

S6 Instrument of Delegation – Members of Staff



**Instrument of Delegation
to
Members of Council Staff**

23 November 2022

Instrument of Delegation

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

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

record that references in the Schedule have the meaning shown below

2. Definitions

Acronym	Position	Person (this column to be removed)
CEO	Chief Executive Officer	Tammy Smith
DAO	Director Assets & Operations	Mick Evans
DBSP	Director Business Strategy & Performance	Tony Caccaviello
DCDW	Director Community Development & Wellbeing	Gavin Blinman
EHO	Environmental Health Officer	Helene Wortley
IMGO	Information Management & Governance Officer	Belinda Penny
LLOR	Local Laws Officer/Ranger	Craig Byron
MCH	Manager Community Health	Tim Rose
MDES	Manager Development & Environmental Services	Adam Moar
MEMO	Municipal Emergency Management Officer	Mic Evans
MIW	Manager Infrastructure & Works	Joel Turner

3. declares that

3.1 this instrument of Delegation is authorised by a resolution of Council passed on 23 November 2022; and

3.2 the delegation

3.2.1 revokes the delegation approved by Council on 23 March 2022

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

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 the Schedule;

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;
- 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;
- 3.3.2 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
- 3.3.3 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

THE COMMON SEAL of the YARRIAMBIACK SHIRE

COUNCIL was affixed hereto by authority of the Council in the presence of:

Signature of Mayor / Councillor Name

Signature of Councillor Name

Signature of Chief Executive Officer Name

Date: _____

:

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	MCH, LLOR, & RRL	Council may delegate this power to a Council authorised officer.

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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	MCH & EHO.	If section 19(1) applies. Section 19(1) provides that the direction has received a report from an “authorised officer” (as defined). Authorised officer means an environmental health officer appointed under section 29 of the <i>Public Health & Wellbeing Act 2008</i> .
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	MCH & 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	MCH & 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	MCH & 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	MCH & EHO.	If section 19(1) applies.
s 19(6)(b)	Duty to give written notice of a revocation under section 19(6)(a) if satisfied that an order has been complied with	MCH & EHO.	If section 19(1) applies.
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	MCH & 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, vehicle and plant etc</i>

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19AA(4)(c)	Power to direct, in an order made under 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	MCH & EHO.	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.
s 19AA(7)	Duty to revoke an order issued under section 19AA and give written notice of revocation, if satisfied that that the order has been complied with	MCH & EHO.	Where Council is the registration authority.
s 19CB(4)(b)	Power to request a copy of records	MCH & 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	MCH & EHO.	Where Council is the registration authority.
s 19EA(3)	Function of receiving a copy of a revised food safety program	MCH & EHO.	Where Council is the registration authority.
s 19GB	Power to request the proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	MCH & EHO.	Where Council is the registration authority.
S19IA(1)	Power to form an opinion that the food safety requirements or program are non-compliant.	MCH & EHO.	Where Council is the registration authority.
s 19IA(2)	Duty to give written notice to the proprietor of the premises	MCH & EHO.	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see section 19IA(3)).
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	MCH & EHO.	Where Council is the registration authority.
s 19N(2)	Function of receiving notice from the auditor	MCH & 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 19NA(1)	Power to request food safety audit reports	MCH & 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	MCH & EHO.	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	MCH & EHO.	Except for an assessment required by a declaration under section 19C or an inspection under ss 38B(1)(c) or 39.
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	MCH & 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	MCH & 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	MCH & EHO.	Where Council is the registration authority.
---	Power to register or renew the registration of a food premises	MCH & EHO.	Where Council is the registration authority. Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see section 58A(2)).
s 36A	Power to accept an application for registration or notification using online portal	MCH & EHO.	Where Council is the registration authority.
s 36B	Duty to pay the charge for use of online portal	MCH & EHO.	Where Council is the registration authority.
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	MCH & EHO.	Where Council is the registration authority.

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under section 38AB(1)	Not delegated.	Where Council is the registration authority. 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	MCH & 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	MCH & EHO.	Where Council is the registration authority.
S 38B(1)(b)	Duty to ensure the proprietor has complied with the requirements of section 38A	MCH & EHO.	Where Council is the registration authority.
s 38B(2)	Duty to be satisfied of the matters in section 38B(2)(a)-(b)	MCH & 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	MCH & EHO.	Where Council is the registration authority.
s 38D(2)	Duty to be satisfied of the matters in section 38D(2)(a)-(d)	MCH & EHO.	Where Council is the registration authority.
s 38D(3)	Power to request copies of any audit reports	MCH & EHO.	Where Council is the registration authority.
s 38E(2)	Power to register the food premises on a conditional basis	MCH & EHO.	Where Council is the registration authority. Not exceeding the prescribed time limit defined under section 38E (5).
s 38E(4)	Duty to register the food premises when conditions are satisfied	MCH & EHO.	Where Council is the registration authority.
s 38F(3)(b)	Power to require the proprietor to comply with the requirements of the Act	MCH & 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 38G(1)	Power to require notification of a change of the food safety program type used for the food premises	MCH & EHO.	Where Council is the registration authority.
S 38G(2)	Function of receiving notice from the proprietor if there is a change of the food safety program type used for the food premises	MCH & EHO.	Where Council is the registration authority.
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	MCH & EHO.	Where Council is the registration authority.
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	MCH & EHO.	Where Council is the registration authority.
s 39A	Power to register, or renew the registration of a food premises despite minor defects	MCH & EHO.	Where Council is the registration authority. Only if satisfied of the matters in section 39A (2)(a)-(c).
s 39A (6)	Duty to comply with a direction of the Secretary	MCH & EHO.	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	MCH & EHO.	Where Council is the registration authority.
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>	MCH & EHO.	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than one year	MCH & EHO.	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	MCH.	Where Council is the registration authority.

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 40E	Duty to comply with directions of the Secretary	MCH & EHO.	
s 40F	Power to cancel the registration of food premises	MCH.	Where Council is the registration authority.
s 43	Duty to maintain records of registration	MCH & 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 or renewing registration of a component of a food business	MCH & EHO.	Where Council is the registration authority.
s 43F(7)	Power to register the components of the food business that meet the requirements in Division 3 and the power to refuse to register the components that do not meet the requirements	MCH & EHO.	Where Council is the registration authority.
s 45AC	Power to bring proceedings	MCH & EHO.	
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	MCH & EHO.	Where Council is the registration authority.

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

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LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 185L (4)	Power to declare and levy a cladding rectification charge	CEO	The only member of staff who can be a delegate is the CEO

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	DAO & MDES.	If authorised by the Minister.
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	DAO & MDES.	
s 4H	Duty to make amendments to the Victorian Planning Provisions available in accordance with public availability requirements	DAO & MDES.	<p><i>The “public availability requirements” are set out in section 197A etc and include making documents available:</i></p> <ul style="list-style-type: none"> • <i>electronically;</i> • <i>on request;</i> • <i>in a public register; and</i> • <i>for inspection.</i>
s 4I(2)	Duty to make a copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	DAO & MDES.	
s 8A(2)	Power to prepare an amendment to the planning scheme where the Minister has given consent under section 8A	DAO & MDES.	
s 8A(3)	Power to apply to the Minister to prepare an amendment to the planning scheme	DAO & MDES.	
s 8A(5)	Function of receiving notice of the Minister’s decision	DAO & MDES.	
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	DAO & MDES.	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	DAO & MDES.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	DAO & MDES.	
s 12B(1)	Duty to review the planning scheme	DAO & MDES.	
s 12B(2)	Duty to review the planning scheme at the direction of the Minister	DAO & MDES.	
s 12B(5)	Duty to report the findings of a review of the planning scheme to the Minister without delay	DAO & MDES.	
s 14	Duties of a Responsible Authority as set out in section 14(a) to (d)	DAO & MDES.	
s 17(1)	Duty of giving a copy of an amendment to the planning scheme	DAO & MDES.	
s 17(2)	Duty of giving a copy of a section 173 agreement	DAO & MDES.	
s 17(3)	Duty of giving copies of amendments, explanatory reports and relevant documents to the Minister within 10 business days	DAO & MDES.	
s 18	Duty to make amendments etc. available in accordance with public availability requirements	DAO & MDES.	Until the proposed amendment is approved or lapsed.
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under section 19 to a planning scheme	DAO & MDES.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19	Function of receiving notice of the preparation of an amendment to a planning scheme	DAO & MDES.	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	DAO & MDES.	Where Council is a planning authority.
s 21(2)	Duty to make submissions available in accordance with public availability requirements	DAO & MDES.	Until the end of 2 months after the amendment comes into operation or lapses.
s 21A(4)	Duty to publish notice	DAO & MDES.	
s 22(1)	Duty to consider all submissions received before the date specified in the notice	DAO & MDES.	Except submissions which request a change to the items in section 22(5)(a) and (b).
s 22(2)	Power to consider a late submission. Duty to consider a late submission, if directed by the Minister	DAO & MDES.	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	DAO & MDES.	
s 23(2)	Power to refer to a panel, submissions which do not require a change to the amendment	DAO & MDES.	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in section 96D)	DAO & MDES.	

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

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 40(1)	Function of lodging a copy of an approved amendment	DAO & MDES.	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during the inspection period	DAO & MDES.	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in section 197B of the Act after the inspection period ends	DAO & MDES.	
s 42(2)	Duty to make copy of the planning scheme available in accordance with the public availability requirements	DAO & MDES.	
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	Not applicable.	Where Council is a responsible public entity and is a planning authority.
s 46AW	Function of being consulted by the Minister	DAO & MDES.	Where Council is a responsible public entity.
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy Power to endorse the draft Statement of Planning Policy	DAO & MDES.	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	DAO & MDES.	Where Council is a responsible public entity.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	DAO & MDES.	Where Council is a responsible public entity.
			<i>Part 3AB of the Act relates to infrastructure contributions and development contributions. Currently under the relevant settings that apply, infrastructure contribution plans are only used in the growth areas namely Whittlesea, Melton, Hume, Wyndham, Mitchell, Casey and Cardinia.</i>
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	Not applicable.	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency.
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	Not applicable.	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	Not applicable.	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	Not applicable.	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	Not applicable.	
s 46GP	Function of receiving a notice under section 46GO	Not applicable.	Where Council is the collecting agency.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	Not applicable.	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under section 46GO	Not applicable.	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	Not applicable.	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under section 46GQ	Not applicable.	
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	Not applicable.	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	Not applicable.	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	Not applicable.	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under section 46GT(5)	Not applicable.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GU	Duty not to adopt an amendment under section 29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in section 46GU(1)(a) and (b) are met	Not applicable.	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution Power to specify the manner in which the payment is to be made	Not applicable.	Where Council is the collecting agency.
s 46GV(3)(b)	Power to enter into an agreement with the applicant	Not applicable.	Where Council is the collecting agency.
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with section 46GV(5) and (6)	Not applicable.	Where Council is the development agency.
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with section 46GV(5) and (6)	Not applicable.	Where Council is the collecting agency.
s 46GV(7)	Duty to impose the requirements set out in section 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	Not applicable.	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	Not applicable.	Where Council is the collecting agency.
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	Not applicable.	Where Council is the collecting agency.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under section 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	Not applicable.	Where Council is the collecting agency.
s 46GY(1)	Duty to keep proper and separate accounts and records	Not applicable.	Where Council is the collecting agency.
s 46GY(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	Not applicable.	Where Council is the collecting agency.
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	Not applicable.	Where Council is the collecting agency under an approved infrastructure contributions plan. This duty does not apply where Council is that planning authority.
s 46GZ(2)(a)	Function of receiving the monetary component	Not applicable.	Where the Council is the planning authority. This duty does not apply where Council is also the collecting agency.
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan as responsible for those works, services or facilities	Not applicable.	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(2)(b)	Function of receiving the monetary component	Not applicable.	Where Council is the development agency under an approved infrastructure contributions plan. This provision does not apply where Council is also the collecting agency.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under section 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under section 46GZ(5)	Not applicable.	Where Council is the collecting agency under an approved infrastructure contributions plan.
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	Not applicable.	Where Council is the collecting agency under an approved infrastructure contributions plan. This provision does not apply where Council is also the relevant development agency.
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	Not applicable.	Where Council is the development agency specified in the approved infrastructure contributions plan. This provision does not apply where Council is also the collecting agency.
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under section 46GW	Not applicable.	Where Council is the collecting agency under an approved infrastructure contributions plan.
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	Not applicable.	If any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under section 46GV(4). Where Council is the collecting agency under an approved infrastructure contributions plan. This duty does not apply where Council is also the development agency.

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(9)	Function of receiving the fee simple in the land	Not applicable.	Where Council is the development agency under an approved infrastructure contributions plan. This duty does not apply where Council is also the collecting agency.
s 46GZA(1)	Duty to keep proper and separate accounts and records	Not applicable.	Where Council is a development agency under an approved infrastructure contributions plan.
s 46GZA(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	Not applicable.	Where Council is a development agency under an approved infrastructure contributions plan.
s 46GZB(3)	Duty to follow the steps set out in section 46GZB(3)(a) – (c)	Not applicable.	Where Council is a development agency under an approved infrastructure contributions plan.
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	Not applicable.	If the VPA is the collecting agency under an approved infrastructure contributions plan. Where Council is a development agency under an approved infrastructure contributions plan.
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in section 46GZD(2)(a) and (b)	Not applicable.	Where Council is the development agency under an approved infrastructure contributions plan.
s 46GZD(3)	Duty to follow the steps set out in section 46GZD(3)(a) and (b)	Not applicable.	Where Council is the collecting agency under an approved infrastructure contributions plan.
s 46GZD(5)	Duty to make payments under section 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	Not applicable.	Where Council is the collecting agency under an approved infrastructure contributions plan.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within six months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	Not applicable.	Where Council is the development agency under an approved infrastructure contributions plan. This duty does not apply where Council is also the collecting agency.
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	Not applicable.	Where Council is the collecting agency under an approved infrastructure contributions plan. This duty does not apply where Council is also the development agency.
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in section 46GZE(3)(a) and (b)	Not applicable.	Where Council is the collecting agency under an approved infrastructure contributions plan.
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	Not applicable.	Where Council is the development agency under an approved infrastructure contributions plan.
s 46GZF(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in section 46GZF(3)(a) and (b)	Not applicable.	Where Council is the development agency under an approved infrastructure contributions plan.
s 46GZF(3)	Function of receiving proceeds of sale	Not applicable.	Where Council is the collection agency under an approved infrastructure contributions plan. This provision does not apply where Council is also the development agency.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with section 46GZF(5)	Not applicable.	Where Council is the collecting agency under an approved infrastructure contributions plan.
s 46GZF(6)	Duty to make the payments under section 46GZF(4) in accordance with section 46GZF(6)(a) and (b)	Not applicable.	Where Council is the collecting agency under an approved infrastructure contributions plan.
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	Not applicable.	Where Council is the collecting agency under an approved infrastructure contributions plan.
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	Not applicable.	Where Council is a collecting agency or development agency.
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	Not applicable.	Where Council is a collecting agency or development agency.
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under section 46LB (2)	Not applicable.	
s 46N(1)	Duty to include conditions in permits regarding payment of development infrastructure levy	Not applicable.	
s 46N(2)(c)	Function of determining the time and manner for receipt of development contributions levy	Not applicable.	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of a development infrastructure levy	Not applicable.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing a building permit	Not applicable.	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of the community infrastructure levy	Not applicable.	
s 46P(1)	Power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	Not applicable.	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of the levy payable	Not applicable.	
s 46Q(1)	Duty to keep proper accounts of levies paid	Not applicable.	
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	Not applicable.	
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	Not applicable.	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	Not applicable.	Only applies when levy is paid to Council as a 'development agency'.
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under section 46Q(4)(a)	Not applicable.	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.

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	Not applicable.	Must be done in accordance with Part 3.
s 46Q(4)(e)	Duty to expend that amount on other works etc.	Not applicable.	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	Not applicable.	
s 46QD	Duty to prepare report and give a report to the Minister	Not applicable.	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 in accordance with the public availability requirements, during the inspection period	Not applicable.	
s 46V(4)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with section 197B of the Act and on payment of the prescribe fee, after the inspection period	Not applicable.	
s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	Not applicable.	
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public available requirements	Not applicable.	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	Not applicable.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 47	Power to decide that an application for a planning permit does not comply with the Act	DAO & MDES.	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	DAO & MDES.	
s 49(2)	Duty to make the register available for inspection in accordance with the public availability requirements	DAO & MDES.	
s 50(4)	Duty to amend applications	DAO & MDES.	
s 50(5)	Power to refuse to amend an application	DAO & MDES.	
s 50(6)	Duty to make notes of amendments to applications in the register	DAO & MDES.	
s 50A(1)	Power to make amendments to applications	DAO & MDES.	
s 50A(3)	Power to require an applicant to notify the owner and make a declaration that notice has been given	DAO & MDES.	
s 50A(4)	Duty to note amendments to applications in the register	DAO & MDES.	
s 51	Duty to make copy of an application available for inspection in accordance with the public availability requirements	DAO & MDES.	
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	DAO & MDES.	
s 52(1)(b)	Duty to give notice of the application to other municipal councils where appropriate	DAO & MDES.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	DAO & MDES.	
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	DAO & MDES.	
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	DAO & MDES.	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	DAO & MDES.	
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	DAO & MDES.	
s 52(3)	Power to give any further notice of an application where appropriate	DAO & MDES.	
s 53(1)	Power to require the applicant to give notice under section 52(1) to persons specified by it	DAO & MDES.	
s 53(1A)	Power to require the applicant to give the notice under section 52(1AA)	DAO & MDES.	
s 54(1)	Power to require the applicant to provide more information	DAO & MDES.	
s 54(1A)	Duty to give notice in writing of information required under section 54(1)	DAO & MDES.	
s 54(1B)	Duty to specify the lapse date for an application	DAO & MDES.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54A(3)	Power to decide to extend the time or refuse to extend the time to give required information	DAO & MDES.	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under section 54A(3)	DAO & MDES.	
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	DAO & MDES.	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	DAO & MDES.	
s 57(3)	Function of receiving the names and addresses of persons to whom a notice of decision is to be sent	DAO & MDES.	
S 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	DAO & MDES.	
S 57A(4)	Duty to amend application in accordance with the applicant's request, subject to section 57A(5)	DAO & MDES.	
s 57A(5)	Power to refuse to amend an application	DAO & MDES.	
s 57A(6)	Duty to note amendments to applications in the register	DAO & MDES.	
s 57B(1)	Duty to determine whether and to whom notice should be given	DAO & MDES.	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	DAO & MDES.	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 57C(1)	Duty to give a copy of an amended application to a referral authority	DAO & MDES.	
s 58	Duty to consider every application for a permit	DAO & MDES.	
s 58A	Power to request advice from the Planning Application Committee	DAO & MDES.	
s 60	Duty to consider certain matters	DAO & MDES.	
s 60(1A)	Duty to consider certain matters	DAO & MDES.	
s 60(1B)	Duty to consider the number of objectors in considering whether the use or development may have significant social effect	DAO & MDES.	
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	DAO & MDES.	Power is subject to the following conditions: (a) Delegates may only determine an application if no valid objections have been received; 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 grant of permit	DAO & MDES.	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DAO & MDES.	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Not applicable.	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	DAO & MDES.	
s 61(4)	Duty to refuse to grant the permit if granting the permit would authorise a breach of a registered restrictive covenant	DAO & MDES.	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	DAO & MDES.	
s 62(2)	Power to include other conditions	DAO & MDES.	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a), (b) and (c)	DAO & MDES.	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	Not applicable.	
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	DAO & MDES.	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	DAO & MDES.	
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)	DAO & MDES.	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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)	DAO & MDES.	
s 63	Duty to issue the permit where a decision is made in favour of the application (if no one has objected)	DAO & MDES.	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	DAO & MDES.	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	DAO & MDES.	This provision applies also to a decision to grant an amendment to a permit – see section 75.
s 64(5)	Duty to give each objector a copy of an exempt decision	DAO & MDES.	This provision applies also to a decision to grant an amendment to a permit – see section 75.
s 64A	Duty not to issue a permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	DAO & MDES.	This provision applies also to a decision to grant an amendment to a permit – see section 75A.
s 65(1)	Duty to give a notice of refusal to grant a permit to the applicant and any person who objected under section 57	DAO & MDES.	
s 66(1)	Duty to give notice under section 64 or section 65 and a copy of the permit to relevant determining referral authorities	DAO & MDES.	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	DAO & MDES.	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	DAO & MDES.	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	DAO & MDES.	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 an application for extension of time of a permit	DAO & MDES.	
s 69(1A)	Function of receiving an application for an extension of time to complete development	DAO & MDES.	
s 69(2)	Power to extend time	DAO & MDES.	
s 70	Duty to make a copy of the permit available in accordance with public availability requirements	DAO & MDES.	
s 71(1)	Power to correct certain mistakes	DAO & MDES.	
s 71(2)	Duty to note corrections in the register	DAO & MDES.	
s 73	Power to decide to grant amendments subject to conditions	DAO & MDES.	
s 74	Duty to issue an amended permit to the applicant if there are no objectors	DAO & MDES.	
s 76	Duty to give the applicant and objectors notice of a decision to refuse to grant an amendment to a permit	DAO & MDES.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 76A(1)	Duty to give relevant determining referral authorities a copy of an amended permit and a copy of notice	DAO & MDES.	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	DAO & MDES.	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	DAO & MDES.	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	DAO & MDES.	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	DAO & MDES.	
s 83	Function of being respondent to an appeal	DAO & MDES.	
s 83B	Duty to give or publish notice of an application for a review	DAO & MDES.	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against the failure to grant a permit	DAO & MDES.	
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	DAO & MDES.	

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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 it is decided to grant a permit after an application is made for review of its failure to grant a permit	DAO & MDES.	
s 84(6)	Duty to issue a permit on receipt of advice within three business days	DAO & MDES.	
s 84AB	Power to agree to confining a review by the VCAT	DAO & MDES.	
s 86	Duty to issue a permit at the order of the VCAT within three business days	DAO & MDES.	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	DAO & MDES.	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	DAO & MDES.	
s 91(2)	Duty to comply with the directions of VCAT	DAO & MDES.	
s 91(2A)	Duty to issue an amended permit to the owner if VCAT so directs	DAO & MDES.	
s 92	Duty to give notice of the cancellation/amendment of a permit by VCAT to persons entitled to be heard under section 90	DAO & MDES.	
s 93(2)	Duty to give notice of a VCAT order to stop development	DAO & MDES.	
s 95(3)	Function of referring certain applications to the Minister	DAO & MDES.	
s 95(4)	Duty to comply with an order or direction	DAO & MDES.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	DAO & MDES. CEO	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	DAO & MDES. CEO	
s 96A(2)	Power to agree to consider an application for a permit concurrently with preparation of a proposed amendment	DAO & MDES.	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	DAO & MDES.	
s 96F	Duty to consider the panel's report under section 96E	DAO & MDES.	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	DAO & MDES.	
s 96H(3)	Power to give notice in compliance with the Minister's direction	DAO & MDES.	
s 96J	Duty to issue a permit as directed by the Minister	DAO & MDES.	
s 96K	Duty to comply with a direction of the Minister to give notice of refusal	DAO & MDES.	
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than five years from receipt of the certificate	DAO & MDES.	
s 97C	Power to request the Minister to decide the application	DAO & MDES.	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 97D(1)	Duty to comply with directions of the Minister to supply any document or assistance relating to application	DAO & MDES.	
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	DAO & MDES.	
s 97G(6)	Duty to make a copy of permits issued under section 97F available in accordance with public availability requirements	DAO & MDES.	
s 97L	Duty to include Ministerial decisions in a register kept under section 49	DAO & MDES.	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	DAO & MDES.	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	DAO & MDES.	
s 97O	Duty to consider an application and issue or refuse to issue a certificate of compliance	DAO & MDES.	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	DAO & MDES.	
s 97Q(2)	Function of being heard by VCAT at a hearing of a request for amendment or cancellation of a certificate	DAO & MDES.	
s 97Q(4)	Duty to comply with directions of VCAT	DAO & MDES.	
s 97R	Duty to keep a register of all applications for certificates of compliance and related decisions	DAO & MDES.	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 98(1) & (2)	Function of receiving claims for compensation in certain circumstances	DAO & MDES.	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	DAO & MDES.	
s 101	Function of receiving claims for expenses in conjunction with claim	DAO & MDES.	
s 103	Power to reject a claim for compensation in certain circumstances	DAO & MDES.	
s 107(1)	Function of receiving claims for compensation	DAO & MDES.	
s 107(3)	Power to agree to extend the time for making a claim	DAO & MDES.	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	DAO & MDES.	
s 114(1)	Power to apply to the VCAT for an enforcement order	DAO & MDES.	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	DAO & MDES.	
s 120(1)	Power to apply for an interim enforcement order where a section 114 application has been made	DAO & MDES.	
s 123(1)	Power to carry out work required by an enforcement order and recover costs	DAO & MDES.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	DAO. CEO	Except Crown Land.
S 129	Function of recovering penalties	DAO & MDES.	
s 130(5)	Power to allow a person served with an infringement notice further time	DAO & MDES.	
s 149A(1)	Power to refer a matter to the VCAT for determination	DAO & MDES.	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a section 173 agreement	DAO & MDES.	
s 156	Duty to pay fees and allowances (including a payment to the Crown under section 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under section 156(2B). Power to ask for a contribution under section 156(3). Power to abandon amendment or part of it under section 156(4)	DAO & MDES.	Where Council is the relevant planning authority.
s 171(2)(f)	Power to carry out studies and commission reports	DAO.	
s 171(2)(g)	Power to grant and reserve easements	DAO.	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	Not applicable.	Where Council is a development agency specified in an approved infrastructure contributions plan.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under section 46GV(4)	Not applicable.	Where Council is a collecting agency specified in an approved infrastructure contributions plan.
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under section 46GV(4)	Not applicable.	Where Council is the 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	DAO & MDES.	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	Not delegated	Where Council is the relevant responsible authority.
---	Power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or a Responsible Authority	DAO & MDES.	
---	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> requires that something may not be done without the consent of Council or a Responsible Authority	DAO & MDES.	
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	DAO & MDES.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178	Power to amend a section 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DAO & MDES.	
s 178A(1)	Function of receiving an application to amend or end an agreement	DAO & MDES.	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under section 178A (1)	DAO & MDES.	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	DAO & MDES.	
s 178A(5)	Power to propose to amend or end an agreement	DAO & MDES.	
s 178B(1)	Duty to consider certain matters when considering a proposal to amend an agreement	DAO & MDES.	
s 178B(2)	Duty to consider certain matters when considering a proposal to end an agreement	DAO & MDES.	
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	DAO & MDES.	
s 178C(4)	Function of determining how to give notice under section 178C(2)	DAO & MDES.	
s 178E(1)	Duty not to make a decision until after 14 days after notice has been given	DAO & MDES.	

PLANNING AND ENVIRONMENT ACT 1987			
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	DAO & MDES.	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	DAO & MDES.	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	DAO & MDES.	If no objections are made under section 178D. Must consider matters in section 178B.
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	DAO & MDES.	After considering objections, submissions and matters in section 178B.
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DAO & MDES.	After considering objections, submissions and matters in section 178B.
s 178E(3)(c)	Power to amend or end the agreement in a manner that is substantively different from the proposal	DAO & MDES.	After considering objections, submissions and matters in section 178B.
s 178E(3)(d)	Power to refuse to amend or end the agreement	DAO & MDES.	After considering objections, submissions and matters in section 178B.
s 178F(1)	Duty to give notice of its decision under section 178E(3)(a) or (b)	DAO & MDES.	
s 178F(2)	Duty to give notice of its decision under section 178E(2)(c) or (3)(d)	DAO & MDES.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DAO & MDES.	
s 178G	Duty to sign an amended agreement and give copy to each other party to the agreement	DAO & MDES.	
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	DAO & MDES.	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DAO & MDES.	
s 179(2)	Duty to make a copy of each agreement available in accordance with the public availability requirements	DAO & MDES.	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	DAO & MDES.	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	DAO & MDES.	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	DAO & MDES.	
s 182	Power to enforce an agreement	DAO & MDES.	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	DAO & MDES.	

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 a review of the failure of Council to make a decision	DAO & MDES.	
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	DAO & MDES.	
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	DAO & MDES.	
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	DAO & MDES.	
s 184G(2)	Duty to comply with a direction of the Tribunal	DAO & MDES.	
s 184G(3)	Duty to give notice as directed by the Tribunal	DAO & MDES.	
s 185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	DAO & MDES.	
s 198(1)	Function to receive applications for planning certificates	DAO & MDES.	
s 199(1)	Duty to give a planning certificate to the applicant	DAO & MDES.	
s 201(1)	Function of receiving an application for a declaration of underlying zoning	DAO & MDES.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 201(3)	Duty to make a declaration	DAO & MDES.	
-	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	DAO & MDES.	
	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	DAO & MDES.	
	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	DAO & MDES.	
-	Power to give written authorisation in accordance with a provision of a planning scheme	DAO & MDES.	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	DAO & MDES.	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under section 201UAB(1) as soon as possible	DAO & MDES.	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 518F	Power to issue a notice to caravan park regarding the emergency management plan if determined that the plan does not comply with the requirements	DAO.	
s 522(1)	Power to give a compliance notice to a person	MCH & EHO.	
s 525(2)	Power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	Not delegated.	Authorised officer are appointed by the CEO.
s 525(4)	Duty to issue identity cards to authorised officers	DBSP & IMGO	
s 526(5)	Duty to keep a record of entry by authorised officers under section 526	MCH & EHO.	
s 526A(3)	Function of receiving a report of inspections	DCDW & MCH.	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	Not delegated.	Authorised officer are appointed by the CEO.

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	DAO & MIW.	Obtain consent in circumstances specified in section 11(2).
s 11(8)	Power to name a road or change the name of a road by publishing notice in the Victoria Government Gazette	DAO & MIW	Decision to go to Council meeting after Community Consultation
s 11(9)(b)	Duty to advise the Registrar	DAO & MIW	
s 11(10)	Duty to inform the Secretary to the Department of Environment, Land, Water and Planning of the declaration etc.	DAO & MIW	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	DAO & MIW	Where Council is the coordinating road authority.
s 12(2)	Power to discontinue a road or part of a road	DAO & MIW	Where Council is the coordinating road authority.
s 12(4)	Duty to publish, and provide copy, notice of a proposed discontinuance	DAO & MIW	Power of coordinating road authority where it is the discontinuing body. Unless section 12(11) applies.
s 12(5)	Duty to consider written submissions received within 28 days of notice	DAO & MIW	Duty of coordinating road authority where it is the discontinuing body. Unless section 12(11) applies.
s 12(6)	Function of hearing a person in support of their written submission	DAO & MIW	Function of coordinating road authority where it is the discontinuing body. Unless section 12(11) applies.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 12(7)	Duty to fix the day, time and place of a meeting under section 12(6) and to give notice	DAO & MIW	Duty of coordinating road authority where it is the discontinuing body. Unless section 12(11) applies.
s 12(10)	Duty to notify of the decision made	DAO & MIW	Duty of coordinating road authority where it is the discontinuing body. Does not apply where an exemption is specified by the regulations or given by the Minister.
s 13(1)	Power to fix a boundary of a road by publishing notice in the Victoria Government Gazette	DAO & MIW.	Power of coordinating road authority and obtain consent under section 13(3) and section 13(4) as appropriate.
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	DAO & MIW.	
s 14(7)	Power to appeal against a decision of the Head, Transport for Victoria	DAO.	
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	DAO.	
s 15(1A)	Power to enter into an arrangement with a utility to transfer a road management function of the utility to the road authority	DAO.	
s 15(2)	Duty to include details of an arrangement in the public roads register	DAO & MIW.	
s 16(7)	Power to enter into an arrangement under section 15	DAO.	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 16(8)	Duty to enter details of a determination in the public roads register	DAO & MIW.	
s 17(2)	Duty to register a public road in the public roads register	DAO & MIW.	Where Council is the coordinating road authority.
s 17(3)	Power to decide that a road is reasonably required for general public use	DAO & MIW.	Where Council is the coordinating road authority.
s 17(3)	Duty to register a road reasonably required for general public use in the public roads register	DAO & MIW.	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	DAO.	Where Council is the coordinating road authority.
s 17(4)	Duty to remove a road no longer reasonably required for general public use from the public roads register	DAO & MIW.	Where Council is the coordinating road authority.
s 18(1)	Power to designate ancillary areas	DAO & MIW.	Where Council is the coordinating road authority and obtain consent in the circumstances specified in section 18(2).
S 18(3)	Duty to record a designation in the public roads register	DAO & MIW.	Where Council is the coordinating road authority.
S 19(1)	Duty to keep a register of public roads in respect of which it is the coordinating road authority	DAO & MIW.	
s 19(4)	Duty to specify details of discontinuances in the public roads register	DAO & MIW.	
s 19(5)	Duty to ensure the public roads register is available for public inspection	DAO & MIW.	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 21	Function of replying to a request for information or advice	DAO & MIW.	Obtain consent in the circumstances specified in section 11(2).
s 22(2)	Function of commenting on a proposed direction	DAO & MIW.	
s 22(4)	Duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report	DAO & MIW.	
s 22(5)	Duty to give effect to a direction under section 22	DAO & MIW.	
s 40(1)	Duty to inspect, maintain and repair public roads	DAO & MIW.	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	DAO & MIW.	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	DAO & MIW.	
s 42(1)	Power to declare a public road as a controlled access road	DAO.	Power of coordinating road authority and sch 2 also applies.
s 42(2)	Power to amend or revoke a declaration by notice published in the Victoria Government Gazette	DAO & MIW.	Power of coordinating road authority and sch 2 also applies.
s 42A(3)	Duty to consult with the Head, Transport for Victoria and the Minister for Local Government before a road is specified	DAO & MIW.	Where Council is the coordinating road authority. If the road is a municipal road or part thereof.
s 42A(4)	Power to approve the Minister's decision to specify a road as a specified freight road	DAO & MIW.	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.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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)	DAO & MIW.	Where Council is the responsible road authority, infrastructure manager or works manager.
s 48M(3)	Function of consulting with the relevant authority for the purposes of developing guidelines under section 48M	DAO & MIW.	
s 49	Power to develop and publish a road management plan (RMP)	DAO & MIW.	
s 51	Power to determine standards by incorporating the standards in the RMP	DAO & MIW.	
s 53(2)	Power to cause notice to be published in the Victoria Government Gazette of the amendment etc of a document in the RMP	DAO & MIW.	
s 54(2)	Duty to give notice of a proposal to make a RMP	DAO & MIW.	
s 54(5)	Duty to conduct a review of the RMP at prescribed intervals	DAO & MIW.	
s 54(6)	Power to amend the RMP	DAO & MIW.	
s 54(7)	Duty to incorporate the amendments into the RMP	DAO & MIW.	
s 55(1)	Duty to cause notice of the RMP to be published in the Victoria Government Gazette and a newspaper	DAO & MIW.	
s 63(1)	Power to consent to the conduct of works on roads	DAO & MIW.	Where Council is the coordinating road authority.
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	DAO & MIW.	Where Council is the infrastructure manager.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 64(1)	Duty to comply with clause 13 of sch 7	DAO & MIW.	Where Council is the infrastructure manager or works manager.
s 66(1)	Power to consent to a structure etc	DAO & MIW.	Where Council is the coordinating road authority.
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	DAO & MIW.	Where Council is the coordinating road authority.
s 67(3)	Power to request information	DAO & MIW.	Where Council is the coordinating road authority.
s 68(2)	Power to request information	DAO & MIW.	Where Council is the coordinating road authority.
s 71(3)	Power to appoint an authorised officer	CEO	The CEO appoints authorised officers.
s 72	Duty to issue an identity card to each authorised officer	DBSP IMGO,	
s 85	Function of receiving reports from authorised officers	DAO & MIW.	
s 86	Duty to keep a register regarding section 85 matters	DAO & MIW.	
s 87(1)	Function of receiving complaints	DAO & MIW.	
s 87(2)	Duty to investigate complaints and provide report	DAO & MIW.	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	CEO	The CEO appoints authorised officers.
s 112(2)	Power to recover damages in court	DAO & MIW.	
s 116	Power to cause or carry out inspections	DAO & MIW.	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 119(2)	Function of consulting with the Head, Transport for Victoria	DAO & MIW.	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	DAO & MIW.	
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising the power in section 120(1)	DAO & MIW.	
s 121(1)	Power to enter into an agreement in respect of works	DAO & MIW.	
s 122(1)	Power to charge and recover fees	DAO & MIW.	
s 123(1)	Power to charge for any service	DAO & MIW.	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	DAO & MIW.	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	DAO.	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	DAO.	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	DAO & MIW.	
sch 2 cl 5	Duty to publish notice of declarations	DAO & MIW.	
sch 7 cl 7(1)	Duty to give notice to the relevant coordinating road authority of the proposed installation of non-road infrastructure or related works on a road reserve	DAO & MIW.	Where Council is the infrastructure manager or works manager.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	DAO & MIW.	Where Council is the infrastructure manager or works manager.
sch 7 cl 9(1)	Duty to comply with a request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	DAO & MIW.	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure.
Sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	DAO & MIW.	Where Council is the infrastructure manager or works manager.
Sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	DAO & MIW.	Where Council is the infrastructure manager or works manager.
sch 7 cl 12(2)	Power to direct an infrastructure manager or works manager to conduct reinstatement works	DAO & MIW.	Where Council is the coordinating road authority.
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	DAO & MIW.	Where Council is the coordinating road authority.
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	DAO & MIW.	Where Council is the coordinating road authority.
sch 7 cl 12(5)	Power to recover costs	DAO & MIW.	Where Council is the coordinating road authority.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 13(1)	Duty to notify the relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	DAO & MIW.	Where Council is the works manager.
sch 7 cl 13(2)	Power to vary a notice period	DAO & MIW.	Where Council is the coordinating road authority.
sch 7 cl 13(3)	Duty to ensure the works manager has complied with the obligation to give notice under schedule 7 cl 13(1)	DAO & MIW.	Where Council is the infrastructure manager.
sch 7 cl 16(1)	Power to consent to proposed works	DAO & MIW.	Where Council is the coordinating road authority.
sch 7 cl 16(4)	Duty to consult	DAO & MIW.	Where Council is the coordinating road authority, responsible authority or infrastructure manager.
sch 7 cl 16(5)	Power to consent to proposed works	DAO & MIW.	Where Council is the coordinating road authority.
sch 7 cl 16(6)	Power to set reasonable conditions on consent	DAO & MIW.	Where Council is the coordinating road authority.
sch 7 cl 16(8)	Power to include consents and conditions	DAO & MIW.	Where Council is the coordinating road authority.
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	DAO & MIW.	Where Council is the coordinating road authority.
sch 7 cl 18(1)	Power to enter into an agreement	DAO & MIW.	Where Council is the coordinating road authority.
sch 7 cl 19(1)	Power to give notice requiring rectification of works	DAO & MIW.	Where Council is the coordinating road authority.
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	DAO & MIW.	Where Council is the coordinating road authority.
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DAO & MIW.	Where Council is the coordinating road authority.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7A cl 2	Power to cause street lights to be installed on roads	DAO & MIW.	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road.
sch 7A cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where the road is not an arterial road	DAO & MIW.	Where Council is the responsible road authority.
sch 7A cl 3(1)(e)	Duty to pay the installation and operation costs of street lighting – where the road is a service road on an arterial road and adjacent areas	DAO & MIW.	Where Council is the responsible road authority.
Sch 7A cl (3)(1)(f)	Duty to pay the installation and percentage of operation costs of street lighting – for arterial roads in accordance with clause 3(2) and 4	DAO & MIW.	Duty of Council as the 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	DAO & MDES.	Where Council is not the planning authority and the amendment affects land within its municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r 21	Power of 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	DAO & MDES.	
r 25(a)	Duty to make copy of a matter considered under section 60(1A)(g) available for inspection free of charge	DAO & MDES.	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	DAO & MDES.	Where Council is not the responsible authority but the relevant land is within Council's municipal district.
r 42	Function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	DAO & MDES.	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	DAO & MDES.	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DAO & MDES.	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under regulation 19 or 20	DAO & MDES.	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 7	Power to enter into a written agreement with a caravan park owner	DCDW & MCH.	
r 10	Function of receiving applications for registration	MCH & EHO.	
r 11	Function of receiving applications for renewal of registration	MCH & EHO.	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with the Regulations	MCH & EHO.	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with the Regulations	MCH & EHO.	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with the Regulations	MCH & EHO.	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with the Regulations	MCH.	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	MCH & EHO.	
r 12(4) & (5)	Duty to issue a certificate of registration	MCH & EHO.	
r 14(1)	Function of receiving notice of a transfer of ownership	MCH & EHO.	
r 14(3)	Power to determine where the notice of transfer is displayed	MCH & EHO.	
r 15(1)	Duty to transfer registration to new caravan park owner	MCH & EHO.	
r 15(2)	Duty to issue a certificate of transfer of registration	MCH & EHO.	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 15(3)	Power to determine where a certificate of transfer of registration is displayed	MCH & EHO.	
r 16(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 17	Duty to keep a register of caravan parks	MCH & EHO.	
r 18(4)	Power to determine where the emergency contact person's details are displayed	MEMO, MCH & EHO	
r 18(6)	Power to determine where certain information is displayed	MCH & EHO.	
r 22(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	MCH & EHO.	
r 22(2)	Duty to consult with relevant emergency services agencies	MEMO, MCH & EHO	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	MEMO, MCH & EHO.	
r 24	Power to determine the places in which the caravan park owner must display a copy of public emergency warnings	MEMO, MCH & EHO.	
r 25(3)	Duty to consult with relevant floodplain management authority	MEMO.	
r 26	Duty to have regard to any report of the relevant fire authority	MEMO, MCH & EHO.	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and wastewater from a movable dwelling	MCH & EHO.	
r 40	Function of receiving notice of the proposed installation of an unregistrable movable dwelling or rigid annexe	MCH & EHO.	
r 40(b)	Power to require notice of a proposal to install an unregistrable movable dwelling or rigid annexe	MCH & EHO.	
r 41(4)	Function of receiving installation certificates	MCH & EHO.	
r 43	Power to approve the use of a non-habitable structure as a dwelling or part of a dwelling	MCH & EHO.	
Sch 3 cl 4(3)	Power to approve the removal of wheels and axles from an unregistrable movable dwelling	MCH & EHO.	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 8(1)	Duty to conduct reviews of the RMP	DAO & MIW.	
r 9(2)	Duty to produce a written report of the review of the RMP and make the report available	DAO & MIW.	
r 9(3)	Duty to give notice where a road management review is completed and no amendments will be made (or no amendments for which notice is required)	DAO & MIW.	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	DAO & MIW.	
r 13(1)	Duty to publish notice of amendments to the RMP	DAO & MIW.	Where Council is the coordinating road authority.
r 13(3)	Duty to record on the RMP the substance and date of effect of amendment	DAO & MIW.	
r 16(3)	Power to issue permits	DAO & MIW.	Where Council is the coordinating road authority.
r 18(1)	Power to give written consent regarding damage to a road	DAO & MIW.	Where Council is the coordinating road authority.
r 23(2)	Power to make submission to the Tribunal	DAO & MIW.	Where Council is the coordinating road authority.
r 23(4)	Power to charge a fee for applications under section 66(1) of the Road Management Act	DAO & MIW.	Where Council is the coordinating road authority.
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on roads	DAO & MIW. & MCH	Where Council is the responsible road authority.
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	DAO & MIW. & MCH	Where Council is the responsible road authority.

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
R 25(5)	Power to recover in the Magistrates' Court, expenses from the person responsible	DAO & MIW. & MCH	

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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 the requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	DAO & MIW	Where Council is the coordinating road authority and where consent given under section 63(1) of the Act.
r 22(2)	Power to waive whole or part of fee in certain circumstances	DAO & MIW	Where Council is the coordinating road authority.

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