

S6 Instrument of Delegation to Members of Council Staff



Port Phillip City Council

Instrument of Delegation

to

Members of Council Staff

Instrument of Delegation

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

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. record that references in the Schedule are as follows:
3. declares that:
 - 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on ~~2 September 2020~~ 20 October 2021; 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;
 - 3.2.5 revokes the delegation dated ~~2 September 2020~~ 4 September 2019;
 - 3.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
 - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a:
 - (a) policy; or
 - (b) strategyadopted by Council;
 - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
 - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

SCHEDULE

Acronym	Meaning	
CFO	means	Chief Financial Officer
CoordHS	means	Coordinator Health Services
EHO	means	Environmental Health Officer
GMCGOC	means	General Manager City Growth & Organisational Capability
GMCOI	means	General Manager Customer, Operations and Infrastructure
GMDTCA	means	General Manager Development, Transport & City Amenity
MBS	means	Municipal Building Surveyor (Head of Building Services)
MCD	means	Manager City Development
MCSDS	means	Manager City Strategy, Design & Sustainability
MSA	means	Manager Safety & Amenity
PICoords	means	Coordinator Planning Canal Ward Coordinator Planning Gateway Ward Coordinator Planning Lake Ward Coordinator Planning Support
StatP	means	Statutory Planners (Band 5, 6, 7 & 8; Fast Track Planner, Student Planner)
TLFB	means	Team Leader Fishermans Bend
SO	means	Subdivision Officer
HoCs	means	Head of City Strategy Head of City Policy Head of City Design
MTP	means	Manager Transport and Partnerships
StratP	means	Senior Strategic Planner Strategic Planner
CoordPC	means	Coordinator Planning Compliance
PCO	means	Planning Compliance Officer
EAO	means	Engineering Approvals Officer
BSOP	means	Business Support Officers – Planning
EMPA	means	Executive Manager Property and Assets
APPM	means	Assets and Property Portfolio Manager
HoAM	Means	Head of Asset Management

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DOMESTIC ANIMALS ACT 1994			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s 41A(1)	Power to declare a dog to be a menacing dog.	<u>GMDTCA</u> , MSA & CoordLLAM.	Council may delegate this power to a Council authorised officer.

ENVIRONMENT PROTECTION ACT 1970			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s-53M(3)	Power to require further information.	CoordHS	
s-53M(4)	Duty to advise an applicant that the application is not to be dealt with.	CoordHS	
s-53M(5)	Duty to approve plans, issue a permit or a refuse permit.	CoordHS	Refusal must be ratified by Council or it is of no effect.
s-53M(6)	Power to refuse to issue a septic tank permit.	CoordHS	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).	CoordHS	Refusal must be ratified by Council or it is of no effect.

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition.	CoordHS & EHO.	If section 19(1) applies.
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable.	CoordHS & EHO.	If section 19(1) applies.
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process.	CoordHS.	If section 19(1) applies. Only in relation to temporary food premises or mobile food premises.
s 19(4)(a)	Power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise.	CoordHS.	If section 19(1) applies.
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with.	CoordHS & EHO.	If section 19(1) applies.
s 19(6)(b)	Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with.	CoordHS & EHO.	If section 19(1) applies.
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	CoordHS & EHO.	Where Council is the registration authority.
s 19AA(4)(c)	Power to direct, in an order made under section 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.	CoordHS & EHO.	Note: the power to direct the matters under section 19AA (4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution.

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19AA(7)	Duty to revoke order issued under section 19AA and give written notice of revocation, if satisfied that that order has been complied with.	CoordHS & EHO.	Where Council is the registration authority.
s 19CB(4)(b)	Power to request copy of records.	CoordHS & EHO.	Where Council is the registration authority.
s 19E(1)(d)	Power to request a copy of the food safety program.	CoordHS & EHO.	Where Council is the registration authority.
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor.	CoordHS & EHO.	Where Council is the registration authority.
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified.	CoordHS & EHO.	Where Council is the registration authority.
s 19NA(1)	Power to request food safety audit reports.	MSA, CoordHS & EHO.	Where Council is the registration authority.
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances.	MSA & CoordHS.	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection.	Not applicable.	Except for an assessment required by a declaration under section 19C or an inspection under ss 38B(1)(c) or 39. Council does not conduct food safety audits.
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB.	CoordHS & EHO.	Where Council is the registration authority.
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction.	CoordHS & EHO.	Where Council is the registration authority.

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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.	CoordHS & EHO.	Where Council is the registration authority.
---	Power to register, renew or transfer registration.	CoordHS & EHO.	Where Council is the registration authority. Refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see section 58A(2)).
<u>s 36A</u>	<u>Power to accept an application for registration or notification using online portal</u>	<u>CoordHS & EHO.</u>	<u>Where Council is the registration authority</u>
<u>s 36B</u>	<u>Duty to pay the charge for use of online portal</u>	<u>CoordHS & EHO.</u>	<u>Where Council is the registration authority</u>
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.	CoordHS & EHO.	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template.	CoordHS & EHO.	Where Council is the registration authority.
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under section 19C the food premises belongs.	CoordHS & EHO.	Where Council is the registration authority.
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of section 38A.	CoordHS & EHO.	Where Council is the registration authority.
s 38B(2)	Duty to be satisfied of the matters in section 38B(2)(a)-(b).	CoordHS & EHO.	Where Council is the registration authority.

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by section 39.	CoordHS & EHO.	Where Council is the registration authority.
s 38D(2)	Duty to be satisfied of the matters in section 38D(2)(a)-(d).	CoordHS & EHO.	Where Council is the registration authority.
s 38D(3)	Power to request copies of any audit reports.	CoordHS & EHO.	Where Council is the registration authority.
s 38E(2)	Power to register the food premises on a conditional basis.	CoordHS.	Where Council is the registration authority. Not exceeding the prescribed time limit defined under section 38E(5).
s 38E(4)	Duty to register the food premises when conditions are satisfied.	CoordHS.	Where Council is the registration authority.
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act.	CoordHS & EHO.	Where Council is the registration authority.
<u>s 38G(1)</u>	<u>Power to require notification of change of the food safety program type used for the food premises</u>	<u>CoordHS & EHO.</u>	<u>Where Council is the registration authority</u>
<u>s 38G(2)</u>	<u>Power to require the proprietor of the food premises to comply with any requirement of the Act</u>	<u>CoordHS & EHO.</u>	<u>Where Council is the registration authority</u>
s 39A	Power to register, renew or transfer food premises despite minor defects.	CoordHS & EHO.	Where Council is the registration authority. Only if satisfied of matters in s 39A(2)(a)-(c).

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i> .	CoordHS & EHO.	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year.	CoordHS & EHO.	Where Council is the registration authority.
s 40D(1)	Power to suspend or revoke the registration of food premises.	MSA& CoordHS.	Where Council is the registration authority.
<u>s 40F</u>	<u>Power to cancel registration of food premises</u>	<u>MSA& CoordHS.</u>	<u>Where Council is the registration authority</u>
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.	CoordHS & EHO.	Where Council is the registration authority.
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements.	CoordHS & EHO.	Where Council is the registration authority.
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged.	MSA, CoordHS & EHO.	Where Council is the registration authority.

HERITAGE ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 116	Power to sub-delegate Executive Director's functions, duties or powers.	MCD.	Must first obtain the Executive Director's written consent. Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation.

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 181H	Power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge.	CEO ¹	Council is not involved with environmental upgrade agreements.
s 185L(4)	Power to declare and levy a cladding rectification charge.	CEO ²	Council is not involved with cladding rectification charges.

¹ The only member of staff who can be a delegate in Column 3 is the CEO.

² The only member of staff who can be a delegate in Column 3 is the CEO.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p><i>No planner is to exercise delegated power with regards to the decision to give or not give notice of an application pursuant to section 52 of the Planning and Environment Act for an application for which they are themselves responsible.</i></p> <p><i>The decision to advertise or not advertise pursuant to Section 52 of the Planning and Environment Act an application must be signed off by another planner of Band 6 or higher banding.</i></p> <p><i>No planner can exercise delegated power with regards to determining an application for which they are themselves responsible.</i></p>
s 4B	Power to prepare an amendment to the Victorian Planning Provision.	GMCGOC & MCSDS.	If authorised by the Minister.
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister.	GMCGOC & MCSDS.	
s 4H	Duty to make amendments to the Victorian Planning Provisions available <u>in accordance with public availability requirements.</u>	GMCGOC & MCSDS.	
s 4I	Duty to keep the Victorian Planning Provisions and other documents available <u>in accordance with public availability requirements.</u>	GMCGOC & MCSDS.	
s.6(2)(h)	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.	GMCGOC, GMDTCA, MCSDS, MCD, PICoords, TLFB, StatP, SO.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.6(2)(h)	Power to decide, 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.	GMCGOC. GMDTCA, MCSDS, MCD, PICoords, TLFB, StatP, SO.	
s.6(2)(h)	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.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, PICoords, TLFB, HoCs & StatP.	
s 8A(2)	Power to prepare amendments to the planning scheme where the Minister has given consent under section 8A.	GMCGOC & MCSDS.	
s 8A(3)	Power to apply to the Minister to prepare an amendment to the planning scheme.	GMGOC.	
s 8A(5)	Function of receiving notice of the Minister's decision.	GMCGOC & MCSDS.	
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.	GMCGOC & MCSDS.	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme <u>of an adjoining municipal district.</u>	Not delegated.	
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.	GMCGOC & MCSDS.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 12A(1)	Duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under section 19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>).	GMCGOC & MCSDS.	
s 12B(1)	Duty to review the planning scheme.	GMCGOC & MCSDS.	
s 12B(2)	Duty to review the planning scheme at the direction of the Minister.	GMCGOC & MCSDS.	
s 12B(5)	Duty to report the findings of the review of the planning scheme to the Minister without delay.	GMCGOC & MCSDS.	
s 14	Duties of a Responsible Authority as set out in section 14(a) to (d).	GMCGOC & MCSDS.	
s 17(1)	Duty of giving a copy of an amendment to the planning scheme.	GMCGOC & MCSDS.	
s 17(2)	Duty of giving a copy of a section 173 agreement.	GMCGOC & MCSDS.	
s 17(3)	Duty of giving a copy of an amendment, explanatory report and relevant documents to the Minister within 10 business days.	GMCGOC & MCSDS.	
s 18	Duty to make amendments etc. available <u>in accordance with public availability requirements</u> .	GMCGOC & MCSDS.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under section 19 to a planning scheme.	GMCGOC & MCSDS.	
s 19	Function of receiving notice of the preparation of an amendment to a planning scheme.	GMCGOC & MCSDS.	Where Council is not the planning authority and the amendment affects land within Council's municipal district or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s 20(1)	Power to apply to the Minister for exemption from the requirements of section 19.	GMCGOC	
s 21(2)	Duty to make submissions available <u>in accordance with public availability requirements</u> .	GMCGOC & MCSDS.	
s 21A(4)	Duty to publish notices.	GMCGOC & MCSDS.	
s 22	Duty to consider all submissions.	GMCGOC & MCSDS.	Except submissions which request a change to the items in section 22(5)(a) and (b).
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel.	GMCGOC & MCSDS.	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment.	GMCGOC & MCSDS.	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in section 96D).	GMCGOC & MCSDS.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 26(1)	Power to make reports available for inspection <u>in accordance with the requirements set out in s 197B of the Act.</u>	GMCGOC & MCSDS.	
s 26(2)	Duty to keep the report of a panel available <u>for inspection in accordance with public availability requirements.</u>	GMCGOC & MCSDS.	
s 27(2)	Power to apply for an exemption if the panel's report is not received.	GMCGOC & MCSDS.	
s 28	Duty to notify the Minister if abandoning an amendment.	GMCGOC & MCSDS.	Note: the power to make a decision to abandon an amendment cannot be delegated.
<u>s 28(2)</u>	<u>Duty to publish notice of the decision on Internet site</u>	<u>MCSDS</u>	
<u>s 28(4)</u>	<u>Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months</u>	<u>MCSDS</u>	
s 30(4)(a)	Duty to say if an amendment has lapsed.	GMCGOC & MCSDS.	
s 30(4)(b)	Duty to provide information in writing upon request.	GMCGOC & MCSDS.	
s 32(2)	Duty to give more notice if required.	GMCGOC & MCSDS.	
s 33(1)	Duty to give more notice of changes to an amendment.	GMCGOC & MCSDS.	
s 36(2)	Duty to give notice of approval of an amendment.	GMCGOC & MCSDS.	
s 38(5)	Duty to give notice of revocation of an amendment.	GMCGOC & MCSDS.	
s 39	Function of being a party to a proceeding commenced under section 39 and duty to comply with a determination by VCAT.	GMCGOC & MCSDS.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 40(1)	Function of lodging a copy of an approved amendment.	GMCGOC & MCSDS.	
s 41 (1)	Duty to make <u>a copy of an</u> approved amendments available <u>in accordance with the public availability requirements during inspection period.</u>	GMCGOC & MCSDS.	
<u>s 41(2)</u>	<u>Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends</u>	<u>GMCGOC & MCSDS.</u>	
s 42 (2)	Duty to make a copy of the planning scheme available <u>in accordance with the public availability requirements.</u>	GMCGOC & MCSDS.	
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity.	Not applicable.	Where Council is a responsible public entity and is a planning authority. Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils.
s 46AW	Function of being consulted by the Minister.	GMCGOC & MCSDS.	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.	GMCGOC & MCSDS.	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.	GMCGOC & MCSDS.	Where Council is a responsible public entity.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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.	GMCGOC & MCSDS.	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.	GMCGOC.	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency. Sections 46GI to 46QD refer to infrastructure contribution plans (ICPs).
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans.	GMDTCA & GMCGOC.	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority.	GMDTCA, GMCGOC, MCD & MCSDS.	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land.	GMDTCA & GMCGOC.	Inner public purpose land means land in the ICP plan area of an infrastructure contributions plan that is specified in that plan as land to be set aside for public purposes.
s 46GO(1)	Duty to give notice to the owners of certain inner public purpose land.	GMDTCA & GMCGOC.	
s 46GP	Function of receiving a notice under section 46GO.	GMDTCA & GMCGOC.	Where Council is the collecting agency.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land.	GMDTCA & GMCGOC.	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under section 46GO.	GMDTCA & GMCGOC.	
s 46GR(2)	Power to consider a late submission. Duty to consider a late submission if directed to do so by the Minister.	GMDTCA & GMCGOC.	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under section 46GQ.	GMDTCA & GMCGOC.	
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.	GMDTCA & GMCGOC.	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference.	GMDTCA & GMCGOC.	
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.	GMDTCA & GMCGOC.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under section 46GT(5).	GMDTCA & GMCGOC.	
s 46GU	Duty not to adopt an amendment under section 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.	GMDTCA & GMCGOC.	
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.	GMDTCA & GMCGOC.	Where Council is the collecting agency.
s 46GV(3)(b)	Power to enter into an agreement with the applicant.	GMDTCA & GMCGOC.	Where Council is the collecting agency.
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with section 46GV(5) and (6).	GMDTCA & GMCGOC.	Where Council is the development agency.
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with section 46GV(5) and (6).	GMDTCA & GMCGOC.	Where Council is the collecting agency.
s 46GV(7)	Duty to impose the requirements set out in section 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area.	MCD & MCSDS.	Where Council is the development agency.
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.	GMDTCA & GMCGOC.	Where Council is the collecting agency.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable.	GMDTCA & GMCGOC.	Where Council is the collecting agency.
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under section 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan.	GMDTCA & GMCGOC.	Where Council is the collecting agency.
s 46GY(1)	Duty to keep proper and separate accounts and records.	GMDTC, GMCGOC & CFO.	Where Council is the collecting agency.
s 46GY(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i> .	GMDTC, GMCGOC & CFO	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.	GMDTC, GMCGOC & CFO	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.	GMDTC, GMCGOC & CFO	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.	GMDTC, GMCGOC & CFO	Where Council is the collecting agency under an approved infrastructure contributions plan. This provision does not apply where Council is also the relevant development agency.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(2)(b)	Function of receiving the monetary component.	GMDTC, GMCGOC & CFO	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 section 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under section 46GZ(5).	GMDTCA & GMCGOC.	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.	GMDTCA & GMCGOC.	Where Council is the collecting agency under an approved infrastructure contributions plan. This provision does not apply where Council is also the relevant development agency.
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land.	GMDTCA & GMCGOC.	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 section 46GW.	GMDTCA & GMCGOC.	Where Council is the collecting agency under an approved infrastructure contributions plan.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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.	GMDTCA & GMCGOC.	If any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s 46GV(4). 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 46GZ(9)	Function of receiving the fee simple in the land.	GMDTCA & GMCGOC.	Where Council is the development agency under an approved infrastructure contributions plan. This duty does not apply where Council is also the collecting agency.
s 46GZA(1)	Duty to keep proper and separate accounts and records.	GMDTCA, GMCGOC & CFO.	Where Council is a development agency under an approved infrastructure contributions plan.
s 46GZA(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i> .	GMDTCA, GMCGOC & CFO.	Where Council is a development agency under an approved infrastructure contributions plan.
s 46GZB(3)	Duty to follow the steps set out in section 46GZB(3)(a) – (c).	GMDTCA & GMCGOC.	Where Council is a development agency under an approved infrastructure contributions plan.
s 46GZB(4)	Duty, in accordance with requirements of the Victorian Planning Authority (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.	GMDTCA & GMCGOC.	If the VPA is the collecting agency under an approved infrastructure contributions plan. Where Council is a development agency under an approved infrastructure contributions plan.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZD(2)	Duty, within six months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in section 46GZD(2)(a) and (b).	GMDTCA & GMCGOC.	Where Council is the development agency under an approved infrastructure contributions plan.
s 46GZD(3)	Duty to follow the steps set out in section 46GZD(3)(a) and (b).	GMDTCA & GMCGOC.	Where Council is the collecting agency under an approved infrastructure contributions plan.
s 46GZD(5)	Duty to make payments under section 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b).	GMDTCA & GMCGOC.	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.	GMDTCA & GMCGOC.	Where Council is the development agency under an approved infrastructure contributions plan. This duty does not apply where Council is also the collecting agency.
s 46GZE(2)	Function of receiving the unexpended land equalisation amount.	GMDTCA & GMCGOC.	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 section 46GZE(3)(a) and (b).	GMDTCA & GMCGOC.	Where Council is the collecting agency under an approved infrastructure contributions plan.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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.	GMDTCA & GMCGOC.	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 section 46GZF(3)(a) and (b).	GMDTCA & GMCGOC.	Where Council is the development agency under an approved infrastructure contributions plan.
s 46GZF(3)	Function of receiving proceeds of sale.	GMDTCA & GMCGOC.	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 section 46GZF(5).	GMDTCA & GMCGOC.	Where Council is the collecting agency under an approved infrastructure contributions plan.
s 46GZF(6)	Duty to make the payments under section 46GZF(4) in accordance with section 46GZF(6)(a) and (b).	GMDTCA & GMCGOC.	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.	GMDTCA & GMCGOC.	Where Council is the collecting agency under an approved infrastructure contributions plan.
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister.	GMDTCA & GMCGOC.	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.	GMDTCA & GMCGOC.	Where Council is a collecting agency or development agency.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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 section 46LB (2).	GMDTCA & GMCGOC.	
s 46N(1)	Duty to include conditions in a permit regarding payment of a development infrastructure levy.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP.	
s 46N(2)(c)	Function of determining the time and manner for receipt of a development contributions levy.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB.	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of a development infrastructure levy.	GMDTCA & GMCGOC.	Exercise of delegated power to be reported to Councillors as soon as practicable.
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing a building permit.	MBS, GMCGOC, GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP.	Exercise of delegated power to be reported to Councillors as soon as practicable.
s 46O(1)(d) & (2)(d)	Power to enter into an agreement with the applicant regarding payment of a community infrastructure levy.	GMDTCA & GMCGOC.	
s 46P(1)	Power to require payment of the amount of levy under section 46N or section 46O to be satisfactorily secured.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable.	GMDTCA & GMCGOC.	
s 46Q(1)	Duty to keep proper accounts of levies paid.	GMCGOC, GMDTCA, CFO, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	
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.	GMDTCA, GMCGOC & CFO, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	
s 46Q(2)	Duty to apply the 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.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	
s 46Q(3)	Power to refund any amount of a levy paid if it is satisfied the development is not to proceed.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	Only applies when levy is paid to Council as a 'development agency'.
s 46Q(4)(c)	Duty to pay an amount to the current owners of land in the area if an amount of the 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 section 46Q(4)(a).	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB.	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs & StratP.	Must be done in accordance with Part 3.
s 46Q(4)(e)	Duty to expend that amount on other works etc.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs & StratP.	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.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs & StratP.	
s 46QD	Duty to prepare a report and give the report to the Minister.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs & StratP.	Where Council is a collecting agency or development agency.
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available.	Not applicable.	
s 46Y	Duty to carry out works in conformity with the approved strategy plan.	See above.	
s 47	Power to decide that an application for a planning permit does not comply with that Act.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 49(2)	Duty to make register available for inspection <u>in accordance with the public availability requirements.</u>	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	
s 50(4)	Duty to amend an application.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 50(5)	Power to refuse to amend an application.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 50(6)	Duty to make note of amendments to applications in the Register.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	
s 50A(1)	Power to make an amendment to an application.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 50A(3)	Power to require an applicant to notify the owner and make a declaration that notice has been given.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 50A(4)	Duty to note amendments to applications in the Register.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 51	Duty to make copy of applications available for inspection <u>in accordance with the public availability requirements.</u>	GMCGOC, GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO, StatP & BSOP, HoCs & StratP.	
s 52(1)(a)	Duty to give notice of the application to the owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	GMCGOC, GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP	
s 52(1)(b)	Duty to give notice of the application to another municipal council where appropriate.	GMCGOC, GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme.	GMCGOC, GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP	
s 52(1)(ca)	Duty to give notice of the application to the owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant.	GMCGOC, GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP	
s 52(1)(cb)	Duty to give notice of the application to the owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant.	GMCGOC, GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally affected.	GMCGOC, GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 52(3)	Power to give any further notice of an application where appropriate.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP	
s 53(1)	Power to require the applicant to give notice under section 52(1) to persons specified by it.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP	
s 53(1A)	Power to require the applicant to give the notice under section 52(1AA).	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP	
s 54(1)	Power to require the applicant to provide more information.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 54(1A)	Duty to give notice in writing of information required under section 54(1).	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 54(1B)	Duty to specify the lapse date for an application.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 54A(3)	Power to decide to extend the time or refuse to extend the time to give required information.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend the time under section 54A(3).	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 55(1)	Duty to give a copy of an application, together with the prescribed information, to every referral authority specified in the planning scheme.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 56(1)	Power to inform the responsible authority that it does not object to the grant of a permit, it does not object to the grant of a permit subject to conditions and it objects to the granting of a permit.	GMDTCA, MCD, PLCoords.& TLFB	
s 56(3)	Power to give the responsible authority its comments on an application.	GMDTCA, MCD, PLCoords.& TLFB	
S 56(4)	Power to apply to the Minister for an extension of the prescribed periods.	GMDTCA, MCD, PLCoords & TLFB.	
s 57(1)	Power to object to a planning application in an abutting municipality.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB.	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector.	GMDTCA, MCD, PLCoords, TLFB & StatP.	
s 57(3)	Function of receiving the name and address of persons to whom notice of decision is to be sent.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 57(5)	Duty to make available for inspection a copy of all objections <u>available in accordance with the public availability requirements.</u>	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	
s 57A(4)	Duty to amend an application in accordance with the applicant's request, subject to section 57A(5).	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 57A(5)	Power to refuse to amend an application.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 57A(6)	Duty to note amendments to applications in the Register.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	
s 57B(1)	Duty to determine whether and to whom notice should be given.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
s 57C(1)	Duty to give a copy of an amended application to a referral authority.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 58	Duty to consider every application for a permit.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
s 58A	Power to request advice from the Planning Application Committee.	GMDTCA, MCD, PLCoords & StatP TLFB	
s 60	Duty to consider certain matters.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 60(1A)	Duty to consider certain matters.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 60(1B)	Duty to consider the number of objectors in considering whether the use or development may have significant social effect.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>The delegations apply to issuing permits and/or amended permits once a notice of decision to grant a permit has been issued and no appeals have been made to the Tribunal within the prescribed time.</p> <p>Where 16 or more objections are received and the application has not been refused under delegation, are to be reported to the Planning Committee or Council.</p> <p>Applications where a Councillor requests the application be determined by the Council are to be reported to the Planning Committee or Council, except for VicSmart applications (Clauses 90-95 of the Port Phillip Planning Scheme).</p> <p>An application which raises an issue of policy that should be debated at Council (strategic or substantive policy issues) as determined by the Manager City Development, Planning Coordinators and or Team Leader Fishermans Bend.</p> <p>Where applications involve substantive non-compliance with the Planning Scheme or Council policy but officers consider the application should be supported are to be reported to the Planning Committee or Council.</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			Applications that involve a non-compliance with residential parking requirements (except that a minor dispensation can be determined by the Manager City Development or Planning Coordinators and the Team Leader Fishermans Bend, unless a Councillor requests that the application be determined by Council).
	<u>ST KILDA SEABATHS PROTOCOL</u>		<u>All land use, design and structural matters, including amendments and secondary consents to the approved Seabaths Development Plan, are to be presented to Council for determination following an officer report that provides analysis on the topic other than refusals of planning permit applications, amendments and secondary consents following consultation with Ward Councillors.</u>
	<u>ST KILDA ROAD NORTH PRECINCT PROTOCOL</u>		<u>All new planning permit applications that exceed six storeys in height in the area covered by Sub Precinct 2 in Schedule 26 to the Design and Development Overlay in the Port Phillip Planning Scheme, for the St Kilda Road North Precinct will be determined by Council.</u>

	<p><u>FISHERMANS BEND URBAN RENEWAL AREA PROTOCOL</u></p>	<p><u>GMCGOC, GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP</u></p>	<p><u>1.1 Council reinstates decision making powers to Council Officers where Council is the Responsible Authority in the Fishermans Bend Urban Renewal Area with:</u></p> <p><u>1.1.1 The power to refuse planning permit applications where inconsistent with the Planning Scheme and the Strategic Framework Plan;</u></p> <p><u>1.1.2 The power to determine planning permit applications or amendments to a planning permit for:</u></p> <p><u>1.1.2.1 Land uses except for Accommodation.</u></p> <p><u>1.1.2.2 Development except for the purposes of Accommodation provided that no building exceeds four storeys.</u></p> <p><u>1.2 The power to provide comments to the Minister for Planning for permit applications and/or planning scheme amendments, in Council's role as a recommending referral authority-.</u></p>
s 61(1)	Power to determine a permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application.	GMCGOC, GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i> .

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without the Minister's consent.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
s 61(4)	Duty to refuse to grant the permit if the grant would authorise a breach of a registered restrictive covenant.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
s 62(1)	Duty to include certain conditions in deciding to grant a permit.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
s 62(2)	Power to include other conditions.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c).	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan.	GMCGOC, GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
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 a section 173 agreement.	GMCGOC, GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant.	GMCGOC, GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
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).	GMCGOC, GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in section 62(1)(a).	GMCGOC, GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	
s 63	Duty to issue the permit where a decision is made in favour of the application (if no one has objected).	GMCGOC, GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 64(1)	Duty to give notice of a decision to grant a permit to the applicant and objectors.	GMCGOC, GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	This provision applies also to a decision to grant an amendment to a permit – see section 75.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 64(3)	Duty not to issue a permit until after the specified period.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	This provision applies also to a decision to grant an amendment to a permit – see section 75.
s 64(5)	Duty to give each objector a copy of an exempt decision.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	This provision applies also to a decision to grant an amendment to a permit – see section 75.
s 64A	Duty not to issue a 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.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	This provision applies also to a decision to grant an amendment to a permit – see section 75A.
s 65(1)	Duty to give notice of refusal to grant a permit to the applicant and the persons who objected under section 57.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	
s 66(1)	Duty to give notice under section 64 or section 65 and a copy of the permit to relevant determining referral authorities.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit.
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	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 applications for extensions of time of permit.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 69(1A)	Function of receiving applications for extensions of time to complete development.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	
s 69(2)	Power to extend time.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	Consent for an extension of time for commencement is to be granted only where no change in planning circumstances has occurred since the grant of the permit, or since the first extension (whichever is applicable) which would bring the proposal into conflict with current planning controls or instruments or bring the proposal into conflict with a seriously entertained planning proposal.
s 70	Duty to make a copy of a permit available <u>in accordance with the public availability requirements</u> . <u>for inspection</u> .	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 71(1)	Power to correct certain mistakes.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
s 71(2)	Duty to note corrections in the Register.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
s 73	Power to decide to grant an amendment subject to conditions.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
s 74	Duty to issue an amended permit to the applicant if there are no objectors.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
s 76	Duty to give the applicant and objectors notice of decision to refuse to grant amendment to permit.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
s 76A(1)	Duty to give relevant determining referral authorities a copy of an amended permit and copy of a notice.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	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.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit.
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	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 a direction of the Minister to issue an amended permit.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP	
s 83	Function of being respondent to an appeal.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	Planning officers representing the Council as a respondent at a VCAT mediation/compulsory conference hearing are subject to consultation with and approval by the Manager City Development and / or Planning Coordinators and Team Leader Fishermans Bend prior to a hearing.
s 83B	Duty to give or publish notice of application for review.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against the failure to grant a permit.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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.	GMCGOC, GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
s 84(3)	Duty to tell the principal registrar if it is decided to grant a permit after an application is made for review of its failure to grant a permit.	GMCGOC, GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	
s 84(6)	Duty to issue a permit on receipt of advice within 3 working days.	GMCGOC, GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	
s 84AB	Power to agree to confining a review by the Tribunal.	GMDTCA, MCD, PLCoords, TLFB & StatP.	
s 86	Duty to issue a permit at the order of the Tribunal within 3 working days.	GMCGOC, GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit.	GMDTCA, MCD, PLCoords, TLFB & StatP.	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit.	GMCGOC, GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP MSA, CoordHS, CoordPC, PCO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 91(2)	Duty to comply with the directions of VCAT.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP, MSA, CoordHS, CoordPC, PCO	
s 91(2A)	Duty to issue an amended permit to the owner if the Tribunal so directs.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP, MSA, CoordHS, CoordPC, PCO	
s 93(2)	Duty to give notice of a VCAT order to stop development.	MSA, CoordHS, CoordPC, PCO, GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB.	
s 95(3)	Function of referring certain applications to the Minister.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 95(4)	Duty to comply with an order or direction.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB.	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB.	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of a proposed amendment.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB.	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB.	
s 96F	Duty to consider the panel's report under section 96E.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB & StratP.	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>).	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
s 96H(3)	Power to give notice in compliance with the Minister's direction.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96J	Power to issue a permit as directed by the Minister.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
s 96K	Duty to comply with a direction of the Minister to give notice of refusal.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB.	
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.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	
s 97C	Power to request the Minister to decide the application.	GMDTCA & MCD.	
s 97D(1)	Duty to comply with directions of the Minister to supply any document or assistance relating to application.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
s 97G(3)	Function of receiving from the Minister copy of a notice of refusal to grant a permit or copy of any permit granted by the Minister.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	
s 97G(6)	Duty to make a copy of permits issued under section 97F available in accordance with the public availability requirements for inspection.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	
s 97L	Duty to include Ministerial decisions in a register kept under section 49.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 97MH	Duty to provide information or assistance to the Planning Application Committee.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee.	GMDTCA, MCD & PLCoords, TLFB.	
s 97O	Duty to consider applications and issue or refuse to issue certificate of compliance.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP, MSA, CoordHS, CoordPC, PCO	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate.	GMDTCA, MC, PLCoords & MBS.	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP	
s 97Q(4)	Duty to comply with the directions of VCAT.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB.	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB.	
s 101	Function of receiving claim for expenses in conjunction with claim.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB.	
s 103	Power to reject a claim for compensation in certain circumstances.	GMDTCA, MCD & PLCoords.	
s 107(1)	Function of receiving claim for compensation.	GMDTCA& MCD.	
s 107(3)	Power to agree to extend the time for making a claim.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB.	
s 114(1)	Power to apply to the VCAT for an enforcement order.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB, HoCs & StratP, CoordHS, CoordPC, PCO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 117(1)(a)	Function of making a submission to the VCAT where objections are received.	GMCGOC, GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
s 120(1)	Power to apply for an interim enforcement order where section 114 application has been made.	GMCGOC, GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB & StratP, CoordPC, PCO.	
s 123(1)	Power to carry out work required by an enforcement order and recover costs.	GMDTCA & MCD, MSA.	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under section 123(1).	GMDTCA & MCD, MSA.	Except Crown Land.
s 126	Power to institute legal proceedings	GMCGOC, GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB, CoordHS, CoordPC, PCO & StratP.	If a clear and obvious contravention of the Planning Scheme, Permit or Agreement is occurring.
s 129	Function of recovering penalties.	GMDTCA & MCD, MSA, CoordHS, CoordPC, PCO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 130(5)	Power to allow person served with an infringement notice further time.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB, StratP, CoordHS, CoordPC, PCO	
s.133	Power to act as an authorised officer to enter any land to carry out specific functions.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP, MSA, CoordHS, CoordPC, PCO, EAO, StratP	
s.134(1)	Duty to: <ul style="list-style-type: none"> • obtain consent from an occupier prior to entering any land; and • give two clear days notice to any occupier prior to entering any land. 	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP, MSA, CoordHS, CoordPC, PCO	
s.134(2)	Power to apply to the Magistrates Court for a warrant	GMDTCA, MSA, CoordHS, CoordPC, PCO	
s 149A(1)	Power to refer a matter to the VCAT for a determination.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB, MSA, CoordHS, CoordPC, PCO, StratP.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a section 173 agreement.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB.	
s 156	Duty to pay fees and allowances (including a payment to the Crown under section 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 section 156(2B) power to ask for contribution under section 156(3) and power to abandon amendment or part of it under section 156(4).	GMDTCA & MCD.	Where Council is the relevant planning authority.
s 162	Power to appear before a Panel.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP, MSA, StratP.	
s 171(2)(f)	Power to carry out studies and commission reports.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP, MSA, StratP.	
s 171(2)(g)	Power to grant and reserve easements.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO, EAO & StatP	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan.	GMCOI & EMPA.	Where Council is a development agency specified in an approved infrastructure contributions plan. Subject to Council's prior approval of the compulsory acquisition.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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 section 46GV(4).	GMCOI & EMPA.	Where Council is a collecting agency specified in an approved infrastructure contributions plan See above.
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 section 46GV(4).	GMCOI & EMPA.	Where Council is the development agency specified in an approved infrastructure contributions plan. See above.
s 173(1)	Power to enter into an agreement covering matters set out in section 174.	Not delegated.	Can include an agreement relating to the provision of land for affordable housing.
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.	Not delegated.	Where Council is the relevant responsible authority.
---	Power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	
---	Power to give consent on behalf of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	
s 177(2)	Power to end a section 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178	Power to amend a section 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	
s 178A(1)	Function of receiving applications to amend or end agreements.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under section 178A(1).	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	
s 178A(5)	Power to propose to amend or end an agreement.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	
s 178B(1)	Duty to consider certain matters when considering a proposal to amend an agreement.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	
s 178B(2)	Duty to consider certain matters when considering a proposal to end an agreement.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end.	GMCGOC, GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	
s 178C(4)	Function of determining how to give notice under section 178C(2).	GMCGOC, GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given.	GMCGOC, GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	
s 178E(2)(a)	Power to amend or end the agreement in accordance with the proposal.	GMCGOC, GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	If no objections are made under section 178D. Must consider matters in section 178B.
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal.	GMCGOC, GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	If no objections are made under section 178D. Must consider matters in section 178B.
s 178E(2)(c)	Power to refuse to amend or end the agreement.	GMCGOC, GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	If no objections are made under section 178D. Must consider matters in section 178B.
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal.	GMCGOC, GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	After considering objections, submissions and matters in section 178B.
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal.	GMCGOC, GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	After considering objections, submissions and matters in section 178B.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178E(3)(c)	Power to amend or end the agreement in a manner that is substantively different from the proposal.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	After considering objections, submissions and matters in section 178B.
s 178E(3)(d)	Power to refuse to amend or end the agreement.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	After considering objections, submissions and matters in section 178B.
s 178F(1)	Duty to give notice of its decision under section 178E(3)(a) or (b).	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 178F(2)	Duty to give notice of its decision under section 178E(2)(c) or (3)(d).	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 178F(4)	Duty not to proceed to amend or end an agreement under section 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.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 178G	Duty to sign an amended agreement and give a copy to each other party to the agreement.	GMDTCA & MCD	
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.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 179(2)	Duty to make available for inspection a copy of an each agreement <u>available in accordance with the public availability requirements.</u>	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, HoCs, MSA, MTP, StratP & StatP	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to the Registrar-General.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP, MSA, CoordHS, CoordPC, PCO, EAO, HoCs & StratP.	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB, HoCs & StratP	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB, HoCs & StratP	
s 182	Power to enforce an agreement.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB, HoCs & StratP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 183	Duty to tell the Registrar of Titles of the ending/amendment of an agreement.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
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.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
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.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
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.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, PICoords, TLFB, SO & StatP.	
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.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO, StatP & BSOP	
s 184G(2)	Duty to comply with a direction of the Tribunal.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 184G(3)	Duty to give notice as directed by the Tribunal.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 198(1)	Function to receive application for a planning certificate.	Not applicable.	Planning certificates are issued by DELWP.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 199(1)	Duty to give a planning certificate to the applicant.	Not applicable.	
s 201(1)	Function of receiving an application for a declaration of underlying zoning.	GMCGOC. GMDTCA, MCSDS, MCD, MTP, PICoords, TLFB, SO & StatP	
s 201(3)	Duty to make a declaration.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB, HoCs & StratP.	Only if the Planning Scheme shows the underlying zoning.
-	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.	GMDTCA, GMCGOC, MCD & MCSDS.	
	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.	GMDTCA, GMCGOC, MCD & MCSDS.	
	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.	GMDTCA, GMCGOC, MCD & MCSDS.	
-	Power to give written authorisation in accordance with a provision of a planning scheme.	GMDTCA, GMCGOC, MCD & MCSDS.	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within the municipal district.	GMCGOC. GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under section 201UAB(1) as soon as possible.	GMCGOC, GMDTCA, MCSDS, MCD, MSA, MTP, HoCs, PICoords, TLFB	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 91ZU(1)	Power to give a renter a notice to vacate rented premises.	MSA Not applicable.	Where Council is a public statutory authority engaged in the provision of housing. Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier. Council is not involved directly in the provision of public housing.
s 91ZZC(1)	Power to give a renter a notice to vacate rented premises.	MSA Not applicable.	<u>Where Council is a public statutory authority engaged in the provision of housing.</u> See above.
s 91ZZE(1)	Power to give a renter a notice to vacate rented premises.	MSA Not applicable.	<u>Where Council is a public statutory authority engaged in the provision of housing.</u> See above.
s 91ZZE(3)	Power to publish Council's criteria for eligibility for the provision of housing.	MSA Not applicable.	<u>Where Council is a public statutory authority engaged in the provision of housing.</u> See above.
s 142D	Function of receiving notice regarding an unregistered rooming house.	MSA & CoordHS.	
s 142G(1)	Duty to enter required information in the Rooming House Register for each rooming house in the municipal district.	MSA & CoordHS.	
s 142G(2)	Power to enter certain information in the Rooming House Register.	MSA & CoordHS.	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 142I(2)	Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry.	MSA & CoordHS.	
s 206AZA(2)	Function of receiving written notification.	Not applicable.	Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier. Refers to caravan parks.
s 207ZE(2)	Function of receiving written notification.	Not applicable.	Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier.
s 311A(2)	Function of receiving written notification.	Not applicable.	Refers to caravan parks.
s 317ZDA(2)	Function of receiving written notification.	Not applicable.	Refers to caravan parks.
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements.	Not applicable.	Refers to caravan parks.
s 522(1)	Power to give a compliance notice to a person.	Not applicable.	Refers to caravan parks.
s 525(2)	Power to authorise an officer to exercise powers in section 526 (either generally or in a particular case).	Not applicable.	Refers to caravan parks.
s 525(4)	Duty to issue identity card to authorised officers.	Not applicable.	Refers to caravan parks.
s 526(5)	Duty to keep record of entry by authorised officer under section 526	Not applicable.	Refers to caravan parks.
s 526A(3)	Function of receiving report of inspection.	Not applicable.	Refers to caravan parks.

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case).	Not applicable.	Refers to caravan parks.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 11(1)	Power to declare a road by publishing a notice in the Victoria Government Gazette.	EMPA, APPM & HoAM.	Must obtain the consent in the circumstances specified in section 11(2).
s 11(8)	Power to name a road or change the name of a road by publishing notice in the Victoria Government Gazette.	GMCGOC	Must be exercised in accordance with Council Policy on place naming and State Naming Rules.
s 11(9)(b)	Duty to advise the Registrar.	GMCGOC	"Registrar" means the Registrar of Geographic Names
s 11(10)	Duty to inform the Secretary to the Department of Environment, Land, Water and Planning (DELWP) of the declaration etc.	EMPA, APPM & HoAM.	Subject to section 11(10A).
s 11(10A)	Duty to inform the Secretary to the DELWP or nominated person.	EMPA, APPM & HoAM.	Where Council is the coordinating road authority.
s 12(2)	Power to discontinue road or part of a road.	Not delegated.	Where Council is the coordinating road authority.
s 12(4)	Power to publish, and provide a copy of a notice of proposed discontinuance.	EMPA, APPM & HoAM.	Power of coordinating road authority where it is the discontinuing body. Unless section 12(11) applies.
s 12(5)	Duty to consider written submissions received within 28 days of notice.	Not delegated.	Duty of coordinating road authority where it is the discontinuing body. Unless section 12(11) applies.
s 12(6)	Function of hearing a person in support of their written submission.	Not delegated.	Function of coordinating road authority where it is the discontinuing body. Unless section 12(11) applies.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 12(7)	Duty to fix day, time and place of meeting under section 12(6) and to give notice.	EMPA, APPM & HoAM.	Duty of coordinating road authority where it is the discontinuing body. Unless section 12(11) applies.
s 12(10)	Duty to notify of the decision made.	EMPA, APPM & HoAM.	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 the Victoria Government Gazette.	EMPA, APPM & HoAM.	Power of coordinating road authority and obtain consent under section 13(3) and section 13(4) as appropriate.
s 14(4)	Function of receiving notice from the Head, Transport for Victoria.	EMPA, APPM & HoAM.	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria.	GMCOI.	
s 15(1)	Power to enter into an 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.	GMCOI.	
s 15(1A)	Power to enter into an arrangement with a utility to transfer a road management function of the utility to the road authority.	GMCOI.	
s 15(2)	Duty to include details of arrangements in the Public Roads Register (PRR).	EMPA, APPM & HoAM.	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 16(7)	Power to enter into an arrangement under section 15.	GMCOI.	
s 16(8)	Duty to enter details of determinations in the PRR.	EMPA, APPM & HoAM.	
s 17(2)	Duty to register a public road in the PRR.	EMPA, APPM & HoAM.	Where Council is the coordinating road authority.
s 17(3)	Power to decide that a road is reasonably required for general public use.	EMPA.	Where Council is the coordinating road authority.
s 17(3)	Duty to register a road reasonably required for general public use in the PRR.	EMPA, APPM & HoAM.	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.	Not delegated.	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.	EMPA, APPM & HoAM.	Where Council is the coordinating road authority.
s 18(1)	Power to designate ancillary areas.	EMPA.	Where Council is the coordinating road authority, and obtain consent in circumstances specified in section 18(2).
s 18(3)	Duty to record designations in the PRR.	EMPA, APPM & HoAM.	Where Council is the coordinating road authority.
s 19(1)	Duty to keep the PRR in respect of which it is the coordinating road authority.	EMPA, APPM & HoAM.	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19(4)	Duty to specify details of discontinuances in the PRR.	EMPA, APPM & HoAM.	
s 19(5)	Duty to ensure the PRR is available for public inspection.	EMPA, APPM & HoAM.	
s 21	Function of replying to a request for information or advice.	EMPA, APPM & HoAM.	Obtain consent in circumstances specified in section 11(2).
s 22(2)	Function of commenting on a proposed direction.	EMPA, APPM & HoAM.	
s 22(4)	Duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.	EMPA, APPM & HoAM.	
s 22(5)	Duty to give effect to a direction under section 22.	EMPA, APPM & HoAM.	
s 40(1)	Duty to inspect, maintain and repair a public road.	EMPA, APPM & HoAM.	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road.	EMPA, APPM & HoAM.	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair.	EMPA, APPM & HoAM.	
s 42(1)	Power to declare a public road as a controlled access road.	GMCOI.	Power of coordinating road authority and sch 2 also applies.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 42(2)	Power to amend or revoke declaration by notice published in the Victoria Government Gazette.	EMPA.	Power of coordinating road authority and sch 2 also applies.
s 42A(3)	Duty to consult with VicRoads before a road is specified.	EMPA, APPM & HoAM.	Where Council is the coordinating road authority. If road is a municipal road or part thereof.
s 42A(4)	Power to approve the Minister's decision to specify a road as a specified freight road.	GMCOI.	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).	EMPA, APPM & HoAM.	Where Council is the responsible road authority, infrastructure manager or works manager.
s 48M(3)	Function of consulting with the relevant authority for the purposes of developing guidelines under section 48M.	EMPA, APPM & HoAM.	
s 49	Power to develop and publish a road management plan.	EMPA, APPM & HoAM.	
s 51	Power to determine standards by incorporating the standards in a road management plan.	EMPA, APPM & HoAM.	
s 53(2)	Power to cause notice to be published in the Victoria Government Gazette of an amendment etc of a document in the road management plan.	EMPA, APPM & HoAM.	
s 54(2)	Duty to give notice of a proposal to make a road management plan.	EMPA.	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54(5)	Duty to conduct a review of the road management plan at prescribed intervals.	EMPA.	
s 54(6)	Power to amend a road management plan.	EMPA.	
s 54(7)	Duty to incorporate the amendments into the road management plan.	EMPA.	
s 55(1)	Duty to cause notice of the road management plan to be published in the Victoria Government Gazette and newspaper.	EMPA.	
s 63(1)	Power to consent to the conduct of works on a road.	EMPA, APPM & HoAM.	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.	EMPA, APPM & HoAM.	Where Council is the infrastructure manager.
s 64(1)	Duty to comply with cl 13 of sch 7.	EMPA, APPM & HoAM.	Where Council is the infrastructure manager or works manager.
s 66(1)	Power to consent to structures etc.	EMPA, APPM & HoAM.	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.	EMPA, APPM & HoAM.	Where Council is the coordinating road authority.
s 67(3)	Power to request information.	EMPA, APPM & HoAM.	Where Council is the coordinating road authority.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 68(2)	Power to request information.	EMPA, APPM & HoAM.	Where Council is the coordinating road authority.
s 71(3)	Power to appoint an authorised officer.	Not delegated.	Authorised officers are appointed by the CEO.
s 72	Duty to issue an identity card to each authorised officer.	Not applicable	Identity cards are issued to authorised officers under section 224 of the <i>Local Government Act 1989</i> .
s 85	Function of receiving report from an authorised officer.	EMPA, APPM & HoAM.	
s 86	Duty to keep a register regarding section 85 matters.	EMPA, APPM & HoAM.	
s 87(1)	Function of receiving complaints.	EMPA, APPM & HoAM.	
s 87(2)	Duty to investigate a complaint and provide a report.	GMCOI & EMPA.	
s 112(2)	Power to recover damages in court.	GMCOI & EMPA.	
s 116	Power to cause or carry out inspection.	EMPA, APPM & HoAM.	
s 119(2)	Function of consulting with the Head, Transport for Victoria.	EMPA, APPM & HoAM.	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria).	EMPA, APPM & HoAM.	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 120(2)	Duty to seek the consent of the Head, Transport for Victoria to exercise road management functions before exercising the power in section 120(1).	EMPA, APPM & HoAM.	
s 121(1)	Power to enter into an agreement in respect of works.	GMCOI & EMPA.	
s 122(1)	Power to charge and recover fees.	GMCOI & EMPA.	
s 123(1)	Power to charge for any service.	GMCOI & EMPA.	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads.	GMCOI & EMPA.	
sch 2 cl 3(1)	Duty to make policy about controlled access roads.	GMCOI & EMPA.	
sch 2 cl 3(2)	Power to amend, revoke or substitute a policy about controlled access roads.	GMCOI & EMPA.	
sch 2 cl 4	Function of receiving details of proposals from the Head, Transport for Victoria.	GMCOI & EMPA.	
sch 2 cl 5	Duty to publish notice of a declaration.	GMCOI & EMPA.	
sch 7 cl 7(1)	Duty to give notice to the relevant coordinating road authority of the proposed installation of non-road infrastructure or related works on a road reserve.	EMPA, APPM & HoAM.	Where Council is the infrastructure manager or works manager.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road.	EMPA, APPM & HoAM.	Where Council is the infrastructure manager or works manager.
sch 7 cl 9(1)	Duty to comply with requests 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.	EMPA, APPM & HoAM.	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure.
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance.	EMPA, APPM & HoAM.	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.	EMPA, APPM & HoAM.	Where Council is the infrastructure manager or works manager.
sch 7 cl 12(2)	Power to direct an infrastructure manager or works manager to conduct reinstatement works.	EMPA, APPM & HoAM.	Where Council is the coordinating road authority.
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed.	EMPA, APPM & HoAM.	Where Council is the coordinating road authority.
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person.	EMPA, APPM & HoAM.	Where Council is the coordinating road authority.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 12(5)	Power to recover costs.	GMCOI & EMPA.	Where Council is the coordinating road authority.
sch 7 cl 13(1)	Duty to notify the relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2).	EMPA, APPM & HoAM.	Where Council is the works manager.
sch 7 cl 13(2)	Power to vary a notice period.	EMPA, APPM & HoAM.	Where Council is the coordinating road authority.
sch 7 cl 13(3)	Duty to ensure the works manager has complied with the obligation to give notice under sch 7 cl 13(1).	EMPA, APPM & HoAM.	Where Council is the infrastructure manager.
sch 7 cl 16(1)	Power to consent to proposed works.	EMPA, APPM & HoAM.	Where Council is the coordinating road authority.
sch 7 cl 16(4)	Duty to consult.	EMPA, APPM & HoAM.	Where Council is the coordinating road authority, responsible authority or infrastructure manager.
sch 7 cl 16(5)	Power to consent to proposed works.	EMPA, APPM & HoAM.	Where Council is the coordinating road authority.
sch 7 cl 16(6)	Power to set reasonable conditions on consent.	EMPA, APPM & HoAM.	Where Council is the coordinating road authority.
sch 7 cl 16(8)	Power to include consents and conditions.	EMPA, APPM & HoAM.	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.	EMPA, APPM & HoAM.	Where Council is the coordinating road authority.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 18(1)	Power to enter into an agreement.	GMCOI & EMPA.	Where Council is the coordinating road authority.
sch 7 cl 19(1)	Power to give notice requiring rectification of works.	EMPA, APPM & HoAM.	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.	EMPA, APPM & HoAM.	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.	EMPA, APPM & HoAM.	Where Council is the coordinating road authority.
sch 7A cl 2	Power to cause street lights to be installed on roads.	EMPA, APPM & HoAM.	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road.
sch 7A cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where the road is not an arterial road.	EMPA, APPM & HoAM.	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.	EMPA, APPM & HoAM.	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.	EMPA, APPM & HoAM.	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs).

PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING 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.	GMCGOC. GMDTCA, MCSDS, MCD, & SO	Where Council is not the planning authority and the amendment affects land within its municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r 21	Power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act.	GMCGOC. GMDTCA, MCSDS, MCD, & SO	
r 25(a)	Duty to make a copy of a matter considered under section 60(1A)(g) available for inspection free of charge.	GMCGOC. GMDTCA, MCSDS, MCD, & SO	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.	GMCGOC. GMDTCA, MCSDS, MCD, & SO	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.	GMCGOC. GMDTCA, MCSDS, MCD, & SO	Where: <ul style="list-style-type: none"> • Council is not the planning authority and the amendment affects land within Council's municipal district; or • the amendment will amend the planning scheme to designate Council as an acquiring authority.

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme.	GMCGOC & MCSDS.	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme.	GMDTCA & MCD.	
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.	GMCGOC. GMDTCA, MCSDS, MCD, & SO	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 8(1)	Duty to conduct reviews of the road management plan.	GMCOI & EMPA.	
r 9(2)	Duty to produce a written report of the review of the road management plan and make the report available	GMCOI & EMPA.	
r 9(3)	Duty to give notice where a road management review is completed and no amendments will be made (or no amendments for which notice is required)	GMCOI & EMPA.	Where Council is the coordinating road authority.
r 10	Duty to give notice of an amendment which relates to the standard of construction, inspection, maintenance or repair under section 41 of the Act.	GMCOI & EMPA.	
r 13(1)	Duty to publish notice of amendments to the road management plan.	GMCOI & EMPA.	Where Council is the coordinating road authority.
r 13(3)	Duty to record on the road management plan the substance and date of the effect of an amendment.	GMCOI & EMPA.	
r 16(3)	Power to issue permits.	EMPA, APPM & HoAM.	Where Council is the coordinating road authority.
r 18(1)	Power to give written consent regarding damage to road.	EMPA, APPM & HoAM.	Where Council is the coordinating road authority.
r 23(2)	Power to make submissions to the Tribunal	GMCOI & EMPA.	Where Council is the coordinating road authority.
r 23(4)	Power to charge a fee for an application under section 66(1) of the Road Management Act.	EMPA, APPM & HoAM.	Where Council is the coordinating road authority.

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on a road.	EMPA, APPM & HoAM.	Where Council is the responsible road authority.
r 25(2)	Power to sell or dispose of things removed from a road or part of a road (after first complying with regulation 25(3)).	EMPA, APPM & HoAM.	Where Council is the responsible road authority.
r 25(5)	Power to recover in the Magistrates' Court, expenses from the person responsible.	GMCOI & EMPA.	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 15	Power to exempt a person from a requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works.	EMPA, APPM & HoAM.	Where Council is the coordinating road authority and where consent given under section 63(1) of the Act.
r 22(2)	Power to waive the whole or part of a fee in certain circumstances.	EMPA, APPM & HoAM.	Where Council is the coordinating road authority.

<u>RESIDENTIAL TENANCIES REGULATIONS 2021</u>			
<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>PROVISION</u>	<u>THING DELEGATED</u>	<u>DELEGATE</u>	<u>CONDITIONS & LIMITATIONS</u>
<u>sch 4 cl 3(a)(iii)</u>	<u>Power to approve any other toilet system</u>	<u>MSA & CoordHS.</u>	