

Instrument of Delegation to Members of Council Staff

Updated November 2017

Instrument of Delegation

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

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

‘DBS’ means Director Business and Strategy

‘DSEP’ means Director Services and Planning

‘DSUP’ means Director Sustainability and Place

‘EHC’ means Environmental Health Coordinator

‘EHO’ means Environmental Health Officer

‘EHT’ means Environmental Health Technician

‘MCS’ means Manager Community Safety

‘MENV’ means Manager Environment

‘MFIN’ means Manager Finance

‘MGOV’ means Manager Governance

‘MI’ means Manager Infrastructure

‘MIS’ means Manager Integrated Strategy

‘MPH’ means Manager Planning and Health

‘PIO’ means Planning Investigations Officer

‘RSTL’ means Revenue Services Team Leader

‘SPC’ means Statutory Planning Coordinator

‘SPCIP’ means Statutory Planning Coordinator (Investigations and Projects)

‘STPC’ means Strategic Planning Coordinator

‘SO’ means Subdivisions Officer

‘SP’ means Senior Statutory Planner

‘TP’ means Town Planner (Statutory Planner or Planning Support Officer)

3. declares that:

3.1 this Instrument of Delegation is authorised by resolution of Council passed on 28 November 2017; and

3.2 the delegation:

3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;

3.2.2 remains in force until varied or revoked;

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

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

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

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

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

3.3.2.1 policy; or

3.3.2.2 strategy

adopted by Council; or

3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or

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

THE COMMON SEAL of NILLUMBIK)
SHIRE COUNCIL was affixed hereto)
on the day of 2017)
on the authority of the Council)
and signed by :)

..... Councillor

..... Chief Executive Officer

SCHEDULE

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| DOMESTIC ANIMALS ACT 1994 | | | |
|----------------------------------|---|-----------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | COMMENTS |
| s.41A(1) | power to declare a dog to be a menacing dog | DSEP MCS | Council may delegate this power to an 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 | DSEP MPH EHC EHO EHT | |
| s.53M(4) | duty to advise applicant that application is not to be dealt with | DSEP MPH EHC EHO EHT | |
| s.53M(5) | duty to approve plans, issue permit or refuse permit | DSEP MPH EHC | refusal must be ratified by Council or it is of no effect |
| s.53M(6) | power to refuse to issue septic tank permit | DSEP MPH EHC | 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) | DSEP MPH EHC | 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 | DSEP MPH EHC EHO | If section 19(1) applies |
| s. 19(2)(b) | power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable | DSEP MPH EHC EHO | If section 19(1) applies |
| s. 19(3) | power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process | DSEP MPH EHC | If section 19(1) applies Only in relation to temporary food premises or mobile food premises. Must be ratified by Council or CEO |
| 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 | DSEP MPH EHC | If section 19(1) applies |
| s. 19(6)(a) | duty to revoke any order under s.19 if satisfied that an order has been complied with | DSEP MPH EHC EHO | If section 19(1) applies |
| s.19(6)(b) | duty to give written notice of revocation under s.19(6)(a) if satisfied that an order has been complied with | DSEP MPH EHC EHO | If section 19(1) applies |
| s.19AA(2) | power to direct, by written order, that a person must take any of the actions described in (a)-(c). | DSEP MPH EHC | where council is the registration authority |

| FOOD ACT 1984 | | | |
|----------------------|--|--------------------------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.19AA(4)(c) | power to direct, in an order made under s.19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises | DSEP MPH EHC | Note: the power to direct the matters under s.19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution |
| s.19AA(7) | duty to revoke order issued under s.19AA and give written notice of revocation, if satisfied that that order has been complied with | DSEP MPH EHC EHO | where council is the registration authority |
| s.19CB(4)(b) | power to request copy of records | DSEP MPH EHC EHO EHT | where council is the registration authority |
| s.19E(1)(d) | power to request a copy of the food safety program | DSEP MPH EHC EHO EHT | 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 | DSEP MPH EHC EHO EHT | 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 | DSEP MPH EHC EHO | where council is the registration authority |
| s.19NA(1) | power to request food safety audit reports | DSEP MPH EHC EHO EHT | 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 | DSEP MPH EHC | |

| FOOD ACT 1984 | | | |
|----------------------|--|------------------|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.19UA | power to charge fees for conducting a food safety assessment or inspection | DSEP MPH EHC | except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39. |
| s.19W | power to direct a proprietor of a food premises to comply with any requirement under Part IIIB | DSEP MPH EHC EHO | where council is the registration authority |
| s.19W(3)(a) | power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction | DSEP MPH EHC | where council is the registration authority |
| s.19W(3)(b) | power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises | DSEP MPH EHC EHO | where council is the registration authority |
| --- | power to register, renew or transfer registration | DSEP MPH EHC | where council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see section 58A(2)) |
| s.38AA(5) | power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt | DSEP MPH EHC 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.38AB(4) | power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1) | DSEP MPH EHC | where council is the registration authority |
| s.38A(4) | power to request a copy of a completed food safety program template | DSEP MPH EHC EHO EHT | 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 | DSEP MPH EHC EHO EHT | where council is the registration authority |
| s.38B(1)(b) | duty to ensure proprietor has complied with requirements of section 38A | DSEP MPH EHC EHO EHT | where council is the registration authority |
| s.38B(2) | duty to be satisfied of the matters in section 38B(2)(a)-(b) | DSEP MPH EHC EHO EHT | where council is the registration authority |
| s.38D(1) | duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39 | DSEP MPH EHC EHO EHT | where council is the registration authority |
| s.38D(2) | duty to be satisfied of the matters in section 38D(2)(a)-(d) | DSEP MPH EHC EHO | where council is the registration authority |
| s.38D(3) | power to request copies of any audit reports | DSEP MPH EHC EHO EHT | where council is the registration authority |

| FOOD ACT 1984 | | | |
|----------------------|---|------------------|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.38E(2) | power to register the food premises on a conditional basis | DSEP MPH EHC | where council is the registration authority; not exceeding the prescribed time limit defined under subsection (5). |
| s.38E(4) | duty to register the food premises when conditions are satisfied | DSEP MPH EHC | where council is the registration authority |
| s.38F(3)(b) | power to require proprietor to comply with requirements of this Act | DSEP MPH EHC EHO | where council is the registration authority |
| s.39A | power to register food premises despite minor defects | DSEP MPH EHC | where council is the registration authority only if satisfied of matters in subsections (2)(a)-(c) |
| s.40(2) | power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008. | DSEP MPH EHC | |
| s.40C(2) | power to grant or renew the registration of food premises for a period of less than 1 year | DSEP MPH EHC | where council is the registration authority |
| s.40D(1) | power to suspend or revoke the registration of food premises | DSEP MPH EHC | where council is the registration authority |

| FOOD ACT 1984 | | | |
|----------------------|---|-----------------|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.43F(6) | duty to be satisfied requirements are met before registering, transferring or renewing registration of component of a food business | DSEP MPH EHC | where council is the registration authority |
| s.43F(7) | power to register those components of a food business that meet requirements and refuse registration of those that do not | DSEP MPH EHC | 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 | DSEP MPH EHC | where council is the registration authority |

| HERITAGE ACT 1995 | | | |
|-------------------|--|----------|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.84(2) | power to sub-delegate Executive Director's functions | DSEP MPH | must obtain Executive Director's written consent first. |

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
|--|---|-----------------|-------------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.4B | power to prepare an amendment to the Victorian Planning Provisions | DBS MIS STPC | if authorised by the Minister |
| s.4G | function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister | DBS MIS STPC | |
| s.4H | duty to make amendment to Victorian Planning Provisions available | DBS MIS STPC | |
| s.4I | duty to keep Victorian Planning Provisions and other documents available | BDS MIS STPC | |
| s.8A(2) | power to prepare amendment to the planning scheme where the Minister has given consent under s.8A | DBS MIS STPC | |
| s.8A(3) | power to apply to Minister to prepare an amendment to the planning scheme | DBS MIS STPC | |
| s.8A(5) | function of receiving notice of the Minister's decision | DBS MIS STPC | |
| 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 | DBS MIS STPC | |
| s.8B(2) | power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district | DBS MIS STPC | |

| 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 s 19 of the Planning and Environment (Planning Schemes) Act 1996) | DBS MIS STPC | |
| 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 | DBS MIS STPC | |
| s.12B(1) | duty to review planning scheme | DBS MIS STPC | |
| s.12B(2) | Duty to review planning scheme at direction of Minister | DBS MIS STPC | |
| s.12B(5) | duty to report findings of review of planning scheme to Minister without delay | DBS MIS STPC | |
| s.14 | duties of a Responsible Authority as set out in subsections (a) to (d) | DBS MIS STPC | |
| s.17(1) | duty of giving copy amendment to the planning scheme | DBS MIS STPC | |
| s.17(2) | duty of giving copy s.173 agreement | DBS MIS STPC | |
| s.17(3) | duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days | DBS MIS STPC | |

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
|--|---|-----------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.18 | duty to make amendment etc. available | DBS MIS STPC | |
| s.19 | power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme | DBS MIS STPC | |
| s.19 | function of receiving notice of preparation of an amendment to a planning scheme | DBS MIS STPC | where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority. |
| s.20(1) | power to apply to Minister for exemption from the requirements of s 19 | DBS MIS STPC | |
| s.21(2) | duty to make submissions available | DBS MIS STPC | |
| s.21A(4) | duty to publish notice in accordance with section | DBS MIS STPC | |
| s.22 | duty to consider all submissions | DBS MIS STPC | |
| s.23(1)(b) | duty to refer submissions which request a change to the amendment to a panel | DBS MIS STPC | |

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
|--|--|-----------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.23(2) | power to refer to a panel submissions which do not require a change to the amendment | DBS MIS STPC | |
| s.24 | function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D) | DBS MIS STPC | |
| s.26(1) | power to make report available for inspection | DBS MIS STPC | |
| s.26(2) | duty to keep report of panel available for inspection | DBS MIS STPC | |
| s.27(2) | power to apply for exemption if panel's report not received | DBS MIS STPC | |
| s.28 | duty to notify the Minister if abandoning an amendment | DBS MIS STPC | Note: the power to make a decision to abandon an amendment cannot be delegated |
| s.30(4)(a) | duty to say if amendment has lapsed | DBS MIS STPC | |
| s.30(4)(b) | duty to provide information in writing upon request | DBS MIS STPC | |
| s.32(2) | duty to give more notice if required | DBS MIS STPC | |
| s.33(1) | duty to give more notice of changes to an amendment | DBS MIS STPC | |
| s.36(2) | duty to give notice of approval of amendment | DBS MIS STPC | |

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
|--|---|----------------------------------|--------------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.38(5) | duty to give notice of revocation of an amendment | DBS MIS STPC | |
| s.39 | function of being a party to a proceeding commenced under s.39 and duty to comply with determination by VCAT | DBS MIS STPC | |
| s.40(1) | function of lodging copy of approved amendment | DBS MIS STPC | |
| s.41 | duty to make approved amendment available | DBS MIS STPC | |
| s.42 | duty to make copy of planning scheme available | DBS DSEP MIS MPH SPC STPC | |
| s.46AS(ac) | power to request the Victoria Planning Authority to provide advice on any matter relating to land in Victoria or an objective of planning in Victoria | DBS DSEP MIS MPH STPC | |
| s.46GF | duty to comply with directions issued by the Minister | DBS DSEP MIS MPH STPC | |
| s.46GG | duty to include a condition in a permit relating to matters set out in s.46GG(1)(c) and (d) | DBS DSEP MIS MPH SPC SPCIP SO | |
| s.46GH(1) | power to require the payment of an amount of infrastructure levy to be secured to Council's satisfaction | DBS DSEP MIS MPH SPC SPCIP SO | where council is a collecting agency |

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

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
|--|--|----------------------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.46GI(5) | duty to take action described in s.46GI(5)(c) – (e) where s.46GI(5)(a) and (b) applies. | DSEP MPH MFIN | |
| s.46GL | power to recover any amount of infrastructure levy as a debt due to Council | DBS DSEP MIS MPH MFIN RSTL | where council is a collecting agency |
| s.46GM | duty to prepare report and give a report to the Minister | DBS DSEP MIS MPH MFIN STPC | where council is a collecting agency or development agency |
| s.46N(1) | duty to include condition in permit regarding payment of development infrastructure levy | DSEP MPH SPC SPCIP | |
| s.46N(2)(c) | function of determining time and manner for receipt of development contributions levy | DSEP MPH SPC SPCIP | |
| s.46N(2)(d) | power to enter into an agreement with the applicant regarding payment of development infrastructure levy | DSEP MPH SPC SPCIP | |
| s.46O(1)(a) & (2)(a) | power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit | DSEP MPH SPC SPCIP | |
| s.46O(1)(d) & (2)(d) | power to enter into agreement with the applicant regarding payment of community infrastructure levy | DSEP MPH SPC SPCIP | |
| s.46P(1) | power to require payment of amount of levy under s.46N or s.46O to be satisfactorily secured | DSEP MPH SPC SPCIP | |

| 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 | DSEP MPH SPC SPCIP | |
| s.46Q(1) | duty to keep proper accounts of levies paid | DSEP MPH SPC SPCIP | |
| 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 | DSEP MPH SPC SPCIP | |
| s.46Q(2) | duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc. | DSEP MPH SPC SPCIP | |
| s.46Q(3) | power to refund any amount of levy paid if it is satisfied the development is not to proceed | DSEP MPH | only applies when levy is paid to Council as a 'development agency' |
| s.46Q(4)(c) | duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the council or for the provision by the council of works, services or facilities in an area under s.46Q(4)(a) | DSEP MPH SPC SPCIP | <ul style="list-style-type: none"> must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister |
| s.46Q(4)(d) | duty to submit to the Minister an amendment to the approved development contributions plan | DBS DSEP MIS MPH STPC SPCIP | <ul style="list-style-type: none"> must be done in accordance with Part 3 |

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
|--|---|--------------------------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s46Q(4)(e) | duty to expend that amount on other works etc. | DBS DSEP MIS MPH STPC | <ul style="list-style-type: none"> 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 | DSEP MPH SPC SPCIP | |
| s.46QD | duty to prepare report and give a report to the Minister | DBS DSEP MPH MIS STPC | 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 | DBS MIS STPC | |
| s.46Y | duty to carry out works in conformity with the approved strategy plan | DSEP MPH SPC SPCIP | |
| s.47 | power to decide that an application for a planning permit does not comply with that Act | DSEP MPH SPC SPCIP | |
| s.49(1) | duty to keep a register of all applications for permits and determinations relating to permits | DSEP MPH SPC SPCIP | |
| s.49(2) | duty to make register available for inspection | DSEP MPH SPC SPCIP | |
| s.50(4) | duty to amend application | DSEP MPH SPC SPCIP SP TP SO | |

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
|--|---|--------------------------------|-------------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.50(5) | power to refuse to amend application | DSEP MPH SPC SPCIP SP TP SO | |
| s.50(6) | duty to make note of amendment to application in register | DSEP MPH SPC SPCIP SP TP SO | |
| s.50A(1) | power to make amendment to application | DSEP MPH SPC SPCIP SP TP SO | |
| s.50A(3) | power to require applicant to notify owner and make a declaration that notice has been given | DSEP MPH SPC SPCIP SP TP SO | |
| s.50A(4) | duty to note amendment to application in register | DSEP MPH SPC SPCIP SP TP SO | |
| s.51 | duty to make copy of application available for inspection | DSEP MPH SPC SPCIP SP TP SO | |
| s.52(1)(a) | duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person | DSEP MPH SPC SPCIP SP | |
| s.52(1)(b) | duty to give notice of the application to other municipal councils where appropriate | DSEP MPH SPC SPCIP SP | |
| s.52(1)(c) | duty to give notice of the application to all persons required by the planning scheme | DSEP MPH SPC SPCIP SP | |

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
|--|--|-----------------------------|-------------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.52(1)(ca) | duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant | DSEP MPH SPC SPCIP SP | |
| s.52(1)(cb) | duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant | DSEP MPH SPC SPCIP SP | |
| s.52(1)(d) | duty to give notice of the application to other persons who may be detrimentally effected | DSEP MPH SPC SPCIP SP | |
| s.52(1AA) | duty to give notice of an application to remove or vary a registered restrictive covenant | DSEP MPH SPC SPCIP SP | |
| s.52(3) | power to give any further notice of an application where appropriate | DSEP MPH SPC SPCIP SP | |
| s.53(1) | power to require the applicant to give notice under section 52(1) to persons specified by it | DSEP MPH SPC SPCIP SP | |
| s.53(1A) | power to require the applicant to give the notice under section 52(1AA) | DSEP MPH SPC SPCIP SP | |
| s.54(1) | power to require the applicant to provide more information | DSEP MPH SPC SPCIP SP TP SO | |

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.54(1A) | duty to give notice in writing of information required under s.54(1) | DSEP MPH SPC SPCIP SP TP SO | |
| s.54(1B) | duty to specify the lapse date for an application | DSEP MPH SPC SPCIP SP TP SO | |
| s.54A(3) | power to decide to extend time or refuse to extend time to give required information | DSEP MPH SPC SPCIP SP TP SO | |
| s.54A(4) | duty to give written notice of decision to extend or refuse to extend time und s.54A(3) | DSEP MPH SPC SPCIP SP TP SO | |
| s.55(1) | duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme | DSEP MPH SPC SPCIP SP TP SO | |
| s.57(2A) | power to reject objections considered made primarily for commercial advantage for the objector | DSEP MPH SPC SPCIP SP TP SO | |
| s.57(3) | function of receiving name and address of persons to whom notice of decision is to go | DSEP MPH SPC SPCIP SP TP SO | |
| s.57(5) | duty to make available for inspection copy of all objections | DSEP MPH SPC SPCIP SP TP SO | |
| s.57A(4) | duty to amend application in accordance with applicant's request, subject to s.57A(5) | DSEP MPH SPC SPCIP SP TP SO | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.57A(5) | power to refuse to amend application | DSEP MPH SPC SPCIP SP TP SO | |
| s.57A(6) | duty to note amendments to application in register | DSEP MPH SPC SPCIP SP TP SO | |
| s.57B(1) | duty to determine whether and to whom notice should be given | DSEP MPH SPC SPCIP SP TP SO | |
| s.57B(2) | duty to consider certain matters in determining whether notice should be given | DSEP MPH SPC SPCIP SP TP SO | |
| s.57C(1) | duty to give copy of amended application to referral authority | DSEP MPH SPC SPCIP SP TP SO | |
| s.58 | duty to consider every application for a permit | DSEP MPH SPC SPCIP SP TP SO | |
| s.58A | power to request advice from the Planning Application Committee | DSEP MPH SPC SPCIP SP TP SO | |
| s.60 | duty to consider certain matters | DSEP MPH SPC SPCIP SP TP SO | |
| s60(1A) | power to consider certain matters before deciding on application | DSEP MPH SPC SPCIP SP TP SO | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.60(1B) | duty to consider number of objectors in considering whether use or development may have significant social effect | DSEP MPH SPC SPCIP SP TP SO | |
| s.61(1) | power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application | DSEP MPH SPC SPCIP | the permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i> . In accordance with relevant Council Delegation protocol to Officers |
| s.61(2) | duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit | DSEP MPH SPC SPCIP | |
| s.61(2A) | power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit | DSEP MPH SPC SPCIP | |
| s.61(3)(a) | duty not to decide to grant a permit to use coastal Crown land without Minister's consent | DSEP MPH SPC SPCIP | |
| s.61(3)(b) | duty to refuse to grant the permit without the Minister's consent | DSEP MPH SPC SPCIP | |
| s.61(4) | duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant | DSEP MPH SPC SPCIP | |

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|--|--|--------------------|-------------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.62(1) | duty to include certain conditions in deciding to grant a permit | DSEP MPH SPC SPCIP | |
| s.62(2) | power to include other conditions | DSEP MPH SPC SPCIP | |
| s.62(4) | duty to ensure conditions are consistent with subsections (a), (b) and (c) | DSEP MPH SPC SPCIP | |
| s.62(5)(a) | power to include a permit condition to implement an approved development contributions plan | DSEP MPH SPC SPCIP | |
| s.62(5)(b) | power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement | DSEP MPH SPC SPCIP | |
| s.62(5)(c) | power to include a permit condition that specified works be provided or paid for by the applicant | DSEP MPH SPC SPCIP | |
| 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 s.62(5) or s.46N | DSEP MPH SPC SPCIP | |
| s.62(6)(b) | duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s.62(1)(a) | DSEP MPH SPC SPCIP | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.63 | duty to issue the permit where made a decision in favour of the application (if no one has objected) | DSEP MPH SPC SPCIP SP TP SO | |
| s.64(1) | duty to give notice of decision to grant a permit to applicant and objectors | DSEP MPH SPC SPCIP SP TP SO | this provision applies also to a decision to grant an amendment to a permit - see section 75 |
| s.64(3) | duty not to issue a permit until after the specified period | DSEP MPH SPC SPCIP SP TP SO | 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 | DSEP MPH SPC SPCIP SP TP SO | this provision applies also to a decision to grant an amendment to a permit – see section 75 |
| s.64A | duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit | DSEP MPH SPC SPCIP SP TP SO | this provision applies also to a decision to grant an amendment to a permit - see section 75A |
| s.65(1) | duty to give notice of refusal to grant permit to applicant and person who objected under section 57 | DSEP MPH SPC SPCIP SP TP SO | |
| s.66 | duty to give notice under s.64 or s.65 and copy permit to relevant determining referral authorities | DSEP MPH SPC SPCIP SP TP SO | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.66(2) | duty to give a recommending referral authority notice of its decision to grant a permit | DSEP MPH SPC SPCIP SP TP SO | if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority |
| s.66(4) | duty to give a recommending referral authority notice of its decision to refuse a permit | DSEP MPH SPC SPCIP SP TP SO | 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 | DSEP MPH SPC SPCIP SP TP SO | if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit |
| s.69(1) | function of receiving application for extension of time of permit | DSEP MPH SPC SPCIP SP TP SO | |
| s.69(1A) | function of receiving application for extension of time to complete development | DSEP MPH SPC SPCIP SP TP SO | |
| s.69(2) | power to extend time | DSEP MPH SPC SPCIP | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.70 | duty to make copy permit available for inspection | DSEP MPH SPC SPCIP SP TP SO | |
| s.71(1) | power to correct certain mistakes | DSEP MPH SPC SPCIP | |
| s.71(2) | duty to note corrections in register | DSEP MPH SPC SPCIP SP TP SO | |
| s.73 | power to decide to grant amendment subject to conditions | DSEP MPH SPC SPCIP | |
| s.74 | duty to issue amended permit to applicant if no objectors | DSEP MPH SPC SPCIP SP TP SO | |
| s.76 | duty to give applicant and objectors notice of decision to refuse to grant amendment to permit | DSEP MPH SPC SPCIP SP TP SO | |
| s.76A(1) | duty to give relevant determining referral authorities copy of amended permit and copy of notice | DSEP MPH SPC SPCIP SP TP SO | |
| s.76A(2) | duty to give a recommending referral authority notice of its decision to grant an amendment to a permit | DSEP MPH SPC SPCIP SP TP SO | 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 |

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| 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 | DSEP MPH SPC SPCIP SP TP SO | if the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit |
| s.76A(6) | duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under section 64 or 76 | DSEP MPH SPC SPCIP SP TP SO | if the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit |
| s.76D | duty to comply with direction of Minister to issue amended permit | DSEP MPH SPC SPCIP SP TP SO | |
| s.83 | function of being respondent to an appeal | DSEP MPH SPC SPCIP SP TP SO | DSEP or MPH may appoint a consultant or legal representative to represent Council at a proceeding |
| s.83B | duty to give or publish notice of application for review | DSEP MPH SPC SPCIP SP TP SO | |
| s.84(1) | power to decide on an application at any time after an appeal is lodged against failure to grant a permit | DSEP MPH SPC SPCIP | Must only be exercised in a manner consistent with the delegations applicable to section 61 decisions |

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| 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 | DSEP MPH SPC SPCIP SP TP SO | |
| s.84(3) | duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit | DSEP MPH SPC SPCIP SP TP SO | |
| s.84(6) | duty to issue permit on receipt of advice within 3 working days | DSEP MPH SPC SPCIP SP TP SO | |
| s.86 | duty to issue a permit at order of Tribunal within 3 working days | DSEP MPH SPC SPCIP SP TP SO | |
| s.87(3) | power to apply to VCAT for the cancellation or amendment of a permit | DSEP MPH SPC SPCIP | |
| s.90(1) | function of being heard at hearing of request for cancellation or amendment of a permit | DSEP MPH SPC SPCIP SP TP SO | DSEP or MPH may appoint a consultant or legal representative to represent Council at a proceeding |
| s.91(2) | duty to comply with the directions of VCAT | DSEP MPH SPC SPCIP SP TP SO | |
| s.91(2A) | Duty to issue amended permit to owner if Tribunal so directs | DSEP MPH SPC SPCIP SP TP SO | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.92 | duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s.90 | DSEP MPH SPC SPCIP SP TP SO | |
| s.93(2) | duty to give notice of VCAT order to stop development | DSEP MPH SPC SPCIP SP TP SO | |
| s.95(3) | function of referring certain applications to the Minister | DSEP MPH SPC SPCIP | |
| s.95(4) | duty to comply with an order or direction | DSEP MPH SPC SPCIP SP TP SO | |
| s.96(1) | duty to obtain a permit from the Minister to use and develop its land | DSEP MPH SPC SPCIP | |
| s.96(2) | function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land | DSEP MPH SPC SPCIP | |
| s.96A(2) | power to agree to consider an application for permit concurrently with preparation of proposed amendment | DBS DSEP MPH MIS SPC SPCIP STPC | |
| s.96C | power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C | DBS DSEP MPH MIS SPC SPCIP STPC | |
| s.96F | duty to consider the panel's report under section 96E | DBS DSEP MPH MIS SPC SPCIP STPC | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.96G(1) | power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the Planning and Environment (Planning Schemes) Act 1996) | DSEP MPH SPC SPCIP | |
| s.96H(3) | power to give notice in compliance with Minister's direction | DSEP MPH SPC SPCIP | |
| s.96J | power to issue permit as directed by the Minister | DSEP MPH SPC SPCIP | |
| s.96K | duty to comply with direction of the Minister to give notice of refusal | DSEP MPH SPC SPCIP | |
| 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 | DSEP MPH SPC SPCIP | |
| s.97C | power to request Minister to decide the application | DSEP MPH SPC SPCIP | |
| s.97D(1) | duty to comply with directions of Minister to supply any document or assistance relating to application | DSEP MPH SPC SPCIP | |
| s.97G(3) | function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister | DSEP MPH SPC SPCIP | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.97G(6) | duty to make a copy of permits issued under s.97F available for inspection | DSEP MPH SPC SPCIP | |
| s.97L | duty to include Ministerial decisions in a register kept under s.49 | DSEP MPH SPC SPCIP | |
| s.97MH | duty to provide information or assistance to the Planning Application Committee | DSEP MPH SPC SPCIP | |
| s.97MI | duty to contribute to the costs of the Planning Application Committee or subcommittee | DSEP MPH SPC SPCIP | |
| s.97O | duty to consider application and issue or refuse to issue certificate of compliance | DSEP MPH SPC SPCIP | |
| s.97P(3) | duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate | DSEP MPH SPC SPCIP SP TP SO | |
| s.97Q(2) | function of being heard by VCAT at hearing of request for amendment or cancellation of certificate | DSEP MPH SPC SPCIP SP TP SO | DSEP or MPH may appoint a consultant or legal representative to represent Council at a proceeding |
| s.97Q(4) | duty to comply with directions of VCAT | DSEP MPH SPC SPCIP SP TP SO | |
| s.97R | duty to keep register of all applications for certificate of compliance and related decisions | DSEP MPH SPC SPCIP | |

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| 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 | DBS DSEP MPH MIS SPC SPCIP | |
| s.98(4) | duty to inform any person of the name of the person from whom compensation can be claimed | DBS DSEP MPH MIS | |
| s.101 | function of receiving claim for expenses in conjunction with claim | DBS DSEP MPH MIS | |
| s.103 | power to reject a claim for compensation in certain circumstances | DBS DSEP MPH MIS | |
| s.107(1) | function of receiving claim for compensation | DBS DSEP MPH MIS | |
| s.107(3) | power to agree to extend time for making claim | DBS DSEP MPH MIS | |
| s.114(1) | power to apply to the VCAT for an enforcement order | DSEP MPH SPCIP | |
| s.117(1)(a) | function of making a submission to the VCAT where objections are received | DSEP MPH SPCIP PIO | DSEP or MPH may appoint a consultant or legal representative to represent Council at a proceeding |
| s.120(1) | power to apply for an interim enforcement order where s.114 application has been made | DSEP MPH SPCIP | |
| s.123(1) | power to carry out work required by enforcement order and recover costs | DSEP MPH | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.123(2) | power to sell buildings, materials, etc salvaged in carrying out work under s.123(1) | DSEP MPH | Except Crown Land |
| s.129 | function of recovering penalties | DSEP MPH | |
| s.130(5) | power to allow person served with an infringement notice further time | DSEP MPH SPC SPCIP | |
| s.149A(1) | power to refer a matter to the VCAT for determination | DSEP MPH SPC SPCIP | |
| s.149A(1A) | power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement | DSEP MPH SPC SPCIP | |
| s.156 | duty to pay fees and allowances (including a payment to the Crown under subsection (2A) and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under subsection (2B)), power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4) | DSEP MPH | Where council is the relevant planning authority |
| s.171(2)(f) | power to carry out studies and commission reports | DBS DSEP MPH MIS STPC | |
| s.171(2)(g) | power to grant and reserve easements | DSEP MPH | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.173 | power to enter into agreement covering matters set out in s.174 | DBS DSEP MPH MIS STPC | |
| --- | 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</i> 1987 requires something to be to the satisfaction of Council or Responsible Authority | DBS DSEP MPH MIS STPC SPC SPCIP | |
| --- | power to give consent on behalf of Council, where an agreement made under section 173 of the <i>Planning and Environment Act</i> 1987 requires that something may not be done without the consent of Council or Responsible Authority | DBS DSEP MPH MIS STPC SPC SPCIP | |
| 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 | DBS DSEP MPH MIS STPC | |
| s.178 | power to amend a s.173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9 | DBS DSEP MPH MIS STPC | |
| s.178A(1) | function of receiving application to amend or end an agreement | DBS DSEP MPH MIS SPC SPCIP SP TP SO | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.178A(3) | function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1) | DBS DSEP MPH MIS SPC SPCIP SP | |
| s.178A(4) | function of notifying the applicant and the owner as to whether it agrees in principle to the proposal | DBS DSEP MPH MIS SPC SPCIP SP | |
| s.178A(5) | power to propose to amend or end an agreement | DBS DSEP MPH MIS SPC SPCIP | |
| s.178B(1) | duty to consider certain matters when considering proposal to amend an agreement | DBS DSEP MPH MIS SPC SPCIP SP TP SO | |
| s.178B(2) | duty to consider certain matters when considering proposal to end an agreement | DBS DSEP MPH MIS SPC SPCIP SP TP SO | |
| 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 | DBS DSEP MPH MIS SPC SPCIP SP | |
| s.178C(4) | function of determining how to give notice under s.178C(2) | DBS DSEP MPH MIS SPC SPCIP SP | |
| s.178E(1) | duty not to make decision until after 14 days after notice has been given | DBS DSEP MPH MIS SPC SPCIP | |
| s.178E(2)(a) | power to amend or end the agreement in accordance with the proposal | DBS DSEP MPH MIS | If no objections are made under s.178D Must consider matters in s.178B |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.178E(2)(b) | power to amend or end the agreement in a manner that is not substantively different from the proposal | DBS DSEP MPH MIS | If no objections are made under s.178D Must consider matters in s.178B |
| s.178E(2)(c) | power to refuse to amend or end the agreement | DBS DSEP MPH MIS | If no objections are made under s.178D Must consider matters in s.178B |
| s.178E(3)(a) | power to amend or end the agreement in accordance with the proposal | DBS DSEP MPH MIS | After considering objections, submissions and matters in s.178B |
| s.178E(3)(b) | power to amend or end the agreement in a manner that is not substantively different from the proposal | DBS DSEP MPH MIS | After considering objections, submissions and matters in s.178B |
| s.178E(3)(c) | power to amend or end the agreement in a manner that is substantively different from the proposal | DBS DSEP MPH MIS | After considering objections, submissions and matters in s.178B |
| s.178E(3)(d) | power to refuse to amend or end the agreement | DBS DSEP MPH MIS | After considering objections, submissions and matters in s.178B |
| s.178F(1) | duty to give notice of its decision under s.178E(3)(a) or (b) | DBS DSEP MPH MIS SPC SPCIP SP TP SO | |
| s.178F(2) | duty to give notice of its decision under s.178E(2)(c) or (3)(d) | DBS DSEP MPH MIS SPC SPCIP SP TP SO | |
| s.178F(4) | duty not to proceed to amend or end an agreement under s.178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn | DBS DSEP MPH MIS SPC SPCIP SP TP SO | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.178G | duty to sign amended agreement and give copy to each other party to the agreement | DBS DSEP MPH MIS SPC SPCIP | |
| 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 | DBS DSEP MPH MIS SPC SPCIP | |
| s.178I(3) | duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land | DBS DSEP MPH MIS SPC SPCIP | |
| s.179(2) | duty to make available for inspection copy agreement | DBS DSEP MPH MIS STPC | |
| s.181 | duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General | DSEP MPH | |
| s.181(1A)(a) | power to apply to the Registrar of Titles to record the agreement | DSEP MPH | |
| s.181(1A)(b) | duty to apply to the Registrar of Titles, without delay, to record the agreement | DSEP MPH | |
| s.182 | power to enforce an agreement | DSEP MPH SPC SPCIP | |
| s.183 | duty to tell Registrar of Titles of ending/amendment of agreement | DSEP MPH SPC SPCIP | |

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
|--|---|--------------------|-------------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| 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 | DSEP MPH SPC SPCIP | |
| 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 | DSEP MPH SPC SPCIP | |
| 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 | DSEP MPH SPC SPCIP | |
| 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 | DSEP MPH SPC SPCIP | |
| s.184G(2) | duty to comply with a direction of the Tribunal | DSEP MPH SPC SPCIP | |
| s.184G(3) | duty to give notice as directed by the Tribunal | DSEP MPH SPC SPCIP | |
| s.198(1) | function to receive application for planning certificate | DSEP MPH SPC SPCIP | |
| s.199(1) | duty to give planning certificate to applicant | DSEP MPH SPC SPCIP | |
| s.201(1) | function of receiving application for declaration of underlying zoning | DSEP MPH SPC SPCIP | |

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
|--|---|------------------------------------|-------------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.201(3) | duty to make declaration | DSEP MPH SPC SPCIP | |
| - | 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. | DBS DSEP MPH MIS SPC SPCIP STPC | |
| - | 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 | DBS DSEP MPH MIS SPC SPCIP STPC | |
| - | 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. | DBS DSEP MPH MIS SPC SPCIP STPC | |
| - | power to give a written authorisation in accordance with a provision of a planning scheme. | DBS DSEP MIS STPC | |
| s.201UAB(1) | function of providing the Victoria Planning Authority with information relating to any land within municipal district | DBS DSEP MPH MIS SPC SPCIP STPC | |
| s.201UAB(2) | duty to provide the Victoria Planning Authority with information requested under subsection (1) as soon as possible | DBS DSEP MPH MIS SPC SPCIP STPC | |
| s.224(8) | duty to provide information requested by Victoria Planning Authority under s.201UAB(1) not yet provided to Growth Areas Authority to Victorian Planning Authority | DBS DSEP MPH MIS SPC SPCIP STPC | |

| PLANNING AND ENVIRONMENT REGULATIONS 2015 | | | |
|--|---|--------------------------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | COMMENTS |
| 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 | DBS MIS STPC | 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. |
| r21 | 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 | DSEP MPH SPC SPCIP SP TP SO | |
| r.25(a) | duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge | DSEP MPH SPC SPCIP | 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 | DSEP MPH SPC SPCIP | where Council is not the responsible authority but the relevant land is within Council's municipal district |

| PLANNING AND ENVIRONMENT REGULATIONS 2015 | | | |
|---|---|--------------------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | COMMENTS |
| 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 | DBS DSEP MPH MIS STPC | where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority. |

| PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016 | | | |
|--|--|---------------------------------|----------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS AND LIMITATIONS |
| r.9 | power to waive or rebate a fee relating to an amendment of a planning scheme | DBS MIS STPC | |
| r.20 | power to waive or rebate a fee that does not relate to an amendment to a planning scheme | DBS DSEP MPH MIS SPC SPCIP | |
| 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 | DBS DSEP MPH MIS STPC SPC SPCIP | |

| RAIL SAFETY (LOCAL OPERATIONS) ACT 2006 | | | |
|--|--|-----------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.33 | duty to comply with a direction of the Safety Director under this section | DSUP | where council is a utility under section 3 |
| s.33A | duty to comply with a direction of the Safety Director to give effect to arrangements under this section | DSUP | duty of council as a road authority under the Road Management Act 2004 |
| s.34 | duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under section 33(1) | DSUP | where council is a utility under section 3 |
| s.34C(2) | function of entering into safety interface agreements with rail infrastructure manager | DSUP MI | where council is the relevant road authority |
| s.34D(1) | function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed | DSUP MI | where council is the relevant road authority |
| s.34D(2) | function of receiving written notice of opinion | DSUP MI | where council is the relevant road authority |
| s.34D(4) | function of entering into safety interface agreement with infrastructure manager | DSUP MI | where council is the relevant road authority |
| s.34E(1)(a) | duty to identify and assess risks to safety | DSUP MI | where council is the relevant road authority |

| RAIL SAFETY (LOCAL OPERATIONS) ACT 2006 | | | |
|--|--|-----------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.34E(1)(b) | duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c) | DSUP MI | where council is the relevant road authority |
| s.34E(3) | duty to seek to enter into a safety interface agreement with rail infrastructure manager | DSUP MI | where council is the relevant road authority |
| s.34F(1)(a) | duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a) | DSUP MI | where council is the relevant road authority |
| s.34F(1)(b) | duty to determine measures to manage any risks identified and assessed, if written notice has been received under section 34D(2)(a) | DSUP MI | where council is the relevant road authority |
| s.34F(2) | duty to seek to enter into a safety interface agreement with rail infrastructure manager | DSUP MI | where council is the relevant road authority |
| s.34H | power to identify and assess risks to safety as required under sections 34B, 34C, 34D, 34E or 34F in accordance with subsections (a)-(c) | DSUP MI | where council is the relevant road authority |
| s.34I | function of entering into safety interface agreements | DSUP MI | where council is the relevant road authority |
| s.34J(2) | function of receiving notice from Safety Director | DSUP MI | where council is the relevant road authority |

| RAIL SAFETY (LOCAL OPERATIONS) ACT 2006 | | | |
|--|---|-----------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.34J(7) | duty to comply with a direction of the Safety Director given under section 34J(5) | DSUP MI | where council is the relevant road authority |
| s.34K(2) | duty to maintain a register of items set out in subsections (a)-(b) | DSUP MI | where council is the relevant road authority |

| ROAD MANAGEMENT ACT 2004 | | | |
|---------------------------------|---|-----------------|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s11(1) | power to declare a road by publishing a notice in the Government Gazette | DSUP MI | obtain consent in circumstances specified in section 11(2) |
| s11(8) | power to name a road or change the name of a road by publishing notice in Government Gazette | DSUP MGC SO | |
| s11(9)(b) | duty to advise Registrar | DSUP MGC SO | |
| s11(10) | duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc. | DSUP MGOV | clause subject to section 11(10A) |
| s11(10A) | duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person | DSUP MI | where council is the coordinating road authority |
| s12(2) | power to discontinue road or part of a road | DSUP | where council is the coordinating road authority |
| s12(4) | power to publish and provide a copy, notice of proposed discontinuance | DSUP MI | <ul style="list-style-type: none"> • Power of coordinating road authority where it is the discontinuing body • unless subsection (11) applies |
| s12(5) | duty to consider written submissions received within 28 days of notice | DSUP MI | <ul style="list-style-type: none"> • duty of coordinating road authority where it is the discontinuing body • unless subsection (11) applies |

| ROAD MANAGEMENT ACT 2004 | | | |
|--------------------------|--|----------|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s12(6) | function of hearing a person in support of their written submission | DSUP MI | <ul style="list-style-type: none"> function of coordinating road authority where it is the discontinuing body unless subsection (11) applies |
| s12(7) | duty to fix day, time and place of meeting under subsection (6) and to give notice | DSUP MI | <ul style="list-style-type: none"> duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies |
| s12(10) | duty to notify of decision made | DSUP MI | <ul style="list-style-type: none"> 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. |
| s13(1) | power to fix a boundary of a road by publishing notice in Government Gazette | DSUP MI | power of coordinating road authority and obtain consent under s13(3) and s13(4) as appropriate |
| s.14(4) | function of receiving notice from VicRoads | DSUP | |
| s14(7) | power to appeal against decision of VicRoads | DSUP | |

| ROAD MANAGEMENT ACT 2004 | | | |
|---------------------------------|---|-----------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s15(1) | power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority or to the utility or provider of public transport | DSUP MI | |
| s15(1A) | power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority | DSUP MI | |
| s15(2) | duty to include details of arrangement in public roads register | DSUP MI | |
| s16(7) | power to enter into an arrangement under s15 | DSUP MI | |
| s16(8) | duty to enter details of determination in public roads register | DSUP MI | |
| s17(2) | duty to register public road in public roads register | DSUP MI | where council is the coordinating road authority |
| s17(3) | power to decide that a road is reasonably required for general public use | DSUP MI | where council is the coordinating road authority |
| s17(3) | duty to register a road reasonably required for general public use in public roads register | DSUP MI | 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 |
| s17(4) | power to decide that a road is no longer reasonably required for general public use | DSUP MI | where council is the coordinating road authority |
| s17(4) | duty to remove road no longer reasonably required for general public use from public roads register | DSUP MI | where council is the coordinating road authority |
| s18(1) | power to designate ancillary area | DSUP MI | where council is the coordinating road authority, and obtain consent in circumstances specified in s18(2) |
| s18(3) | duty to record designation in public roads register | DSUP MI | where council is the coordinating road authority |
| s19(1) | duty to keep register of public roads in respect of which it is the coordinating road authority | DSUP MI | |
| s19(4) | duty to specify details of discontinuance in public roads register | DSUP MI | |
| s19(5) | duty to ensure public roads register is available for public inspection | DSUP MI | |
| s.21 | function of replying to request for information or advice | DSUP MI | obtain consent in circumstances specified in s11(2) |
| s.22(2) | function of commenting on proposed direction | DSUP MI | |

| ROAD MANAGEMENT ACT 2004 | | | |
|---------------------------------|--|-----------------|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.22(4) | duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report. | DSUP | |
| s.22(5) | duty to give effect to a direction under this section. | DSUP | |
| s.40(1) | duty to inspect, maintain and repair a public road | DSUP MI | |
| s.40(5) | power to inspect, maintain and repair a road which is not a public road | DSUP MI | |
| s.41(1) | power to determine the standard of construction, inspection, maintenance and repair | DSUP MI | |
| s42(1) | power to declare a public road as a controlled access road | DSUP MI | power of coordinating road authority and Schedule 2 also applies |
| s42(2) | power to amend or revoke declaration by notice published in Government Gazette | DSUP MI | power of coordinating road authority and Schedule 2 also applies |
| s42A(3) | duty to consult with VicRoads before road is specified | DSUP MI | <ul style="list-style-type: none"> • where council is the coordinating road authority • if road is a municipal road or part thereof |

| ROAD MANAGEMENT ACT 2004 | | | |
|---------------------------------|--|-----------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s42A(4) | power to approve Minister's decision to specify a road as a specified freight road | DSUP MI | <ul style="list-style-type: none"> • 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 |
| s48EA | 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) | DSUP MI | where council is the responsible road authority, infrastructure manager or works manager |
| s.48M(3) | function of consulting with the relevant authority for purposes of developing guidelines under section 48M | DSUP MI | |
| s.49 | power to develop and publish a road management plan | DSUP MI | |
| s.51 | power to determine standards by incorporating the standards in a road management plan | DSUP MI | |
| s.53(2) | power to cause notice to be published in Government Gazette of amendment etc of document in road management plan | DSUP MI | |
| s.54(2) | duty to give notice of proposal to make a road management plan | DSUP MI | |
| s.54(5) | duty to conduct a review of road management plan at prescribed intervals | DSUP MI | |

| ROAD MANAGEMENT ACT 2004 | | | |
|---------------------------------|--|-----------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.54(6) | power to amend road management plan | DSUP MI | |
| s.54(7) | duty to incorporate the amendments into the road management plan | DSUP MI | |
| s.55(1) | duty to cause notice of road management plan to be published in Government Gazette and newspaper | DSUP MI | |
| s.63(1) | power to consent to conduct of works on road | DSUP MI | 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 | DSUP MI | where council is the infrastructure manager |
| s.64(1) | duty to comply with clause 13 of Schedule 7 | DSUP MI | where council is the infrastructure manager or works manager |
| s.66(1) | power to consent to structure etc | DSUP MI | 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 | DSUP MI | where council is the coordinating road authority |
| s.67(3) | power to request information | DSUP MI | where council is the coordinating road authority |
| s.68(2) | power to request information | DSUP MI | 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 |
| s71(3) | power to appoint an authorised officer | DSUP | |
| s.72 | duty to issue an identity card to each authorised officer | DSUP MI | |
| s.85 | function of receiving report from authorised officer | DSUP MI | |
| s.86 | duty to keep register re section 85 matters | DSUP MI | |
| s.87(1) | function of receiving complaints | DSUP MI | |
| s87(2) | duty to investigate complaint and provide report | DSUP MI | |
| s.112(2) | power to recover damages in court | DSUP MI | |
| s116 | power to cause or carry out inspection | DSUP MI | |
| s.119(2) | function of consulting with VicRoads | DSUP MI | |
| s.120(1) | power to exercise road management functions on an arterial road (with the consent of VicRoads) | DSUP MI | |
| s120(2) | duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1) | DSUP MI | |
| s121(1) | power to enter into an agreement in respect of works | DSUP MI | |
| s.122(1) | power to charge and recover fees | DSUP MI | |

| ROAD MANAGEMENT ACT 2004 | | | |
|---------------------------------|--|-----------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.123(1) | power to charge for any service | DSUP MI | |
| Schedule 2 Clause 2(1) | power to make a decision in respect of controlled access roads | DSUP MI | |
| Schedule 2 Clause 3(1) | duty to make policy about controlled access roads | DSUP MI | |
| Schedule 2 Clause 3(2) | power to amend, revoke or substitute policy about controlled access roads | DSUP MI | |
| Schedule 2 Clause 4 | function of receiving details of proposal from VicRoads | DSUP MI | |
| Schedule 2 Clause 5 | duty to publish notice of declaration | DSUP MI | |
| Schedule 7, Clause 7(1) | duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve | DSUP MI | where council is the infrastructure manager or works manager |
| Schedule 7, Clause 8(1) | duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road | DSUP MI | 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 |
| Schedule 7, Clause 9(1) | duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works | DSUP MI | where council is the infrastructure manager or works manager responsible for non-road infrastructure |
| Schedule 7, Clause 9(2) | duty to give information to another infrastructure manager or works manager where infrastructure manager or works manager 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 | DSUP MI | where council is the infrastructure manager or works manager |
| Schedule 7, Clause 10(2) | where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected | DSUP MI | where council is the infrastructure manager or works manager |
| Schedule 7 Clause 12(2) | power to direct infrastructure manager or works manager to conduct reinstatement works | DSUP MI | where council is the coordinating road authority |
| Schedule 7 Clause 12(3) | power to take measures to ensure reinstatement works are completed | DSUP MI | where council is the coordinating road authority |
| Schedule 7 Clause 12(4) | duty to ensure that works are conducted by an appropriately qualified person | DSUP MI | 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 |
| Schedule 7 Clause 12(5) | power to recover costs | DSUP MI | where council is the coordinating road authority |
| Schedule 7, Clause 13(1) | duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2) | DSUP MI | where council is the works manager |
| Schedule 7 Clause 13(2) | power to vary notice period | DSUP MI | where council is the coordinating road authority |
| Schedule 7, Clause 13(3) | duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1) | DSUP MI | where council is the infrastructure manager |
| Schedule 7 Clause 16 (1) | power to consent to proposed works | DSUP MI | where council is the coordinating road authority |
| Schedule 7 Clause 16(4) | duty to consult | DSUP MI | where council is the coordinating road authority, responsible authority or infrastructure manager |
| Schedule 7 Clause 16(5) | power to consent to proposed works | DSUP MI | where council is the coordinating road authority |
| Schedule 7 Clause 16(6) | power to set reasonable conditions on consent | DSUP MI | 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 |
| Schedule 7 Clause 16(8) | power to include consents and conditions | DSUP MI | where council is the coordinating road authority |
| Schedule 7 Clause 17(2) | power to refuse to give consent and duty to give reasons for refusal | DSUP MI | where council is the coordinating road authority |
| Schedule 7 Clause 18(1) | power to enter into an agreement | DSUP MI | where council is the coordinating road authority |
| Schedule 7 Clause 19(1) | power to give notice requiring rectification of works | DSUP MI | where council is the coordinating road authority |
| Schedule 7 Clause 19(2) & (3) | power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred | DSUP MI | where council is the coordinating road authority |
| Schedule 7 Clause 20(1) | power to require removal, relocation, replacement or upgrade of existing non-road infrastructure | DSUP MI | where council is the coordinating road authority |
| Schedule 7A Clause 2 | power to cause street lights to be installed on roads | DSUP MI | power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road |
| Schedule 7A Clause 3(1)(d) | duty to pay installation and operation costs of street lighting - where road is not an arterial road | DSUP MI | where council is the responsible road authority for the road |

| ROAD MANAGEMENT ACT 2004 | | | |
|----------------------------------|--|----------|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| Schedule 7A Clause 3(1)(e) | duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas | DSUP MI | where council is the responsible road authority |
| Schedule 7A Clause (3)(1)(f), | duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with clauses 3(2) and 4 | DSUP MI | duty of council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs) |

| ROAD MANAGEMENT (GENERAL) REGULATIONS 2016 | | | |
|---|--|-----------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| r.8(1) | duty to conduct reviews of road management plan | DSUP MI | |
| r.9(2) | duty to produce written report of review of road management plan and make report available | DSUP MI | |
| r.9(3) | Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required) | DSUP MI | where council is the coordinating road authority |
| r.10 | duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act | DSUP MI | |
| r.13(1) | Duty to publish notice of amendments to road management plan | DSUP MI | where council is the coordinating road authority |
| r. 13(3) | duty to record on road management plan the substance and date of effect of amendment | DSUP MI | |
| r.16(3) | power to issue permit | DSUP MI | power of coordinating road authority |
| r.18(1) | power to give written consent re damage to road | DSUP MI | power of coordinating road authority |
| r.23(2) | power to make submission to Tribunal | DSUP MI | power of coordinating road authority |
| r.23(4) | power to charge a fee for application under section 66(1) Road Management Act | DSUP MI | 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 road | DSUP MI MENV | power of responsible road authority |
| r.25(2) | power to sell or dispose of things removed from road or part of road (after first complying with r.25(3)) | DSUP MI | power of responsible road authority |
| r.25(5) | power to recover in the Magistrates' Court, expenses from person responsible | DSUP MI | |

| 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 requirement under clause 13(1) of Schedule 7 of the Act to give notice as to the completion of those works | DSUP MI | where council is the coordinating road authority and where consent given under section 63(1) of the Act |
| r.22(2) | power to waive whole or part of fee in certain circumstances | DSUP MI | where council is the coordinating road authority |

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010

| Column 1 | Column 2 | Column 3 | Column 4 |
|---------------|---|-------------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| r.7 | function of entering into a written agreement with a caravan park owner | MPH EHC | |
| r. 11(1) | function of receiving applications for registration | MPH EHC | |
| r.13(1) | duty to grant the registration if satisfied that the caravan park complies with these regulations | MPH EHC | |
| r.13(2) | duty to renew the registration if satisfied that the caravan park complies with these regulations | MPH EHC | |
| r.13(2) | power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations | MPH EHC | |
| r.13(4) & (5) | duty to issue certificate of registration | MPH EHC | |
| r.15(1) | function of receiving notice of transfer of ownership | MPH EHC EHO | |
| r.15(3) | power to determine where notice of transfer is displayed | MPH EHC EHO | |
| r.16(1) | duty to transfer registration to new caravan park owner | MPH EHC | |
| r.16(2) | duty to issue certificate of transfer of registration | MPH EHC | |
| r.17(1) | power to determine the fee to accompany applications for registration or applications for renewal of registration | MPH EHC | |

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010

| Column 1 | Column 2 | Column 3 | Column 4 |
|-----------|---|-------------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| r.18 | duty to keep register of caravan parks | MPH EHC | |
| r.19(4) | power to determine where the emergency contact person's details are displayed | MPH EHC EHO | |
| r.19(6) | power to determine where certain information is displayed | MPH EHC EHO | |
| r.22A(1) | duty to notify a caravan park owner of the relevant emergency service agencies for the caravan park, on the request of the caravan park owner | MPH EHC EHO | |
| r.22A(2) | duty to consult with relevant emergency services agencies | MPH EHC EHO | |
| r.23 | power to determine places in which caravan park owner must display a copy of emergency procedures | MPH EHC EHO | |
| r.24(1) | power to determine places in which caravan park owner must display copy of public emergency warnings | MPH EHC EHO | |
| r.25(3) | duty to consult with relevant floodplain management authority | MPH EHC EHO | |
| r.26 | duty to have regard to any report of the relevant fire authority | MPH EHC EHO | |

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010

| Column 1 | Column 2 | Column 3 | Column 4 |
|---------------------------|--|-------------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| r.28(c) | power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling | MPH EHC | |
| r.39 | function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe | MPH EHC EHO | |
| r.39(b) | power to require notice of proposal to install unregistrable movable dwelling or rigid annexe | MPH EHC EHO | |
| r.40(4) | function of receiving installation certificate | MPH EHC EHO | |
| r.42 | power to approve use of a non-habitable structure as a dwelling or part of a dwelling | MPH EHC | |
| Schedule 3 clause 4(3) | power to approve the removal of wheels and axles from unregistrable movable dwelling | MPH EHC | |