSTP, DDP, DIE, MSTP, SP, STP,	If the recommending

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

		PPSP, EMEP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	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(46)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, EMEP, SAO, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	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	CSTP, DDP, DIE, MSTP, SO, SP, STP, PPSP, EMEP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR, TSODF	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	CSTP, DDP, DIE, MSTP, SP, PPSP, EMEP, MSP, SPAO, EMDF, DFAO, PSTP, PMUR	
s 171(2)(g)	Power to grant and reserve easements	CSTP, MSTP, SP, PPSP, PSTP	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

s 178A(1)	Function of receiving application to amend or end an agreement	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s 178A(5)	Power to propose to amend or end an agreement	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR	
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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

s 178E(1)	Duty not to make decision until after 14 days after notice has been given	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR	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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR	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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR	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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR	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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR	After considering objections, submissions and matters in s 178B

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR	After considering objections, submissions and matters in s.178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR	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)	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, PSTP, SSTP, PMUR	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CSTP, DDP, DIE, MSTP, EMPSFM, SP, STP, PPSP,	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

		MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR	
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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, PSTP, SSTP, PMUR	
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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, PSTP, SSTP, PMUR	
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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR	
s 184G(2)	Duty to comply with a direction of the Tribunal	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	
s 184G(3)	Duty to give notice as directed by the Tribunal	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, SPAO, EMDF, DFAO, PSTP, SSTP, PMUR	

S6 Instrument of Delegation - Members of Staff - Planning and Environment Act 1987

	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	CSTP, DDP, DIE, MSTP, SP, STP, PPSP, MSP, EMDF, PSTP, SSTP, PMUR	
--	---	--	--

10.19. OUTSTANDING QUESTION TIME ITEMS

Division: Business Services
Director: Glenn Kallio
Author/Position: Sarah Anstis -Administration Officer Statutory Compliance

OFFICER RECOMMENDATION

That Council endorses the Outstanding Question Time report.

EXECUTIVE SUMMARY

This report provides Council with an update of response to questions taken on notice and outstanding unanswered questions from Council Question Time.

RATIONALE

The City of Ballarat Meeting Procedure Local Law calls for a standard agenda item at each Council Meeting that reflects unanswered questions from Public Question Time.

LEGISLATION, COUNCIL PLAN, STRATEGY AND POLICY IMPLICATIONS

- Meeting Procedure Local Law

OFFICERS DECLARATION OF INTERESTS

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this report.

ATTACHMENTS

1. Outstanding Question Time Items **[10.19.1]**
2. QT9 & 10 - Mr Frank Williams **[10.19.2]**

Outstanding Question Time Items

Meeting	Status	Requested	Question	Officer Responsible	Response
13/03/2019 QT09/19	Closed	Mr Frank Williams Invermay Park	Mr Williams stated that there is a risk to the safety of pedestrians crossing the roads at the Creswick Road and Market Street roundabout, which will only get worse with the car park being built on Creswick Road. Mr Williams asked if Council could investigate painting white lines on the three intersections for pedestrian crossings or at install least caution signs.	Terry Demeo Director Infrastructure and Environment	Mr Terry Demeo provided a written response to Mr Williams (see attached)
13/03/2019 QT10/19	Closed	Mr Frank Williams Invermay Park	Mr Williams asked if the City of Ballarat can install a community barbeque in the Jack Greville Reserve in Magpie Street, Golden Point in the near future?	Terry Demeo Director Infrastructure and Environment	Mr Terry Demeo provided a written response to Mr Williams (see attached)

Date: 1 April, 2019
Our Ref: TD:bk
Your Ref: QT09/19 & QT10/19
Enquiries: 03 5320 5500

Mr Frank Williams
[REDACTED]

Dear Mr Williams

RE: PUBLIC QUESTIONS QT09/19 & QT10/19 ASKED AT COUNCIL MEETING

Further to your questions asked at the Council meeting held Wednesday 13 March 2019, I advise the following.

"Mr Williams stated that there is a risk to the safety of pedestrians crossing the roads at the Creswick Road and Market Street round-about, which will only get worse with the car park being built on Creswick Road. Mr Williams asked if Council could investigate painting white lines on the three intersections for pedestrian crossings or at least install caution signs."

As discussed at our meeting of Thursday 28 March, the Council is committed to improve the pedestrian safety of this precinct and are working with Regional Roads Victoria with a view to delivering a pedestrian operated signal on Doveton Street, and modifications to the Market Street and Doveton Street intersection to improve pedestrian safety. In line with our discussions, I confirm that these works are dependent on Regional Roads Victoria's consent and funding.

"Mr Williams asked if the City of Ballarat can install a community barbeque in the Jack Greville Reserve in Magpie Street, Golden Point in the near future?"

Again, as discussed, I am happy to meet onsite with a representative group of neighbours to understand the specifics of the request for facilities on the Jack Greville Reserve.

I trust that this satisfactorily addresses the questions which you have raised at the most recent Council meeting and I will await your advice in relation to an onsite meeting at the Jack Greville Reserve.

Please feel free to contact me on [REDACTED] if you wish to discuss a timeframe for these future works.

Yours sincerely



Terry Demeo
Director Infrastructure and Environment

CC: Mayor and Councillors

11. NOTICE OF MOTION

Nil

12. URGENT BUSINESS

13. SECTION 89 (IN CAMERA)

10.8 ROYAL SOUTH STREET STRATEGIC PARTNERSHIP APPLICATION FINANCIALS

Division: Development and Planning
Director: Angelique Lush
Author/Position: Jeff Johnson – Executive Manager Events and the Arts

(Contractual matters)

10.16 CONTRACTS SPECIAL COMMITTEE OF COUNCIL - 6 MARCH 2019

Division: Business Services
Director: Glenn Kallio
Author/Position: Lorraine Sendall - Executive Assistant, Director Business Services

(Confidential report designated under the Local Government Act 1989 section 77(2)(b))

13.1 APPOINTMENT TO AUDIT ADVISORY COMMITTEE

Division: Business Services
Director: Glenn Kallio
Author/Position: Lorraine Sendall - Executive Assistant, Director Business Services

(Any other matter which the Council or Special Committee considers would prejudice the Council)

13.2 24 WILLIS COURT, SMYTHESDALE

Division: Infrastructure and Environment
Director: Terry Demeo
Author/Position: Darren Sadler – Executive Manager Property Services and Facilities Management

(Contractual matters)

**13.3 COMPULSORY ACQUISITION OF LAND – GILLIES AND KENNEDYS ROADS
MINERS REST**

Division: Infrastructure and Environment
Director: Terry Demeo
Author/Position: Darren Sadler – Executive Manager Property Services and Facilities
Management

(Contractual matters)

14. CLOSE