



Instrument of Delegation

Council

to

Members of Council Staff

Instrument of Delegation

In exercise of the power 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:

| | | |
|--------|-------|---|
| AMC | means | Asset Management Co-ordinator |
| BS | means | Building Surveyor |
| CDCLO | means | City Development Customer Liaison Officer |
| CCIAS | means | Co-ordinator Continuous Improvement, Administrative Support |
| CR | means | Co-ordinator Roads |
| DCPO | means | Development Contributions Planning Officer |
| DCF | means | Director City Futures |
| DCI | means | Director City Infrastructure |
| ESC | means | Engineering Services Coordinator |
| EHO | means | Environmental Health Officer |
| GMCD | means | Group Manager City Development |
| MAC | means | Manager Amenity and Compliance |
| MBS | means | Municipal Building Surveyor |
| MCWP&D | means | Manager Capital Works, Planning and Delivery |
| MCC | means | Manager City Change |
| MCS&D | means | Manager City Strategy and Design |
| MCG | means | Manager Corporate Governance |
| MOS&SC | means | Manager Open Space and Street Cleansing |
| MRF&W | means | Manager Roads, Fleet and Waste |
| PC | means | Planning Coordinator |
| PEO | means | Planning Enforcement Officer |
| PPEO | means | Principal Planning Enforcement Officer |
| PUP | means | Principal Urban Planner |
| PRC | means | Property Co-ordinator |
| SBS | means | Senior Building Surveyor |
| SCDSO | Means | Senior City Development Support Officer |
| SDAE | means | Senior Development Advice Engineer |
| SSP | means | Senior Strategic Planner |

| | | |
|--------|-------|---|
| SSO | means | Senior Subdivisions Officer |
| SUP | means | Senior Urban Planner |
| SP | means | Strategic Planner |
| StUP | means | Student Urban Planner |
| SO | means | Subdivision Officer |
| STO | means | Sustainable Transport Officer |
| TLBS | means | Team Leader Building Services |
| TLEH | means | Team Leader Environmental Health |
| TC | means | Transport Co-ordinator |
| UMA | means | Unit Manager Amendments |
| UMBSEH | means | Unit Manager Building Services and Environmental Health |
| UMR | means | Unit Manager Roads |
| UMS | means | Unit Manager Strategy |
| UMUP | means | Unit Manager Urban Planning |
| UP | means | Urban Planner |
| UPFT | means | Urban Planner Fast Track |
| WO | means | Works Officer |

3. declares that:

3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 10 June 2020.

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 revokes the delegation issued by Council on 12 December 2018;

3.2.3 remains in force until varied or revoked;

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

3.2.5 must be exercised in accordance with any guidelines or policies which Council from time to time adopts and;

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

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

- 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - a) policy; or
 - b) strategy
 adopted by Council; or
- 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; 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.

Dated: 15 June 2020

The Common Seal of the }
 Moreland City Council was }
 hereunto affixed in the }
 the presence of: }



..... Mayor, Councillor Lambros Tapinos

..... Chief Executive Officer, Cathy Henderson

SCHEDULE

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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 | DCI, MAC | 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 | UMBSEH, TLEH, EHO | |
| s.53M(4) | duty to advise the applicant that the application is not to be dealt with | UMBSEH, TLEH, EHO | |
| s.53M(5) | duty to approve plans, issue permits or refuse permits | UMBSEH, TLEH, EHO | Refusal must be ratified by Council or it is of no effect. |
| s.53M(6) | power to refuse to issue a septic tank permit | UMBSEH, TLEH, EHO | Refusal must be ratified by Council or it is of no effect. |
| s.53M(7) | duty to refuse to issue a permit in the circumstances in (a)-(c) | UMBSEH, TLEH, EHO | Refusal must be ratified by council or it is of no effect. <i>Note – Section 53M (a) to (c) refers to specific aspects of applications for a septic tank permit.</i> |

| 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 | UMBSEH, TLEH, 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 | UMBSEH, TLEH, 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. | UMBSEH, TLEH, EHO | If section 19(1) applies Only in relation to temporary food premises or mobile food premises. |
| s.19(4)(a) | power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise | UMBSEH, TLEH, EHO | If section 19(1) applies. |
| s.19(6)(a) | duty to revoke any order under section 19 if satisfied that an order has been complied with | UMBSEH, TLEH, 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 | UMBSEH, TLEH, EHO | If section 19(1) applies. |

| FOOD ACT 1984 | | | |
|----------------------|--|-------------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.19AA(2) | power to direct, by written order, that a person must take any of the actions described in (a)-(c). | UMBSEH, TLEH, EHO | Where Council is the registration authority. <i>Note – sub-sections (a) to (c) refer to issuing an order in relation to various matters including food, premises, equipment, vehicles and plant etc.</i> |
| 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 | Not delegated. | <i>Note: the power to direct the matters under section 19AA (4)(a) and (b) are not capable of delegation and so such directions must be made by a Council resolution.</i> <i>Note – sub-sections (a) to (c) refer to issuing an order in relation to various matters including food, premises, equipment, vehicles and plant etc.</i> |
| s.19AA(7) | duty to revoke an order issued under section 19AA and give written notice of the revocation, if satisfied that that the order has been complied with | UMBSEH, TLEH, EHO | Where Council is the registration authority |
| s.19CB(4)(b) | power to request a copy of records | UMBSEH, TLEH, EHO | Where Council is the registration authority. <i>Refers to records of the proprietor of the food premises.</i> |
| s.19E(1)(d) | power to request a copy of the food safety program | UMBSEH, TLEH, EHO | Where Council is the registration authority |
| s.19GB | power to request a proprietor to provide written details of the name, qualification or experience of the current food safety supervisor | UMBSEH, TLEH, EHO | Where Council is the registration authority |
| s.19M(4)(a), (5) | power to conduct a food safety audit and take actions where deficiencies are identified | Not applicable | Where Council is the registration authority. |

| FOOD ACT 1984 | | | |
|----------------------|--|-------------------|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.19NA(1) | power to request food safety audit reports | UMBSEH, TLEH, EHO | Where Council is the registration authority. |
| s.19U(3) | power to waive and vary the costs of a food safety audit if there are special circumstances | Not applicable | Where council is the registration authority. Council does not currently conduct food safety audits. |
| s.19UA | power to charge fees for conducting a food safety assessment or inspection | Not delegated | except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39. Fees are determined by Council in the annual budget process. |
| s.19W | power to direct a proprietor of a food premises to comply with any requirement under Part IIIB | UMBSEH, TLEH, 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 | UMBSEH, TLEH, EHO | where Council is the registration authority |
| s.19W(3)(b) | power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises | UMBSEH, TLEH, EHO | where Council is the registration authority |
| --- | Power to register, renew or transfer registration | UMBSEH, TLEH, 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)). |

| FOOD ACT 1984 | | | |
|----------------------|---|-------------------|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| 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 | UMBSEH, TLEH, EHO | where Council is the registration authority |
| s.38AB(4) | power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection s38AB(1) | Not delegated | where Council is the registration authority Fees are determined by Council in the annual budget process. |
| s.38A(4) | power to request a copy of a completed food safety program template | UMBSEH, TLEH, EHO | Where Council is the registration authority. |
| s.38B(1)(a) | duty to assess the application and determine to which class of food premises under section 19C the food premises belongs | UMBSEH, TLEH, EHO | where Council is the registration authority Refers to registration or transfer of registration of food premises. |
| s.38B(1)(b) | duty to ensure the proprietor has complied with the requirements of section 38A | UMBSEH, TLEH, EHO | where Council is the registration authority |
| s.38B(2) | duty to be satisfied of the matters in section 38B(2)(a)-(b) | UMBSEH, TLEH, EHO | where Council is the registration authority |
| s.38D(1) | duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39 | UMBSEH, TLEH, EHO | where Council is the registration authority |
| s.38D(2) | duty to be satisfied of the matters in section 38D(2)(a)-(d) | UMBSEH, TLEH, 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(3) | power to request copies of any audit reports | UMBSEH, TLEH, EHO | where Council is the registration authority |
| s.38E(2) | power to register the food premises on a conditional basis | UMBSEH, TLEH, EHO | where Council is the registration authority not exceeding the prescribed time limit defined under subsection s 38E(5) |
| s.38E(4) | duty to register the food premises when conditions are satisfied | UMBSEH, TLEH, EHO | where Council is the registration authority |
| s.38F(3)(b) | power to require the proprietor to comply with requirements of this Act | UMBSEH, TLEH, EHO | where Council is the registration authority |
| s.39A | power to register food premises despite minor defects | UMBSEH, TLEH, EHO | where Council is the registration authority only if satisfied of matters in subsections (2)(a)-(c) |
| s.40(2) | power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i> | UMBSEH, TLEH, EHO | |
| s.40C(2) | power to grant or renew the registration of food premises for a period less than one year | UMBSEH, TLEH, EHO | where Council is the registration authority |
| s.40D(1) | power to suspend or revoke the registration of food premises | UMBSEH, TLEH, EHO | where Council is the registration authority |
| s.43F(6) | duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing the registration of a component of a food business | UMBSEH, TLEH, 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.43F(7) | power to register the components of the food business that meet the requirements in Division 3 and power to refuse to register the components that do not meet the requirements | UMBSEH, TLEH, 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 | GMCD | where Council is the registration authority The approval requirements to institute proceedings in the various courts and tribunals are set out in Delegation Guidelines (D17/037824) approved by the Management Executive Group on 31 January 2017. |

| HERITAGE ACT 2017 | | | |
|--------------------------|--|-----------------|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s. 116 | power to sub-delegate the Executive Director's functions, duties or powers | DCF | Must first obtain 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 | |
| s.185L(4) | Power to declare and levy a cladding rectification charge | CEO ² | |

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 |
| s.4B | power to prepare an amendment to the Victoria Planning Provisions | DCF, GMCD, MCS&D, UMA, UMUP, PC, SSP, UMS, PUP, SUP | If authorised by the Minister. Note – section 4B refers to the Minister authorising a body to change state planning provisions. |
| s.4G | function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister | DCF, GMCD, MCS&D, UMA, SSP, UMS, PUP, SUP, UP | |
| s.4H | duty to make an amendment etc to the Victoria Planning Provisions available | DCF, GMCD, MCS&D, UMA, UMUP, PC, SSP, UMS, PUP, SUP | |
| s.4I | duty to keep the Victoria Planning Provisions and other documents available | DCF, GMCD, MCS&D, UMA, UP, SSP, UMS, PUP, SUP | |
| s.8A(2) | power to prepare an amendment to the planning scheme where the Minister has given consent under section 8A | DCF, GMCD, MCS&D, UMA, UMUP, PC, SSP, UMS, PUP, SUP | |
| s.8A(3) | power to apply to the Minister to prepare an amendment to the planning scheme | DCF, UMS | Council must apply to Minister for authorisation to prepare amendment |
| s.8A(5) | function of receiving notice of the Minister's decision | DCF, GMCD, MCS&D | |

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
|--|---|---|--------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.8A(7) | power to prepare the amendment specified in the application without the Minister's authorisation if no response is received after 10 business days | DCF, GMCD, MCS&D, UMA, UMUP, PC, SSP, UMS, PUP, SUP | |
| s.8B(2) | power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district | DCF, UMS | |
| 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 the planning scheme with these persons | DCF, GMCD, MCS&D, UMA, UMUP, PC, SSP, UMS, SSP | |
| s.12A(1) | duty to prepare a municipal strategic statement (including the power to prepare a municipal strategic statement under section 19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>) | DCF, MCS&D, UMA, SSP, UMS | |
| s.12B(1) | duty to review the planning scheme. | DCF, MCS&D, UMA, SSP, UMS | |
| s.12B(2) | duty to review the planning scheme at the direction of the Minister | DCF, MCS&D, UMA, SSP, UMS | |
| s.12B(5) | duty to report findings of a review of the planning scheme to the Minister without delay | DCF | |

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
|--|--|---|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.14 | duties of a Responsible Authority as set out in subsections (a) to (d). | DCF, GMCD, MCS&D, UMA, UMUP, PC, SUP, UP, UPFT, SO, PEO, PPEO, SSP, UMS, PUP, SSO | |
| s.17(1) | duty of giving a copy of an amendment to the planning scheme to the Minister | DCF, UMS | Note – refers to supplying a copy of the amendment to the Minister or any person specified by the Minister. |
| s.17(2) | duty of giving a copy of a section 173 agreement | DCF, GMCD, MCS&D, UMA, UMUP, PC, SUP, UP, UPFT, SO, SSP, UMS, PUP, SSO, CCIAS | |
| s.17(3) | duty of giving a copy of an amendment, explanatory report and relevant documents to the Minister within 10 business days | DCF | |
| s.18 | duty to make an amendment etc. available | DCF, GMCD, MCS&D, UMA, UMUP, PC, SUP, UP, UPFT, SSP, UMS, PUP, SSO | |

| 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 an amendment to a planning scheme and to exercise any other power under section 19 to a planning scheme | DCF, GMCD, MCS&D, UMA, UMUP, PC, SUP, SSP, UMS, PUP, SSO | |
| s.19 | function of receiving notice of preparation of an amendment to a planning scheme | DCF, GMCD, MCS&D, UMA, UMS | 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. |
| s.20(1) | power to apply to the Minister for an exemption from the requirements of section 19 | DCF, UMS | |
| s.21(2) | duty to make submissions available | DCF, GMCD, MCS&D, UMS, UMA, UMUP, PC, SUP, UP, UPFT, PUP, SSO | |
| s.21A(4) | duty to publish a notice – deleted from Dec 2018 update | DCF, MCS&D, GMCD, UMUP, PC | <i>The section refers to joint submissions in relation to a proposed amendment.</i> |
| s.22 | duty to consider all submissions | DCF, GMCD, MCS&D, UMA, UMUP, PC, SSP, UMS, PUP, SSO | except submissions which request a change to the items in s.22(5)(a) and (b) |

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
|--|--|---|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.23(1)(b) | duty to refer submissions which request a change to the amendment to a panel | DCF, GMCD, MCS&D, UMS, UMA, UMUP, PC, SUP, UP, UPFT, PUP, SSO | |
| s.23(2) | power to refer to a panel submissions which do not require a change to the amendment | DCF, GMCD, MCS&D, UMA, UMUP, PC, SSP, UMS, PUP, SSO | |
| s.24 | function to represent Council and present a submission at a panel hearing (including a hearing referred to in section 96D) | DCF, GMCD, MCS&D, UMA, PC, UMUP, SUP, SSP, SP, UMS, PUP, SSO | |
| s.26(1) | power to make reports available for inspection | DCF, GMCD, MCS&D, UMS, UMA | |
| s.26(2) | duty to keep the report of a panel available for inspection | DCF, GMCD, MCS&D, UMA, PC, UMUP, SUP, UP, UPFT, SSP, UMS, PUP, SSO, CCIAS | |
| s.27(2) | power to apply to the Minister apply for exemption if the panel's report is not received | DCF | |
| s.28 | duty to notify the Minister if abandoning an amendment | DCF | Note: the power to make a decision to abandon an amendment cannot be delegated. |

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
|--|---|--|--------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.30(4)(a) | duty to say if an amendment has lapsed | DCF, GMCD, MCS&D, UMA, PC, UMUP, SSP, UMS, PUP, SSO | |
| s.30(4)(b) | duty to provide information in writing upon request | DCF, GMCD, MCS&D, UP, UMA, UMUP, PC, SSP, UMS, PUP, SSO, CCIAS | |
| s.32(2) | duty to give more notice if required | DCF, GMCD, MCS&D, UMA, UMUP, PC, SSP, UMS, PUP | |
| s.33(1) | duty to give more notice of changes to an amendment | DCF, GMCD, MCS&D, UMA, UMUP, PC, SSP, UMS, PUP, SSO, CCIAS | |
| s.36(2) | duty to give notice of approval of an amendment | DCF, GMCD, MCS&D, UMA, UMUP, PC, SSP, UMS, PUP, SSO | |

| 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 | DCF, GMCD, MCS&D, UMA, UMUP, PC, SSP, UMS, PUP, SSO | |
| s.39 | function of being a party to a proceeding commenced under section 39 and duty to comply with a determination by VCAT | DCF, GMCD, MCS&D, UMA, UMUP, PC, SSP, UMS, PUP, SSO | |
| s.40(1) | function of lodging a copy of an approved amendment | DCF, GMCD, MCS&D, UMA, UMUP, PC, SSP, SP, UMS, PUP, SSO | |
| s.41 | duty to make an approved amendment available | DCF, GMCD, MCS&D, UMA, UMUP, PC, SUP, UP, UPFT, SO, SSP, SP, UMS, PUP, SSO | |
| s.42 | duty to make a copy of the planning scheme available | DCF, GMCD, MCS&D, UMA, UMUP, PC, SUP, UP, UPFT, SO, PEO, PPEO, SSP, SP, UMS, PUP, SSO | |
| s.46AW | function of being consulted by the Minister | DCF, GMCD, MCS&D | 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.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 | DCF, GMCD, MCS&D | 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 | DCF, GMCD, MCS&F, SSP, SP. | Where Council is a responsible public entity Notes: <ul style="list-style-type: none"> • Moreland's planning scheme includes a development contributions plan and an open space contributions plan. • Refers to regional planning schemes. |
| 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 | DCF | Where Council is a responsible public entity |
| s 46GV(4)(a) | Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6) | DCF | Where Council is the development agency |

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
|--|---|-----------------|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| 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 | DCF | 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(9) | Function of receiving the fee simple in the land | DCF, EMF | 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 46GZD(3) | Duty to follow the steps set out in s 46GZD(3)(a) and (b) | DCF EMF | Where Council is the collecting agency under an approved infrastructure contributions plan |
| s 46GZD(5) | Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b) | DCF EMF | Where Council is the collecting agency under an approved infrastructure contributions plan |
| s 46GZE(2) | Function of receiving the unexpended land equalisation amount | DCF, EMF | Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency |
| s 46GZE(3) | Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b) | DCF, EMF | Where Council is the collecting agency under an approved infrastructure contributions plan |

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| 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 | DCF, EMF | Where Council is the development agency under an approved infrastructure contributions plan |
| s 46GZF(3) | Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46GZF(3)(a) and (b) | DCF, EMF | Where Council is the development agency under an approved infrastructure contributions plan |
| s.46LB(3) | duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s.46LB (2) | DCF, DCPO, SCDSO, EMF | |
| s.46N(1) | duty to include a condition in a permit regarding payment of a development infrastructure levy | DCF, GMCD, UMUP, StUP, CDCLO, PC, SO, SUP, UP, UPFT, MCS&D, UMA, PUP, SSO | |
| s.46N(2)(c) | function of determining the time and manner for receipt of a development contributions levy | DCF, GMCD, UMUP, StUP, CDCLO, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, PUP, SSO | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.46N(2)(d) | power to enter into an agreement with the applicant regarding payment of a development infrastructure levy | DCF, GMCD, UMUP, PC, MCS&D, UMA | |
| s.46O(1)(a) &(2)(a) | power to ensure that the community infrastructure levy is paid, or agreement is in place, prior to issuing a building permit | UMBSEH, TLBS, SBS | |
| s.46O(1)(d) &(2)(d) | power to enter into agreement with the applicant regarding payment of a community infrastructure levy | DCF, GMCD, UMUP, PC, MCS&D, UMA, DBT, EMF, DCI, MCWP&D, AMC, DCPO | |
| s.46P(1) | power to require payment of the amount of levy under section 46N or section 46O to be satisfactorily secured | DCF, GMCD, UMUP, PC, MCS&D, UMA, DBT, EMF, DCI, MCWP&D, AMC, DCPO | |
| s.46P(2) | power to accept provision of land, works, services or facilities in part or full payment of the levy payable | DCF, GMCD, PRC, MCS&D, UMADCI, EMF, DCI, MCWP&D, AMC, DCPO | |
| s.46Q(1) | duty to keep proper accounts of levies paid | PRC, UMA, DCI, EMF, DBT, EMF& DCPO | |

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| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.46Q(1A) | duty to forward to the development agency part of a levy imposed for carrying out works, services, or facilities on behalf of the development agency or plan preparation costs incurred by a development agency | DCF, GMCD, PRC, MCS&D, UMA, DCI, EMF, DCPO | |
| s.46Q(2) | duty to apply the levy only for a purpose relating to the provision plan preparation costs or of the works, services and facilities in respect of which the levy was paid etc. | PRC, UMA, DCI, EMF, DCPO | |
| s.46Q(3) | power to refund any amount of the levy paid if it is satisfied the development is not to proceed | DCF, GMCD, PRC, MCS&D, UMA, EMF | 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 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) | PRC, UMA, DCI, DCS, EMF | 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 | DCF | Must be done in accordance with Part 3. |
| s.46Q(4)(e) | duty to expend that amount on other works etc. | DCF, GMCD, PRC, MCS&D, UMA, EMF | 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 | DCF, GMCD, PRC, MCS&D, UMA, EMF | |

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| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.46QD | duty to prepare report and give a report to the Minister | DCF | 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 | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, CCIAS, SUP, PUP, UP, CDCLO, StUP, UPFT | |
| s.46Y | duty to carry out works in conformity with the approved strategy plan | DCF, MCS&D, UMA | |
| s.47 | power to decide that an application for a planning permit does not comply with the Act | DCF, MCS&D, GMCD, UMA, UMS, UMUP, PC, PUP, UP, UPFT, SUP, SO, SSO, CDCLO, StUP, SSP | |
| s.49(1) | duty to keep a register of all applications for permits and determinations relating to permits | DCF, GMCD, PC, UMUP, SUP, UP, UPFT, SO, PUP, SSO, CDCLO, CCIAS, StUP, UMA | |

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| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.49(2) | duty to make the register available for inspection | DCF, GMCD, PC, UMUP, SUP, UP, UPFT, SO, SSO, CDCLO, CCIAS, StUP, PUP | |
| s.50(4) | duty to amend an application | DCF, MCS&D, GMCD, UMUP, PC, SUP, UP, UPFT, SO, SSP, UMA, SSP, UMS, SSO, CDCLO, StUP, PUP | |
| s.50(5) | power to refuse to amend an application | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, SSP, UMA, SSP, UMS, SSO, CDCLO, StUP, PUP | |
| s.50(6) | duty to make note of an amendment to an application in the register | DCF, GMCD, MCS&D, UMUP, PC, SUP, UP, UPFT, SO, UMA, SSP, UMS, SSO, CDCLO, CCIAS, StUP, PUP | |

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| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.50A(1) | power to make an amendment to an application | DCF, GMCD, MCS&D, UMUP, PC, SUP, UP, UPFT, SO, UMA, SSP, UMS, SSO, CDCLO, StUP, PUP | |
| s.50A(3) | power to require the applicant to notify the owner and make a declaration that notice has been given | DCF, GMCD, MCS&D, UMUP, PC, SUP, UP, UPFT, SO, UMA, SSP, UMS, SSO, CDCLO, CCIAS, StUP, PUP | |
| s.50A(4) | duty to note an amendment to an application in the register | DCF, GMCD, MCS&D, UMUP, PC, SUP, UP, UPFT, SO, UMA, SSP, UMS, SSO, CDCLO, StUP, CCIAS, PUP | |
| s.51 | duty to make a copy of an application available for inspection | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, UMA, SSP, UMS, MCS&D, SSO, CDCLO, StUP, CCIAS, PUP | |

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| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| 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 | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, CCIAS, PUP | |
| s.52(1)(b) | duty to give notice of the application to other municipal Council where appropriate | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, CCIAS, PUP | |
| s.52(1)(c) | duty to give notice of the application to all persons required by the planning scheme | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, CCIAS, PUP | |
| 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 it may result in a breach of the covenant | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, CCIAS, PUP | |

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| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| 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 the application is to remove or vary the covenant | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, CCIAS, PUP | |
| s.52(1)(d) | duty to give notice of the application to other persons who may be detrimentally affected | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, CCIAS, PUP | |
| s.52(1AA) | duty to give notice of an application to remove or vary a registered restrictive covenant | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, CCIAS, PUP | |

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| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.52(3) | power to give any further notice of an application where appropriate | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, CCIAS StUP, PUP | |
| s.53(1) | power to require the applicant to give notice under section 52(1) to persons specified by it | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, CCIAS, StUP, PUP | |
| s.53(1A) | power to require the applicant to give the notice under section 52(1AA) | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, CCIAS, StUP, PUP | |

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| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.54(1) | power to require the applicant to provide more information | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | |
| s.54(1A) | duty to give notice in writing of the information required under section 54(1) | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | |
| s.54(1B) | duty to specify the lapse date for an application | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | |
| s.54A(3) | power to decide to extend the time or refuse to extend the time to give required information | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | |

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| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.54A(4) | duty to give written notice of a decision to extend or refuse to extend time under section 54A(3) | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, PUP | |
| 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 | DCF, GMCD, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, PUP | |
| s.57(2A) | power to reject objections considered made primarily for the commercial advantage of the objector | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, PUP | |
| s.57(3) | function of receiving the name and address of persons to whom notice of a decision is to be given | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | |

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| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.57(5) | duty to make available for inspection copies of all objections | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, CCIAS, StUP, PUP | |
| s.57A(4) | duty to amend an application in accordance with the applicant's request, subject to section 57A(5) | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | |
| s.57A(5) | power to refuse to amend an application | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, PUP | |
| s.57A(6) | duty to note amendments to an application in the register | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, CCIAS, PUP | |

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| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.57B(1) | duty to determine whether and to whom notice should be given | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS SSO, CDCLO, StUP, PUP | |
| s.57B(2) | duty to consider certain matters in determining whether notice should be given | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, PUP | |
| s.57C(1) | duty to give a copy of an amended application to the referral authority | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, CCIAS, PUP | |
| s.58 | duty to consider every application for a permit | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, PUP | |

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| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.58A | power to request advice from the Planning Application Committee | DCF, MCS&D, GMCD, UMUP, PC, UMA, UMS | <i>Planning Application Committee means a Planning Application Committee established by the Minister pursuant to section 97MA.</i> |
| s.60 | duty to consider certain matters | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | |
| s.60(1A) | duty to consider certain matters | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | |
| s.60(1B) | duty to consider the number of objectors in considering whether the use or development may have significant social effect | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| 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 | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, PUP | The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i> . |
| s.61(2) | duty to decide to refuse to grant a permit if a relevant determining referral authority objects to the granting of a permit | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, PUP | |
| s.61(2A) | power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, PUP | |
| s.61(3)(a) | duty not to decide to grant a permit to use coastal Crown land without the Minister's consent | Not applicable to Moreland | |
| s.61(3)(b) | duty to refuse to grant the permit without the Minister's consent | Not applicable to Moreland | |

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| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.61(4) | duty to refuse to grant the permit if granting it would authorise a breach of a registered restrictive covenant | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, PUP | |
| s.62(2) | power to include other conditions | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, PUP | |
| s.62(4) | duty to ensure conditions are consistent with subsections (a), (b) and (c) | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, PUP | |
| s.62(5)(a) | power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | |

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| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| 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 | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | |
| s.62(5)(c) | power to include a permit condition that specified works be provided or paid for by the applicant | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | |
| 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) | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | |
| 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) | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | |

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| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.63 | duty to issue the permit where a decision is made in favour of the application (if no one has objected) | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | |
| s.64(1) | duty to give notice of a decision to grant a permit to the applicant and objectors | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | 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 | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | |
| s.64(5) | duty to give each objector a copy of an exempt decision | DCF, GMCD, MCS&D, UMUP, PC, SUP, UP, UPFT, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | |

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| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| 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 | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, PUP | This provision applies also to a decision to grant an amendment to a permit |
| s.65(1) | duty to give notice of refusal to grant a permit to the applicant and any person who objected under section 57 | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, PUP | |
| s.66(1) | duty to give notice under section 64 or section 65 and a copy of the permit to relevant determining referral authorities | DCF, GMCD, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, PUP | |
| s.66(2) | duty to give a recommending referral authority notice of its decision to grant a permit | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, CCIAS, PUP | 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. |

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| 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 | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP CCIAS, PUP | 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 | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP CCIAS, PUP | 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 | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, CCIAS, PUP | |
| s.69(1A) | function of receiving an application for extension of time to complete development | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, CCIAS, PUP | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.69(2) | power to extend time | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | |
| s.70 | duty to make a copy of a permit available for inspection | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, PEO, PPEO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, CCIAS, PUP | |
| s.71(1) | power to correct certain mistakes | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | |
| s.71(2) | duty to note corrections in the register | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, CCIAS, PUP | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.73 | power to decide to grant an amendment subject to conditions | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | |
| s.74 | duty to issue an amended permit to the applicant if there are no objectors | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, PUP | |
| s.76 | duty to give the applicant and objectors notice of a decision to refuse to grant an amendment to a permit | DCF, GMCD, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, PUP | |
| s.76A(1) | duty to give THE relevant determining referral authorities a copy of an amended permit and copy of notice | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, CDCLO, StUP, SSO, PUP | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.76A(2) | duty to give a recommending referral authority notice of its decision to grant an amendment to a permit | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority. |
| s.76A(4) | duty to give a recommending referral authority notice of its decision to refuse a permit | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | 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 | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | 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 | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, SSO, PUP, MCS&D, UMA, SSP, SP, CDCLO, StUP, UMS | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.83 | function of being the respondent to an appeal | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, PUP | |
| s.83B | duty to give or publish notice of an application for review | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, PUP | |
| s.84(1) | power to decide on an application at any time after an appeal is lodged against the failure to grant a permit | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, PUP | |
| 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 | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, PUP | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.84(3) | duty to tell the principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, SSO, CDCLO, StUP, PUP | Note – “Principal Registrar” means the Principal Registrar of VCAT. |
| s.84(6) | duty to issue a permit on receipt of advice within three working days | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SPL, UMS, SSO, CDCLO, StUP, PUP | |
| s.84AB | power to agree to confining a review by the Tribunal | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SPL, UMS, SSO, CDCLO, StUP, PUP | |
| s.86 | duty to issue a permit at the order of the Tribunal within three working days | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.87(3) | power to apply to VCAT for the cancellation or amendment of a permit | DCF, GMCD, UMS | |
| s.90(1) | function of being heard at a hearing of a request for cancellation or amendment of a permit | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, PEO, PPEO, MCS&D, UMA, SSP, SP, UMS, MAC, SSO, CDCLO, StUP, PUP | |
| s.91(2) | duty to comply with the directions of VCAT | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, PEO, PPEO, MCS&D, UMA, SSP, SP, UMS, MAC, SSO, CDCLO, StUP, PUP | |
| s.91(2A) | duty to issue an amended permit to the owner if VCAT so directs | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, SP, UMS, SSO, CDCLO, StUP, PUP | |

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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 the cancellation/amendment of a permit by VCAT to persons entitled to be heard under section 90 | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, PEO, PPEO, MCS&D, UMA, SSP, SP, UMS, MAC SSO, CDCLO, StUP, PUP | |
| s.93(2) | duty to give notice of a VCAT order to stop development | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, PEO, PPEO, MCS&D, UMA, SSP, SP, UMS, MAC, SSO, CDCLO, StUP, PUP | |
| s.95(3) | function of referring certain applications to the Minister | DCF, UMS | |
| s.95(4) | duty to comply with an order or direction | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, MAC, SSO, CDCLO, StUP PUP, PEO, PPEO | “Order” means an order of the Governor in Council. |
| s.96(1) | duty to obtain a permit from the Minister to use and develop its land | DCI, DSD, UMS, UMA | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.96(2) | function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land | DCI, DSD, DCS, UMS | |
| s.96A(2) | power to agree to consider an application for a permit concurrently with preparation of a proposed amendment | DCF, GMCD, UMUP, MCS&D, PC, SUP, UP, UPFT, SO, UMA, SSP, UMS, SSO, CDCLO, StUP, PUP | |
| s.96C | power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C | DCF, GMCD, UMUP, MCS&D, UMA, SSP, UMS, PC, SUP, UP, UPFT, SO, SSO, CDCLO, StUP, PUP | |
| s.96F | duty to consider the panel's report under section 96E | DCF, GMCD, UMUP, MCS&D, UMA, SSP, UMS, PC, SUP, UP, UPFT, SO, SSO, CDCLO, StUP, PUP | |

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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 the power to give notice under section 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>) | DCF, GMCD, MCS&D, UMA, SSP, UMS, SSP, PC, PUP, SSO | |
| s.96H(3) | power to give notice in compliance with the Minister's direction | DCF, GMCD, MCS&D, UMA, SSP, UMS, PC, PUP, SSO | |
| s.96J | power to issue a permit as directed by the Minister | DCF, GMCD, UMUP, MCS&D, UMA, SSP, UMS, PC, SUP, UP, UPFT, SO, PUP, CDCLO, StUP, SSO | |
| s.96K | duty to comply with a direction of the Minister to give notice of refusal | DCF, GMCD, UMUP, MCS&D, UMA, SSP, UMS, PC, SUP, UP, UPFT, SO, PUP, CDCLO, StUP, SSO | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.96Z | duty to keep levy certificates given to it under sections 47 or 96A for not less than five years from receipt of the certificate | DCF, MCS&D, UMUP, GMCD, UMA, SSP, UMS, PC, SUP, UP, UPFT, SO, PUP, CDCLO, StUP, SSO | |
| s.97C | power to request the Minister to decide the application | DCF, UMS | |
| s.97D(1) | duty to comply with directions of the Minister to supply any document or assistance relating to application | DCF, MCS&D, UMUP, GMCD, UMA, SSP, UMS, PC, SO, UP, UPFT, SUP, PUP, SSO, CDCLO, StUP, CCIAS | |
| s.97G(3) | function of receiving from the Minister a copy of a notice of refusal to grant a permit or a copy of any permit granted by the Minister | DCF, MCS&D, GMCD, UMUP, UMA, SSP, UMS, PC, SUP, UP, UPFT, SO, PUP, CDCLO, StUP , SSO | |

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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 section 97F available for inspection | DCF, GMCD, MCS&D, UMUP, UMA, SSP, UMS, PC, SUP, UP, UPFT, SO, PUP, CDCLO, StUP, SSO | |
| s.97L | duty to include Ministerial decisions in a register kept under section 49 | DCF, GMCD, MCS&D, UMUP, UMA, SSP, UMS, PC, SUP, UP, UPFT, SO, PUP, CCIAS, CDCLO, StUP, SSO | |
| s.97MH | duty to provide information or assistance to the Planning Application Committee | DCF, GMCD, MCS&D, UMUP, PC, UMA, UMS, PC, SUP, UP, UPFT, SO, PUP, CDCLO, StUP, SSO | |
| s.97MI | duty to contribute to the costs of the Planning Application Committee or subcommittee | DCF, GMCD, UMUP, PC, MCS&D, UMA, UMS | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.97O | duty to consider an application and issue or refuse to issue a certificate of compliance | DCF, GMCD, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, PUP, SSO, MAC, PEO, PPEO | |
| s.97P(3) | duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate | DCF, GMCD, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, PUP, SSO, MAC, PEO, PPEO | |
| s.97Q(2) | function of being heard by VCAT at a hearing of a request for amendment or cancellation of a certificate | DCF, GMCD, PC, SUP, UP, UPFT, MCS&D, UMA, SSP, UMS, PUP, SSO, MAC, PEO, PPEO | |
| s.97Q(4) | duty to comply with directions of VCAT | DCF, GMCD, PC, PEO, PPEO, SUP, UP, UPFT, MCS&D, UMA, SSP, UMS, PUP, CCIAS, SSO, MAC | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.97R | duty to keep a register of all applications for a certificate of compliance and related decisions | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, PEO, PPEO, MCS&D, UMA, SSP, UMS, PUP, MAC, CDCLO, StUP, CCIAS | |
| s.98(1)&(2) | function of receiving a claim for compensation in certain circumstances | DCF, GMCD, UMUP, PC, MCS&D, UMA, UMS, MAC, CCIAS | |
| s.98(4) | duty to inform any person of the name of the person from whom compensation can be claimed | DCF, GMCD, UMUP, PC, MCS&D, UMA, UMS, CCIAS, MAC | |
| s.101 | function of receiving a claim for expenses in conjunction with a claim | DCF, GMCD, UMUP, PC, MCS&D, UMA, UMS, MAC, CCIAS | |
| s.103 | power to reject a claim for compensation in certain circumstances | DCF, GMCD, MCS&D, MAC | Note – refers to small claims, ie: a) \$500 or any greater amount prescribed by the Regulations; or b) 0.1% of the value that the land had not been affected by any circumstance set out in section 98(1) or (2) or section 107. |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.107(1) | function of receiving a claim for compensation | DCF, GMCD, UMUP, PC, MCS&D, UMA, UMS, MAC, CCIAS | |
| s.107(3) | power to agree to extend the time for making a claim | DCF GMCD, MCS&D | |
| s.114(1) | power to apply to the VCAT for an enforcement order | DCF & GMCD MAC | |
| s.117(1)(a) | function of making a submission to the VCAT where objections are received | DCF, GMCD, UMUP, PC, SUP, UP, UPFT, SO, MCS&D, UMA, SSP, UMS, MAC, SSO CDCLO, StUP, PUP | |
| s.120(1) | power to apply for an interim enforcement order where a section 114 application has been made | DCF AND GMCD | |
| s.123(1) | power to carry out work required by an enforcement order and recover costs | DCF and GMCD, MAC | |
| s.123(2) | power to sell buildings, materials, etc salvaged in carrying out work under section 123(1) | DCF, GMCD, MAC | Except Crown Land. |
| s.129 | function of recovering penalties | DCF, GMCD, PC, PEO, PPEO, MAC | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.130(5) | power to allow a person served with an infringement notice further time | DCF, GMCD, UMUP, PC, PEO, PPEO, PUP, SUP, UP, MAC | |
| s.149A(1) | power to refer a matter to the VCAT for determination | DCF, GMCD, UMS, MAC | Note – Part 6 of the Act refers to enforcement and legal proceedings. |
| s.149A(1A) | power to apply to VCAT for the determination of a matter relating to the interpretation of a section 173 agreement | DCF, GMCD, UMS | |
| 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)) | DCF, MCS&D, GMCD, SSP, UMUP, PC, SUP | Where Council is the relevant planning authority |
| | power to ask for a contribution under subsection (3) | DCF, MCS&D, GMCD, SSP, UMUP, PC, SUP | |
| | power to abandon an amendment or part of it under subsection (4) | Not delegated | The power remains with Council. |
| s.171(2)(f) | power to carry out studies and commission reports | DCF, GMCD, MCS&D, UMA, UMUP, SSP, SP, UMS, PC, PUP, SSO | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.171(2)(g) | power to grant and reserve easements | DCF, GMCD, MCS&D, UMA, UMUP, SSP, UMS, PC, SO, SSO, PUP | |
| s 172C | Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan | DCF, GMCD, MCS&D | Where Council is a development agency specified in an approved infrastructure contributions plan |
| s.173(1) | power to enter into an agreement covering the matters set out in section 174 | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, UMBS, PRC, MAC | |
| 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 | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, UMBS, PRC | where council is the relevant responsible authority |
| --- | power to decide whether something is to the satisfaction of Council, where an agreement is made under section 173 of the <i>Planning and Environment Act 1987</i> and requires something to be to the satisfaction of Council or Responsible Authority | DCS, DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, UMBS, MAC, SO, SUP, PUP, UP, CDCLO, StUP, UPFT | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| --- | power to give consent on behalf of Council, where an agreement is made under section 173 of the <i>Planning and Environment Act 1987</i> and requires that something may not be done without the consent of Council or Responsible Authority | DCF, GMCD, MCS&D, UMA, UMS UMUP, PC | |
| 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 | DCS, DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC | |
| 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 | DCS, DCF, GMCD, MCS&D, UMA, UMS, UMUP, PRC, PC, SO, SSO SUP, PUP, UP, UPFT | Note – section 178 provides: “An agreement may, with the approval of the Minister, be amended by agreement between the responsible authority and all persons who are bound by any covenant in the agreement”. |
| s.178A(1) | function of receiving an application to amend or end an agreement | DCS, DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, CCIAS, SO, SSO SUP, PUP, UP CDCLO, StUP, UPFT | |

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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 section 178A(1) | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, SO, SSO SUP, PUP, UP CDCLO, StUP, UPFT | |
| s.178A(4) | function of notifying the applicant and the owner as to whether it agrees in principle to the proposal | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, CCIAS, SO, SSO SUP, PUP, UP, CDCLO, StUP, UPFT | |
| s.178A(5) | power to propose to amend or end an agreement | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, SO, SSO SUP, PUP, UP, CDCLO, StUP, UPFT | |
| s.178B(1) | duty to consider certain matters when considering a proposal to amend an agreement | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, SO, SSO SUP, PUP, UP. CDCLO, StUP, UPFT | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.178B(2) | duty to consider certain matters when considering a proposal to end an agreement | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, SO, SSO SUP, PUP, UP, CDCLO, StUP, UPFT | |
| 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 | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, SO, SSO SUP, PUP, UP, CDCLO, StUP, UPFT | |
| s.178C(4) | function of determining how to give notice under section 178C(2) | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, SO, SSO SUP, PUP, UP, CDCLO, StUP, UPFT | |
| s.178E(1) | duty not to make a decision until after 14 days after notice has been given | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, SO, SSO SUP, PUP, UP, CDCLO, StUP, UPFT | |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.178E(2)(a) | power to amend or end the agreement in accordance with the proposal | DCF, GMCD, MCS&D, UMA, UMS, PC, SO, SSO SUP, PUP, UP, UPFT | 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 | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, SO, SSO SUP, PUP, UP, CDCLO, StUP, UPFT | 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 | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, SO, SSO SUP, PUP, UP, CDCLO, StUP , UPFT | |
| s.178E(3)(a) | power to amend or end the agreement in accordance with the proposal | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, SO, SSO SUP, PUP, UP, CDCLO, StUP, UPFT | After considering objections, submissions and matters in section 178B. |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.178E(3)(b) | power to amend or end the agreement in a manner that is not substantively different from the proposal | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC | |
| s.178E(3)(c) | power to amend or end the agreement in a manner that is substantively different from the proposal | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, SO, SSO SUP, PUP, UP, CDCLO, StUP, UPFT | |
| s.178E(3)(d) | power to refuse to amend or end the agreement | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, SO, SSO SUP, PUP, UP, CDCLO, StUP, UPFT | |
| s.178F(1) | duty to give notice of its decision under section 178E(3)(a) or (b) | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, CCIAS, SO, SSO SUP, PUP, UP, CDCLO, CCIAS, StUP, UPFT | |

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
|--|--|---|--------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.178F(2) | duty to give notice of its decision under section 178E(2)(c) or (3)(d) | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC CCIAS, SO, SSO SUP, PUP, UP, CDCLO, CCIAS StUP, UPFT | |
| 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 | DCF, GMVD, MCS&D, UMA, UMS, UMUP, PC | |
| s.178G | duty to sign an amended agreement and give a copy to each other party to the agreement | DCF, GMCD, MCS&D, UMA, UMS, UMUP PC, SO, SSO SUP, PUP, UP, CDCLO, StUP, UPFT | |
| 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 | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, SO, SSO SUP, PUP, UP, CDCLO, StUP, UPFT | |

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
|--|---|---|--------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.178l(3) | duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, CCIAS, SO, SSO SUP, PUP, UP, CDCLO, StUP, UPFT | |
| s.179(2) | duty to make available for inspection a copy of an agreement | DCF, GMCD, MCS&D, UMA, SSP, UMS, UMUP, PC, SUP, UP, UPFT, SO, UMBS, PUP, SSO, PEO, PPEO, CCIAS, MAC, SO, SSO SUP, PUP, UP, CDCLO, CCIAS, StUP, UPFT | |
| s.181 | duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General | DCF, GMCD, MCS&D, UMA, SSP, UMS, UMUP, PC, SO, SUP, UP, UPFT, UMBS, PUP, SSO, CDCLO, StUP, CCIAS | |

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
|--|--|---|--------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.181(1A)(a) | power to apply to the Registrar of Titles to record the agreement | DCF, GMCD, MCS&D, UMA, UMUP, SSP, UMS, PC, SO, SUP, UP, UPFT, UMBS, PUP, CDCLO, StUP, SSO | |
| s.181(1A)(b) | duty to apply to the Registrar of Titles, without delay, to record the agreement | DCF, GMCD, MCS&D, UMA, UMUP, SSP, UMS, PC, SO, SUP, UP, UPFT, UMBS, PUP, CDCLO, StUP, SSO | |
| s.182 | power to enforce an agreement | DCF, GMCD, MCS&D, UMA, UMUP, SSP, UMS, PC, PEO, PPEO, UMBS, MAC, SUP, UP, UPFT, SSO, SO, CDCLO, StUP, PUP | |
| s.183 | duty to tell Registrar of Titles of ending/amendment of an agreement | DCF, GMCD, MCS&D, UMA, UMUP, SSP, UMS, PC, SO, SUP, UPFT, UMBS, PUP, SSO, CDCLO, StUP, CCIAS | |

| 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 | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, SO, SSO, SUP, PUP, UP, CDCLO, StUP, UPFT | |
| 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 | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, SO, SSO, SUP, PUP, UP, CDCLO, StUP, UPFT | |
| 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 | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, SO, SSO, SUP, PUP, UP, CDCLO, StUP, UPFT | |
| 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 | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, CCIAS, SO, SSO, SUP, PUP, UP, CDCLO, StUP, UPFT | |

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.184G(2) | duty to comply with a direction of the Tribunal | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, CCIAS, SO, SSO, SUP, PUP, UP, CDCLO, StUP, UPFT | |
| s.184G(3) | duty to give notice as directed by the Tribunal | DCF, GMCD, MCS&D, UMA, UMS, UMUP, PC, CCIAS, SO, SSO, SUP, PUP, UP, CDCLO, StUP, UPFT | |
| s.198(1) | function to receive an application for a planning certificate | Not applicable | In the metropolitan area, planning certificates are issued by the Department of Environment, Land, Water and Planning |
| 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 | DCF, MCS&D, UMA, SSP, UMS | |
| s.201(3) | duty to make a declaration | DCF, MCS&D, UMA, SSP, UMS | |

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
|--|--|---|--------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| - | 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 | DCF, GMCD, MCS&D, UMA, SSP, UMS, UMUP, PC, SUP, UP, UPFT, SO, PUP, CDCLO, StUP, SSO | |
| - | 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 | DCS, DCI, DCF, GMCD, MCS&D, UMA, UMUP, SSP, UMS, PC, SUP, UP, UPFT, SO, PUP, CDCLO, StUP, SSO | |
| - | 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 | DCI, DCF, GMCD, MCS&D, UMA, UMUP, SSP, UMS, PC, SUP, UP, UPFT, SO, PUP, CDCLO, StUP, SSO | |
| s.201UAB(1) | function of providing the Victorian Planning Authority with information relating to any land within municipal district | DCI, DCF, MCS&D, GMCD, UMA, UMUP, SSP, UMS, PC, SUP, UP, UPFT, SO, PUP, CDCLO, StUP, SSO | |

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|--|---|--|--------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.201UAB(2) | duty to provide the Victorian Planning Authority with information requested under s 201UAB(1) as soon as possible | DCI, DCF, MCS&D, GMCD, UMA, UMUP, SSP, UMS, PC, SU, UP, UPFT, SO, PUP, CDCLO, StUP , SSO | |

| 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 | UMBS, TLEH, UMBSEH, EHO | 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 July 2020, unless proclaimed earlier |
| s 91ZZC(1) | Power to give a renter a notice to vacate rented premises | UMBS, TLEH, UMBSEH, EHO | Where Council is a public statutory authority authorised to acquire land compulsorily for its purposes Note: this power is not yet in force and will commence on 1 July 2020, unless proclaimed earlier |
| s 91ZZE(1) | Power to give a renter a notice to vacate rented premises | UMBS, TLEH, UMBSEH, EHO | 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 July 2020, unless proclaimed earlier |
| s 91ZZE(3) | Power to publish Council's criteria for eligibility for the provision of housing | UMBS, TLEH, UMBSEH, EHO | 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 July 2020, unless proclaimed earlier |
| s.142D | function of receiving notice regarding an unregistered rooming house | UMBS, UMBSEH, TLEH, TLBS SBS, EHO, BS | |
| s.142G(1) | duty to enter required information in the Rooming House Register for each rooming house in the municipal district | UMBS, UMBSEH, TLEH, TLBS SBS, EHO, BS | |

| RESIDENTIAL TENANCIES ACT 1997 | | | |
|---------------------------------------|--|--|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.142G(2) | power to enter certain information in the Rooming House Register | UMBS, UMBSEH, TLEH, TLBS SBS, EHO, BS | |
| s.142I(2) | power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry | UMBS, UMBSEH, TLEH, TLBS SBS, EHO& BS | |
| s 206AZA(2) | Function of receiving written notification | UMBS, TLEH, UMBSEH, EHO | Note: this function is not yet in force and will commence on 1 July 2020, unless proclaimed earlier |
| s 207ZE(2) | Function of receiving written notification | UMBS, TLEH, UMBSEH, EHO | Note: this function is not yet in force and will commence on 1 July 2020, unless proclaimed earlier |
| s.252 | power to give a tenant a notice to vacate rented premises if s.252(1) applies | Not applicable | Where Council is a public statutory authority engaged in the provision of housing Note: this provision will be repealed on 1 July 2020, unless proclaimed earlier |
| s.262(1) | power to give a tenant a notice to vacate rented premises | Not applicable | Where Council is a public statutory authority engaged in the provision of housing Note: this provision will be repealed on 1 July 2020, unless proclaimed earlier |
| s.262(3) | power to publish its criteria for eligibility for the provision of housing by Council | Not applicable | Where Council is a public statutory authority engaged in the provision of housing Note: this provision will be repealed on 1 July 2020, unless proclaimed earlier |

| RESIDENTIAL TENANCIES ACT 1997 | | | |
|---------------------------------------|---|--|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s 311A(2) | Function of receiving written notification | UMBS, TLEH, UMBSEH, EHO | |
| s 317ZDA(2) | Function of receiving written notification | UMBS, TLEH, UMBSEH, EHO | |
| s.518F | power to issue notice to a caravan park regarding emergency management plan if it is determined that the plan does not comply with the requirements | DCF, GMCD, UMBS, UMBSEH, TLEH | |
| s.522 (1) | power to give a compliance notice to a person | UMBS, DCF, GMCD, TLEH, UMBSEH, EHO | <i>Note - The Act applies to caravan parks and rooming houses. In relation to rooming houses, the Manager Building and Local Law Services and the Coordinator Environmental Health and Animal Control deal with any issues pursuant to the Building Act 1993 and the Public Health and Wellbeing Act 2008 respectively.</i> |
| s.525(2) | power to authorise an officer to exercise powers in section 526 (either generally or in a particular case) | Not delegated | |
| s.525(4) | duty to issue an identity card to authorised officers | Not delegated | |
| s.526(5) | duty to keep a record of entry by an authorised officer under section 526 | TLEH, UMBSEH UMBS, EHO | |
| s.526A(3) | function of receiving a report of an inspection | DCF, GMCD, TLEH, UMBSEH UMBS, EHO | |

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|---------------------------------------|---|-----------------|--------------------------------|
| 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 delegated | |

| 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 | EMF | The delegate must obtain 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 Victoria Government Gazette | EMF | Note - subject to the Council formally adopting the new name of the road. |
| s.11(9)(b) | duty to advise the Registrar | EMF | Note – “Registrar” refers to the Registrar of Titles. |
| s.11(10) | duty to inform the Secretary to the Department of Environment, Land, Water and Planning of the declaration etc. | EMF | subject to section 11(10A) |
| s.11(10A) | duty to inform the Secretary to the Department of Environment, Land, Water and Planning or nominated person | EMF | where Council is the coordinating road authority |
| s.12(2) | power to discontinue a road or part of a road | Not delegated | where Council is the coordinating road authority. The power remains with the Council. |
| s.12(4) | power to publish, and provide a copy of a notice of a proposed discontinuance | EMF | Power of the co-ordinating road authority where it is the discontinuing body Unless s 12(11) applies. |
| s.12(5) | duty to consider written submissions received within 28 days of notice | EMF | Duty of the co-ordinating road authority where it is the discontinuing body. Unless s 12(11) applies. |
| s.12(6) | function of hearing a person in support of their written submission | Not delegated | Function of coordinating road authority where it is the discontinuing body unless s 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 subsection s 12(6) and to give notice | Not delegated | Duty of coordinating road authority where it is the discontinuing body unless s 12(11) applies |
| s.12(10) | duty to notify of a decision made | EMF, PRC | Duty of the co-ordinating 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 | DCI, DCF | Power of the co-ordinating road authority and obtain consent under section 13(3) and section 13(4) as appropriate. |
| s.14(4) | function of receiving notice from Head, Transport for Victoria | DCF, MCC, TC, PC | |
| s.14(7) | power to appeal against a decision of Head, Transport for Victoria | DCF | |
| 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 or to the utility or provider of public transport | DCF | |
| s.15(1A) | power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority | DCF | |

| ROAD MANAGEMENT ACT 2004 | | | |
|---------------------------------|---|-----------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.15(2) | duty to include details of arrangement in the public roads register | MCWP&D and AMC | |
| s.16(7) | power to enter into an arrangement under section 15 | DCI | |
| s.16(8) | duty to enter details of a determination in public roads register | MCWP&D and AMC | |
| s.17(2) | duty to register public roads in the public roads register | MCWP&D and AMC | Where Council is the coordinating road authority |
| s.17(3) | power to decide that a road is reasonably required for general public use | MCWP&D | Where Council is the coordinating road authority Note – a public road includes a road declared pursuant to section 204(1) of the Local Government Act 1989. |
| s.17(3) | duty to register a road reasonably required for general public use in the public roads register | MCWP&D, AMC | Power of the co-ordinating road authority. 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 | DCI, DCF | |
| s.17(4) | duty to remove a road no longer reasonably required for general public use from the public roads register | MCWP&D, AMC | |
| s.18(1) | power to designate an ancillary area | DCI, MCWP&D | Where Council is the Power of the co-ordinating road authority, and obtain consent in circumstances specified in section 18(2). |
| s.18(3) | duty to record designations in the public roads register | MCWP&D, AMC | Where Council is the coordinating road authority |

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|---------------------------------|--|--------------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.19(1) | duty to keep a register of public roads in respect of which it is the co-ordinating road authority | MCWP&D, AMC | |
| s.19(4) | duty to specify details of discontinuance in the public roads register | MCWP&D, AMC | |
| s.19(5) | duty to ensure the public roads register is available for public inspection | MCWP&D, AMC | |
| s.21 | function of replying to a request for information or advice | MCWP&D, AMC | Subject to obtaining consent in the circumstances specified in section 11(2). |
| s.22(2) | function of commenting on a proposed direction | DCI, DCF | |
| s.22(4) | duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report. | DCI, DCF | |
| s.22(5) | duty to give effect to a direction under s22. | DCI, DCF | |
| s.40(1) | duty to inspect, maintain and repair a public road. | MRF&W, UMR | |
| s.40(5) | Discretionary power to inspect, maintain and repair a road which is not a public road | MRF&W, UMR | For work utilising Council resources for non-Council assets. |
| s.41(1) | power to determine the standard of construction, inspection, maintenance and repair | DCI, MCWP&D, MRF&W | |
| s.42(1) | power to declare a public road as a controlled access road | DCI, DCF | Power of the co-ordinating road authority. Schedule 2 also applies Note - "controlled access road" means a public road in respect of which a declaration is in force under section 42. |

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|--------------------------|--|---------------|--|
| 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 | DCI, DCF | Power of the co-ordinating road authority. Schedule 2 also applies. |
| s.42A(3) | duty to consult with VicRoads before a road is specified | DCI, DCF | Where Council is the co-ordinating road authority if road is a municipal road or part thereof <ul style="list-style-type: none"> Duty of the co-ordinating road authority. If the road is a municipal road or part thereof. <p>Note - "specified road" means a road or part of a road which is specified under section 42A to be a specified road in respect of which a mode of transport is to have priority.</p> |
| s.42A(4) | power to approve the Minister's decision to specify a road as a specified freight road | Not delegated | <ul style="list-style-type: none"> Where Council is the coordinating road authority If the road is a municipal road or part thereof and where the road is to be specified a freight road. <p>Note – section 42A (4) provides that If a road or part of a road which is to be a specified freight road is a municipal road, the Minister must obtain the approval of the municipal council which is the coordinating road authority before the road or part of the road can be specified to be a specified freight road.</p> |
| 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) | DCI, DCF | Where Council is the responsible road authority, infrastructure manager or works manager |

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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.48M(3) | function of consulting with the relevant authority for purposes of developing guidelines under section 48M | DCF, DCI, MCC | Note – the section refers to bus stopping points and bus stop infrastructure. |
| s.49 | power to develop and publish a road management plan | DCI | Subject to the formal adoption by Council of the road management plan. |
| s.51 | power to determine standards by incorporating the standards in a road management plan | DCI | |
| s.53(2) | power to cause a notice to be published in the Victoria Government Gazette of an amendment etc of a document in the road management plan | MCW&PD | |
| s.54(2) | duty to give notice of a proposal to make a road management plan | MCW&PD | |
| s.54(5) | duty to conduct a review of the road management plan at prescribed intervals | MCW&PD | |
| s.54(7) | duty to incorporate the amendments into the road management plan | MCW&PD | |
| s.55(1) | duty to cause notice of road management plan to be published in the Victoria Government Gazette and newspaper | MCW&PD | |
| s.63(1) | power to consent to the conduct of works on a road | MRF&W, UMR, SDAE, WO, | Where Council is the co-ordinating 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 | MCWP&D, MRF&W, UMR, WO | Where Council is the infrastructure manager. |

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|---------------------------------|---|------------------------------|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.64(1) | duty to comply with clause 13 of Schedule 7 | MRF&W, MCW&PD, UMR, WO | Duty of the infrastructure manager or works manager. <i>Schedule 7 relates to infrastructure and works on roads. Clause 13 of Schedule 7 requires the works manager to give notice the relevant coordinating authority of the completion of works.</i> |
| s.66(1) | power to consent to a structure etc | DCI, MRF&W, MST&C | Where Council is the co-ordinating road authority. |
| s.67(2) | function of receiving the name, address of the person responsible for distributing the sign or bill | MRF&W, MCC | Where Council is the coordinating road authority. The section refers to advertising signs and bills on roads and road infrastructure. |
| s.67(3) | power to request information | DCI, MRF&W | Where Council is the co-ordinating road authority. |
| s.68(2) | power to request information | DCI, MRF&W | |
| s.71(3) | power to appoint an authorised officer | DBT, MCG | |
| s.72 | duty to issue an identity card to each authorised officer | Not delegated | |
| s.85 | function of receiving a report from an authorised officer | MRF&W | Division 3 of the Act refers to the general powers of Authorised Officers. Section 85 refers specifically to powers of entry. |
| s.86 | duty to keep a register regarding section 85 matters | DCI | Refers to powers of entry onto land |
| s.87(1) | function of receiving complaints | DCI, MRF&W | |
| s.87(2) | duty to investigate a complaint and provide a report | DCI, MRF&W | |

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|---------------------------------|--|---------------------------|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| s.112(2) | power to recover damages in court | DCI | Note – the section applies if a road authority incurs extraordinary expenses in repairing a road that has been damaged as a result of the passage of extraordinary traffic or excessive mass along the road. The approval requirements to institute proceedings in the various courts and tribunals are set out in Delegation Guidelines (D17/037824) approved by the Management Executive Group on 31 January 2017. |
| s.116 | power to cause or carry out inspection | DCI, MRF&W, MCWP&D | |
| s.119(2) | function of consulting with Head, Transport for Victoria | DCI, MCWP&D, MST&C, MRF&W | Note - the section refers to VicRoads performing a road management function. |
| s.120(1) | power to exercise road management functions on an arterial road (with the consent of Head, Transport for Victoria) | DCI, MRF&W | |
| s.120(2) | duty to seek the consent of Head, Transport for Victoria to exercise road management functions before exercising the power in section 120(1) | DCI, MRF&W | |
| s.121(1) | power to enter into an agreement in respect of works | DCI, MRF&W | |
| s.122(1) | power to charge and recover fees | DCI &MRF&W | Note – fees may be charged if authorised under the Road Management (General) Regulations 2016. The Regulations express the fees in terms of “fee units” which are indexed annually. In 2016/17, a fee unit is \$13.94. |

| 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 | DCI, MRF&W | Note: a) fees must not be inconsistent with the relevant Regulations. Fees are fixed by Council in the annual budget process; and b) the charge can include costs relating to <ul style="list-style-type: none"> • supplying a service, product or commodity; or • giving information. |
| Schedule 2 Clause 2(1) | power to make a decision in respect of controlled access roads | DCI | |
| Schedule 2 Clause 3(1) | duty to make policy about controlled access roads | DCI | |
| Schedule 2 Clause 3(2) | power to amend, revoke or substitute policy about controlled access roads | DCI | |
| Schedule 2 Clause 4 | function of receiving details of a proposal from Head, Transport for Victoria | DCF, DCI | |
| Schedule 2 Clause 5 | duty to publish notice of a declaration | DCF, DCI | |
| Schedule 7, Clause 7(1) | duty to give notice to the relevant co-ordinating road authority of the proposed installation of non-road infrastructure or related works on a road reserve | MRF&W, UMR, WO | 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 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 | MRF&W, UMR, MCWP&D, ESC, WO | where Council is the infrastructure manager or works manager |
| Schedule 7, Clause 9(1) | duty to comply with a request for information from a co-ordinating 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 | MRF&W, UMR, WO | where Council is the infrastructure manager or works manager responsible for non-road infrastructure |
| Schedule 7, Clause 9(2) | duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance | MRF&W, UMR, WO | 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 | MRF&W, UMR, WO | where Council is the infrastructure manager or works manager |
| Schedule 7 Clause 12(2) | power to direct an infrastructure manager or works manager to conduct reinstatement works | MRF&W, UMR, WO | where Council is the coordinating road authority |
| Schedule 7 Clause 12(3) | power to take measures to ensure reinstatement works are completed | MRF&W, UMR, WO | |

| ROAD MANAGEMENT ACT 2004 | | | |
|---------------------------------|--|------------------------------|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| Schedule 7 Clause 12(4) | duty to ensure that works are conducted by an appropriately qualified person | MRF&W, UMR, WO | |
| Schedule 7 Clause 12(5) | power to recover costs | MRF&W, UMR, WO | where Council is the coordinating road authority |
| Schedule 7, Clause 13(1) | duty to notify relevant co-ordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2) | MRF&W, UMR, WO | where Council is the works manager |
| Schedule 7 Clause 13(2) | power to vary a notice period | MRF&W, UMR, WO | where Council is the coordinating road authority. |
| Schedule 7, Clause 13(3) | duty to ensure the works manager has complied with the obligation to give notice under Schedule 7, Clause 13(1) | MRF&W, UMR, WO | where Council is the infrastructure manager |
| Schedule 7 Clause 16(1) | power to consent to proposed works | DCI, DCF, MCWP&D, MCC, MRF&W | where Council is the coordinating road authority |
| Schedule 7 Clause 16(4) | duty to consult | DCI, DCF, MCWP&D, MCC, MRF&W | where Council is the coordinating road authority, responsible authority or infrastructure manager |
| Schedule 7 Clause 16(5) | power to consent to proposed works | DCI, DCF, MCWP&D, MCC, MRF&W | 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(6) | power to set reasonable conditions on consent | DCI, DCF, MCWP&D, MCC, MRF&W | where Council is the coordinating road authority |
| Schedule 7 Clause 16(8) | power to include consents and conditions | DCI, DCF, MCWP&D, MCC, MRF&W | 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 | DCI, DCF, MCWP&D, MCC, MRF&W | where Council is the coordinating road authority |
| Schedule 7 Clause 18(1) | power to enter into an agreement | DCI, DCF, MCWP&D, MCC, MRF&W | where Council is the coordinating road authority |
| Schedule 7 Clause 19(1) | power to give notice requiring rectification of works | DCI, DCF, MCWP&D, MCC, MRF&W | 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 | DCI, MCWP&D, MRF&W | 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 | DCI, MCWP&D, MRF&W | 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 |
| Schedule7A Clause 2 | Power to cause streetlights to be installed on roads | DCF, MCC, TC, SDAE, STO | Power of responsible road authority where it is the co-ordinating road authority or responsible road authority in respect of the road. |
| Schedule7A Clause 3(1)(d) | Duty to pay installation and operation costs of street lighting – where road is not an arterial road | DCF, MCC, TC, SDAE, STO | Where Council is the responsible road authority. |
| Schedule7A 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 | DCF, MCC, TC, SDAE, STO | |
| Schedule7A 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 | DCF, MCC, TC, SDAE, STO | 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 | DCF, GMCD, MCS&D, UMS, UMA, UMUP, SSP, PC, SUP, UP, UPFT, SO, PEO, PPEO, MCS&D, UMA, CCIAS, PUP, CDCLO, StUP, SSO | Where <ul style="list-style-type: none"> • 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 the 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 | DCF, GMCD, MCS&D, UMS, UMA, UMUP, SSP, PC, SUP, UP, UPFT, SO, PEO, PPEO, MCS&D, UMA, PUP, CDCLO, StUP, SSO | |

| PLANNING AND ENVIRONMENT REGULATIONS 2015 | | | |
|--|--|---|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS AND LIMITATIONS |
| r.25(a) | duty to make a copy of a matter considered under section 60(1A)(g) available for inspection free of charge | DCF, GMCD, MCS&D, UMS, UMA, UMUP, SSP, PC, SUP, UP, UPFT, SO, PEO, PPEO, MCS&D, UMA, CCIAS, PUP, CDCLO, StUP, SSO | 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 | DCF, GMCD, MCS&D, UMS, UMA, UMUP, SSP, PC, SUP, UP, UPFT, SO, PEO, PPEO, MCS&D, UMA, CCIAS, PUP, CDCLO, StUP, SSO | 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 | CONDITIONS AND LIMITATIONS |
| 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 | DCF, GMCD, MCS&D, UMS, UMA, UMUP, SSP, PC, SUP, UP, UPFT, SO, PEO, PPEO, MCS&D, UMA, CCIAS, PUP, CDCLO, StUP, SSO | 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 | DCF, GMCD, MCS&D | Note – the grounds for waiving or rebating a fee include: a) where the application is withdrawn and a new application is submitted; b) the amendment combines separate items from multiple requests for an amendment; and c) the amendment is intended to remove anomalies in the planning scheme. |
| r.20 | power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme | DCF, GMCD, MCS&D | Note – the grounds for waiving or rebating a fee include: a) where the application is withdrawn and a new application is submitted; b) the application relates to land used for charitable purposes; and c) the fee is not warranted due to the minor nature of the application. |
| 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 | DCF, GMCD, MCS&D | |

| 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 | GMCD, UMBSEH | |
| r.11 | function of receiving an application for registration | UMBSEH, TLEH and EHO | |
| r.13(1) | duty to grant the registration if satisfied that the caravan park complies with these regulations | UMBSEH, TLEH and EHO | |
| r.13(2) | duty to renew the registration if satisfied that the caravan park complies with these regulations | UMBSEH, TLEH and EHO | |
| r.13(2) | power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations | UMBSEH, TLEH | |
| r.13(4), (5) | duty to issue a certificate of registration | UMBSEH, TLEH and EHO | |
| r.15(1) | function of receiving notice of a transfer of ownership | UMBSEH, TLEH and EHO | |
| r.15(3) | power to determine where the notice of transfer is displayed | UMBSEH, TLEH and EHO | |
| r.16(1) | duty to transfer registration to a new caravan park owner | UMBSEH, TLEH and EHO | |
| r.16(2) | duty to issue a certificate of transfer of registration | UMBSEH, TLEH and 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.17(1) | power to determine the fee to accompany applications for registration or applications for renewal of registration | Not delegated | Fees are determined by Council in the annual budget process |
| r.18 | duty to keep a register of caravan parks | UMBSEH, TLEH and EHO | |
| r.19(4) | power to determine where the emergency contact person's details are displayed | UMBSEH, TLEH and EHO | |
| r.19(6) | power to determine where certain information is displayed | UMBSEH, TLEH and EHO | |
| r.22A(1) | duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner | UMBSEH, TLEH and EHO | |
| r.22A(2) | duty to consult with relevant emergency services agencies | UMBSEH, TLEH and EHO | |
| r.23 | power to determine places in which a caravan park owner must display a copy of emergency procedures | UMBSEH TLEH and EHO | |
| r.24 | power to determine places in which caravan park owner must display copy of public emergency warnings | UMBSEH, TLEH and EHO | |
| r.25(3) | duty to consult with the relevant floodplain management authority | UMBSEH, PC, TLEH | |

| 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.26 | duty to have regard to any report of the relevant fire authority | UMBSEH, TLEH, MFPO | |
| r.28(c) | power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling | UMBSEH, TLEH and EHO | |
| r.39 | function of receiving notice of the proposed installation of an unregistrable movable dwelling or rigid annexe | UMBSEH, TLEH and EHO | |
| r.39(b) | power to require notice of a proposal to install an unregistrable movable dwelling or rigid annexe | UMBSEH, TLEH and EHO | |
| r.40(4) | function of receiving an installation certificate | UMBSEH, TLEH and EHO | |
| r.42 | power to approve use of a non-habitable structure as a dwelling or part of a dwelling | UMBSEH, UMBS, SBS, TLEH | |
| Schedule 3 clause 4(3) | power to approve the removal of wheels and axles from an unregistrable movable dwelling | UMBSEH, TLEH | |

| ROAD MANAGEMENT (GENERAL) REGULATIONS 2016 | | | |
|---|--|----------------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS, LIMITATIONS |
| r.(1) | duty to conduct reviews of the road management plan | DCI, MCWP&D | |
| r.9(2) | duty to produce a written report of the review of the road management plan and make the report available | DCI, MCWP&D | |
| 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) | DCI, MCWP&D | 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 | DCI, MCWP&D | |
| r.13(1) | Duty to publish notice of amendments to road management plan | MCWP&D, AMC | Where Council is the coordinating road authority. |
| r.13(3) | duty to record on the road management plan the substance and date of effect of any amendment | MCW&PD, AMC | |
| r.16(3) | power to issue a permit | DCI, MRF&W, MCC, MAC | Where Council is the co-ordinating road authority |
| r.18(1) | power to give written consent regarding damage to a road | DCI, MRF&W | Where Council is the co-ordinating road authority. |
| r.23(2) | power to make a submission to the Tribunal | DCI | |
| r.23(4) | power to charge a fee for application under section 66(1) Road Management Act 2004 | DCI, MRF&W | 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 | DCI, MRF&W, MOS&SC | Where Council is the responsible road authority. |
| r.25(2) | power to sell or dispose of things removed from a road or part of road (after first complying with r.25(3)) | DCI, MRF&W, MOS&SC | Where Council is the responsible road authority. |
| r.25(45) | power to recover in the Magistrates' Court, expenses from the person responsible | DCI, MRF&W, MOS&SC | |

| 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 clause 13(1) of Schedule 7 of the Act to give notice as to the completion of those works | DCI, MRF&W | 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 | DCI, MRF&W | Where Council is the coordinating road authority. |