

Greater Shepparton City Council

Instrument of Delegation

to

Members of Council Staff and Development Hearings Panel

Instrument of Delegation

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

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 4 of the Schedule;
2. record that references in the Schedule are as follows:

CDM: Coordinator - Drainage and Maintenance

CEH: Coordinator - Environmental Health

CEO: Chief Executive Officer

CLO: Committees Liaison Officer

CO: Compliance Officer

CO4: Compliance Officer

CP: Coordinator - Property

CPC: Coordinator - Parking Compliance

CR: Coordinator - Roads

DC: Director - Community

DCS: Director - Corporate Services

DE: Development Engineer

DHP: Development Hearings Panel

DI: Director - Infrastructure / City Engineer

DO: Development Officer

DSD: Director - Sustainable Development

EHO: Environmental Health Officer

GCGR: Group Coordinator - Grading and Reconstruction

GCSR: Group Coordinator - Sealed Roads

GSP: Graduate Statutory Planner

GSPA: Graduate Strategic Planner Amendments

GSPP: Graduate Strategic Planner Projects

MBPC: Manager - Building, Planning and Compliance

MCG: Manager - Corporate Governance

MCW: Manager - Community Wellbeing

ME: Manager - Environment

MFR: Manager - Finance and Rates

MP: Manager - Projects

MPD2: Manager - People and Development

MPSR: Manager - Parks, Sport and Recreation

MSA: Manager - Strategic Assets

MWW: Manager - Works and Waste

Not Delegated: Not Delegated

PA: Planning Assistant

PM: Project Manager

PSP1: Principal Statutory Planner

PSP2: Principal Strategic Planner

Refer S5: Refer to S5 Instrument of Delegation to Chief Executive Officer

SCO1: Senior Compliance Officer

SDE: Senior Development Engineer

SOBPC: Support Officer - Building, Planning and Compliance

SP1: Student Planner

SSOBPC: Senior Support Officer - Building, Planning and Compliance

SSP: Senior Statutory Planner

SSP2: Senior Strategic Planner

TLAM: Team Leader - Animal Management

TLAS: Team Leader - Accounting Services

TLCS3: Team Leader - Community Strengthening

TLD: Team Leader - Development

TLEH: Team Leader - Environmental Health

TLG: Team Leader - Governance

TLLNOS: Team Leader - Landscaping and Native Open Space

TLPMO: Team Leader - Project Management Office

TLSC: Team Leader - Support and Compliance

TLSP1: Team Leader - Statutory Planning

TLSP2: Team Leader - Strategic Planning

TLW: Team Leader - Works

3. declares that:

3.1 this Instrument of Delegation is authorised by resolution of Council passed on 21 April 2020; and

3.2 the delegation:

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

3.2.2 remains in force until varied or revoked;

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

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

- 3.3 the delegate must not determine the issue, take the action or do the act or thing:
- 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a resolution of Council; or
 - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a (a) policy; or (b) strategy adopted by Council; or
 - a) policy; or
 - b) strategy
 adopted by Council; or
 - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
 - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another special committee or member of Council staff.
- 3.4 For delegations to Council staff and the DHP for matters pursuant or related to, the Planning and Environment Act 1987 and the Planning and Environment Regulations 2015.
- 3.4.1 any permit or permit amendment application, for which notice is given and receives:
 - a) up to 5 objections, must be decided by DHP or Council;
 - b) more than 5 objections, must be decided by Council.

An objection for this purpose means an objection made and not withdrawn and if withdrawn subject to conditions, requires a decision in accordance with such conditions to continue to constitute a withdrawn objection.
 - 3.4.2 where so noted in the Schedule the delegation to Council staff is limited to a decision to grant the relevant permission, consent or request made to Council, so that where a preliminary view or recommendation is formed to refuse the relevant request, the matter must be referred to either DHP or Council, for decision

The COMMON SEAL of the GREATER SHEPPARTON CITY COUNCIL was affixed
On the day of 2020
in the presence of the Chief Executive Officer
being a delegated officer pursuant to Local
Law No. 2 of the Council.

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PETER HARRIOTT
CHIEF EXECUTIVE OFFICER

SCHEDULE

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Cemeteries and Crematoria Act 2003

Cemeteries and Crematoria Act 2003			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	Where Council is a Class B cemetery trust	CLO, DC, MCW, TLCS3
s 12(1)	Function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	Where Council is a Class B cemetery trust	CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 12(2)	Duty to have regard to the matters set out in paragraphs (a) - (c) in exercising its functions	Where Council is a Class B cemetery trust	CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 12A(1)	Function to do the activities set out in paragraphs (a) - (n)	Where Council is a Class A cemetery trust	Not Delegated
s 12A(2)	Duty to have regard to matters set out in paragraphs (a) - (e) in exercising its functions	Where Council is a Class A cemetery trust	Not Delegated
s 13	Duty to do anything necessary or convenient to enable it to carry out its functions		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 14	Power to manage multiple public cemeteries as if they are one cemetery.		Not Delegated

Cemeteries and Crematoria Act 2003			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 15(1) and (2)	Power to delegate powers or functions other than those listed		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 15(4)	Duty to keep records of delegations		DCS, MCG, TLG
s 17(1)	Power to employ any persons necessary		DC, DCS, DI, MCW, MPD2, MPSR, TLCS3, TLLNOS
s 17(2)	Power to engage any professional, technical or other assistance considered necessary		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 17(3)	Power to determine the terms and conditions of employment or engagement	Subject to any guidelines or directions of the Secretary	DC, DI, MCW, MPSR
s 18(3)	Duty to comply with a direction from the Secretary		Refer S5
s 18B(1) & (2)	Duty to establish governance committees within 12 months of becoming a Class A cemetery trust and power to establish other governance committees from time to time	Where Council is a Class A cemetery trust	Not Delegated
s 18C	Power to determine the membership of the governance committee	Where Council is a Class A cemetery trust	Not Delegated
s 18D	Power to determine procedure of governance committee	Where Council is a Class A cemetery trust	Not Delegated

Cemeteries and Crematoria Act 2003			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 18D(1)(a)	Duty to appoint community advisory committee for the purpose of liaising with communities	Where Council is a Class A cemetery trust	Not Delegated
s 18D(1)(b)	Power to appoint any additional community advisory committees	Where Council is a Class A cemetery trust	Not Delegated
s 18D(2)	Duty to establish a community advisory committee under section 18D(1)(a) within 12 months of becoming a Class A cemetery trust.	Where Council is a Class A cemetery trust	Not Delegated
s 18D(3)	Duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the Financial Management Act 1994	Where Council is a Class A cemetery trust	Not Delegated
s 18F(2)	Duty to give preference to a person who is not a funeral director of a stonemason (or a similar position) when appointing a person to a community advisory committee	Where Council is a Class A cemetery trust	Not Delegated
s 18H(1)	Duty to hold an annual meeting before 30 December in each calendar year	Where Council is a Class A cemetery trust	Not Delegated
s 18I	Duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting	Where Council is a Class A cemetery trust	Not Delegated
s.18J	Duty to provide leadership, assistance and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in s 18J(2))	Where Council is a Class A cemetery trust	Not Delegated

Cemeteries and Crematoria Act 2003			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 18L(1)	Duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust	Where Council is a Class A cemetery trust	Not Delegated
s 18N(1)	Duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)	Where Council is a Class A cemetery trust	Not Delegated
s 18N(3)	Duty to give a copy of the proposed annual plan to the Secretary on or before 30 September each year for the Secretary's approval	Where Council is a Class A cemetery trust	Not Delegated
s 18N(5)	Duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months	Where Council is a Class A cemetery trust	Not Delegated
s 18N(7)	Duty to ensure that an approved annual plan is available to members of the public on request	Where Council is a Class A cemetery trust	Not Delegated
s 18O(1)	Duty to prepare a strategic plan and submit the plan to the Secretary for approval	Where Council is a Class A cemetery trust	Not Delegated
s 18O(4)	Duty to advise the Secretary if the trust wishes to exercise its functions in a manner inconsistent with its approved strategic plan	Where Council is a Class A cemetery trust	Not Delegated
s 18O(5)	Duty to ensure that an approved strategic plan is available to members of the public on request	Where Council is a Class A cemetery trust	Not Delegated
s 18Q(1)	Duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year.	Where Council is a Class A cemetery trust	Not Delegated

Cemeteries and Crematoria Act 2003			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 19	Power to carry out or permit the carrying out of works		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 20(1)	Duty to set aside areas for the interment of human remains		CLO, DC, DI, MCW, MP, MPSR, TLCS3, TLLNOS
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery		DC, DI, MCW, MP, MPSR, TLCS3, TLLNOS
s 20(3)	Power to set aside areas for those things in paragraphs (a) - (e)		DC, DI, MCW, MP, MPSR, TLCS3, TLLNOS
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land		Not Delegated
s 36	Power to grant licences to enter and use part of the land or building in a public cemetery in accordance with s 36	Subject to the approval of the Minister	DC, DI, MCW, MPSR
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	Subject to the Minister approving the purpose	CP, DC, DI, MCW, MPSR, MSA
s 40	Duty to notify Secretary of fees and charges fixed under s 39		CLO, DC, MCW, TLCS3

Cemeteries and Crematoria Act 2003			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	Provided the street was constructed pursuant to the Local Government Act 1989	Not Delegated
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	Report must contain the particulars listed in s 57(2)	CLO, DC, MCW, TLCS3
s 59	Duty to keep records for each public cemetery		CLO, DC, MCW, TLCS3
s 60(1)	Duty to make information in records available to the public for historical or research purposes		CLO, DC, MCW, TLCS3
s 60(2)	Power to charge fees for providing information		CLO, DC, MCW, TLCS3
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)		CLO, DC, MCW, TLCS3
s 64B(d)	Power to permit interments at a reopened cemetery		DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	The application must include the requirements listed in s 66(2)(a)-(d)	Not Delegated
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park		Not Delegated

Cemeteries and Crematoria Act 2003			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 70(1)	Duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 70(2)	Duty to make plans of existing place of interment available to the public		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies		Not Delegated
s 71(2)	Power to dispose of any memorial or other structure removed		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 72(2)	Duty to comply with request received under s 72		CLO, DC, MCW, TLCS3
s 73(1)	Power to grant a right of interment		CLO, DC, MCW, TLCS3
s 73(2)	Power to impose conditions on the right of interment		CLO, DC, MCW, TLCS3
s 75	Power to grant the rights of interment set out in s 75(a) and (b)		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted		DC, DI, MCW, MPSR, TLCS3, TLLNOS

Cemeteries and Crematoria Act 2003			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 77(4)	Power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application		DC, DI, MCW, MPSR
s 80(1)	Function of receiving notification and payment of transfer of right of interment		CLO, DC, MCW, TLCS3
s 80(2)	Function of recording transfer of right of interment		CLO, DC, MCW, TLCS3
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment		CLO, DC, MCW, TLCS3
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment (sole holder)		CLO, DC, MCW, TLCS3
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment		CLO, DC, MCW, TLCS3
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment		CLO, DC, MCW, TLCS3
s.85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	The notice must be in writing and contain the requirements listed in s 85(2)	Not Delegated
s 85(2)(b)	Duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	Does not apply where right of internment relates to remains of a deceased veteran.	CLO, DC, MCW, TLCS3

Cemeteries and Crematoria Act 2003			
Provision	Item Delegated	Conditions and Limitations	Delegate
85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or; remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location.	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment	DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 86	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified		Not Delegated
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment		Not Delegated
s 86(3)(a)	Power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment		Not Delegated
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)		Not Delegated
s.86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains		Not Delegated
s.86(5)	duty to provide notification before taking action under s.86(4)		Not Delegated

Cemeteries and Crematoria Act 2003			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)		Not Delegated
s 87(3)	Duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment		Not Delegated
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment		DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 91(1)	Power to cancel a right of interment in accordance with s 91		DC, MCW, TLCS3
s 91(3)	Duty to publish notice of intention to cancel right of interment		CLO, DC, MCW, TLCS3
s 92	Power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment		CLO, DC, MCW, TLCS3
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment		CLO, DC, MCW, TLCS3
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval		CLO, DC, MCW, TLCS3
s 99(4)	Duty to make a decision on an application under s 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested		CLO, DC, MCW, TLCS3

Cemeteries and Crematoria Act 2003			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 100(1)	Power to require a person to remove memorials or places of interment		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 100(2)	Power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with s 100(1)		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 100(3)	Power to recover costs of taking action under s 100(2)		DC, DI, MCW, MPSR
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery		DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 102(1)	Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)		DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)		DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 103(1)	Power to require a person to remove a building for ceremonies		DC, DI, MCW, MPSR
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)		DC, DI, MCW, MPSR
s 103(3)	Power to recover costs of taking action under s 103(2)		DC, DI, MCW, MPSR

Cemeteries and Crematoria Act 2003			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 106(1)	Power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 106(2)	Power to require the holder of the right of interment to provide for an examination		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 106(4)	Power to repair or - with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under s 106(1) is not complied with		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs		DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 107(2)	Power to repair or take down, remove and dispose any building for ceremonies if notice under s 107(1) is not complied with		DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 108	Power to recover costs and expenses		CLO, DC, DI, MCW, MPSR, TLCS3
s 109(1)(a)	Power to open, examine and repair a place of interment	Where the holder of right of interment or responsible person cannot be found	CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS

Cemeteries and Crematoria Act 2003			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 109(1)(b)	Power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	Where the holder of right of interment or responsible person cannot be found	Not Delegated
s 109(2)	Power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	Where the holder of right of interment or responsible person cannot be found	DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 110(1)	Power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder. with consent of the Secretary		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 110(2)	Power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary		DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 110A	Power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran		DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 112	Power to sell and supply memorials		Not Delegated
s 116(4)	Duty to notify the Secretary of an interment authorisation granted		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS

Cemeteries and Crematoria Act 2003			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 119	Power to set terms and conditions for interment authorisations		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 131	Function of receiving an application for cremation authorisation		Not Delegated
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	Subject to s 133(2)	Not Delegated
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner		Not Delegated
s 146	Power to dispose of bodily remains by a method other than interment or cremation	Subject to the approval of the Secretary	Not Delegated
s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation		DC, DI, MCW, MPSR
s 149	Duty to cease using method of disposal if approval revoked by the Secretary		Not Delegated

Cemeteries and Crematoria Act 2003			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 150 & 152(1)	Power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 151	Function of receiving applications to inter or cremate body parts		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
sch 1 cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication		Not Delegated
sch 1 cl 8(8)	Power to regulate own proceedings	Subject to cl 8	Not Delegated
sch 1A cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	Where Council is a Class A cemetery trust	Not Delegated
sch 1A cl 8(8)	Power to regulate own proceedings	Where Council is a Class A cemetery trust Subject to cl 8	Not Delegated

Domestic Animals Act 1994

Domestic Animals Act 1994			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 41A(1)	Power to declare a dog to be a menacing dog	Council may delegate this power to a Council authorised officer	DSD, ME, TLAM

Environment Protection Act 1970

Environment Protection Act 1970			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 53M(3)	Power to require further information		CEH, DSD, EHO, ME, TLEH
s 53M(4)	Duty to advise applicant that application is not to be dealt with		CEH, DSD, EHO, ME, TLEH
s 53M(5)	Duty to approve plans, issue permit or refuse permit	Refusal must be ratified by Council or it is of no effect	CEH, DSD, EHO, ME, TLEH
s 53M(6)	Power to refuse to issue septic tank permit	Refusal must be ratified by Council or it is of no effect	CEH, DSD, EHO, ME, TLEH
s 53M(7)	Duty to refuse to issue a permit in circumstances in (a)-(c)	Refusal must be ratified by Council or it is of no effect	CEH, DSD, EHO, ME, TLEH

Food Act 1984

Food Act 1984			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	If s 19(1) applies	CEH, DSD, EHO, ME, TLEH
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	If s 19(1) applies	CEH, DSD, EHO, ME, TLEH
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	If s 19(1) applies Only in relation to temporary food premises or mobile food premises	CEH, DSD, EHO, ME, TLEH
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	If s 19(1) applies	Refer S5
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	If s 19(1) applies	CEH, DSD, EHO, ME, TLEH
s 19(6)(b)	Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	If s 19(1) applies	CEH, DSD, EHO, ME, TLEH
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	Where Council is the registration authority	DSD, ME, TLEH

Food Act 1984			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution	DSD, ME, TLEH
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	Where Council is the registration authority	DSD, ME, TLEH
s 19CB(4)(b)	Power to request copy of records	Where Council is the registration authority	CEH, DSD, EHO, ME, TLEH
s 19E(1)(d)	Power to request a copy of the food safety program	Where Council is the registration authority	CEH, DSD, EHO, ME, TLEH
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	Where Council is the registration authority	CEH, DSD, EHO, ME, TLEH
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	Where Council is the registration authority	Not Delegated
s 19NA(1)	Power to request food safety audit reports	Where Council is the registration authority	CEH, DSD, EHO, ME, TLEH
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances		DSD, ME

Food Act 1984			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.	DSD, ME, TLEH
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	Where Council is the registration authority	CEH, DSD, EHO, ME, TLEH
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	Where Council is the registration authority	CEH, DSD, EHO, ME, TLEH
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	Where Council is the registration authority	CEH, DSD, EHO, ME, TLEH
	Power to register, renew or transfer registration	Where Council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see s 58A(2))	CEH, DSD, EHO, ME, TLEH
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	Where Council is the registration authority	CEH, DSD, EHO, ME, TLEH
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	Where Council is the registration authority	DSD, ME
s 38A(4)	Power to request a copy of a completed food safety program template	Where Council is the registration authority	CEH, DSD, EHO, ME, TLEH

Food Act 1984			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	Where Council is the registration authority	CEH, DSD, EHO, ME, TLEH
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	Where Council is the registration authority	CEH, DSD, EHO, ME, TLEH
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	Where Council is the registration authority	CEH, DSD, EHO, ME, TLEH
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	Where Council is the registration authority	CEH, DSD, EHO, ME, TLEH
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	Where Council is the registration authority	CEH, DSD, EHO, ME, TLEH
s 38D(3)	Power to request copies of any audit reports	Where Council is the registration authority	CEH, DSD, EHO, ME, TLEH
s 38E(2)	Power to register the food premises on a conditional basis	Where Council is the registration authority not exceeding the prescribed time limit defined under s 38E(5)	CEH, DSD, EHO, ME, TLEH
s 38E(4)	Duty to register the food premises when conditions are satisfied	Where Council is the registration authority	CEH, DSD, EHO, ME, TLEH
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	Where Council is the registration authority	CEH, DSD, EHO, ME, TLEH

Food Act 1984			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 39A	Power to register, renew or transfer food premises despite minor defects	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)	CEH, DSD, EHO, ME, TLEH
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008		CEH, DSD, EHO, ME, TLEH
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	Where Council is the registration authority	CEH, DSD, EHO, ME, TLEH
s 40D(1)	Power to suspend or revoke the registration of food premises	Where Council is the registration authority	CEH, DSD, EHO, ME, TLEH
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	Where Council is the registration authority	CEH, DSD, EHO, ME, TLEH
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	Where Council is the registration authority	CEH, DSD, EHO, ME, TLEH
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	Where Council is the registration authority	CEH, DSD, EHO, ME, TLEH

Heritage Act 2017

Heritage Act 2017			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 116	Power to sub-delegate Executive Director's functions, duties or powers	<p>Must first obtain Executive Director's written consent</p> <p>Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation</p>	DSD, MBPC

Local Government Act 1989

Local Government Act 1989			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 181H	Power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge		Refer S5
s 185L(4)	Power to declare and levy a cladding rectification charge		Refer S5

Planning and Environment Act 1987

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	If authorised by the Minister	DSD, MBPC, PSP2, SSP2, TLSC, TLSP2
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister		DSD, GSPA, GSPP, MBPC, PSP2, SOBPC, SSOBPC, SSP2, TLSC, TLSP2
s 4H	Duty to make amendment to Victoria Planning Provisions available		DSD, GSPA, GSPP, MBPC, PSP2, SOBPC, SSOBPC, SSP2, TLSC, TLSP2
s 4I	Duty to keep Victorian Planning Provisions and other documents available		DSD, GSPA, GSPP, MBPC, PSP2, SOBPC, SSOBPC, SSP2, TLSC, TLSP2
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A		DSD, GSPA, GSPP, MBPC, PSP2, SSP2, TLSC, TLSP2
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme		DSD, GSPA, GSPP, MBPC, PSP2, SSP2, TLSC, TLSP2
s 8A(5)	Function of receiving notice of the Minister's decision		DSD, GSPA, GSPP, MBPC, PSP2, SOBPC,

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
			SSOBPC, SSP2, TLSC, TLSP2
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days		DSD, GSPA, GSPP, MBPC, PSP2, SSP2, TLSC, TLSP2
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district		DSD, MBPC, TLSP2
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		DSD, GSPA, GSPP, MBPC, PSP2, SSP2, TLSC, TLSP2
s 12A(1)	Duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s19 of the Planning and Environment (Planning Schemes) Act 1996)		DSD, GSPA, GSPP, MBPC, PSP2, SSP2, TLSC, TLSP2
s 12B(1)	Duty to review planning scheme		DSD, GSPA, GSPP, MBPC, PSP2, SSP2, TLSC, TLSP2
s 12B(2)	Duty to review planning scheme at direction of Minister		DSD, GSPA, GSPP, MBPC, PSP2, SSP2, TLSC, TLSP2

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay		DSD, GSPA, GSPP, MBPC, PSP2, SSP2, TLSC, TLSP2
	Power to represent or authorise the representation of Council in a proceeding under the Planning and Environment Act 1987 before the Victorian Civil and Administrative Tribunal and the power to make a decision in relation to the conduct of the proceeding, including (where lawfully able to do so) the power to settle the proceeding		CO, CO4, CPC, DSD, GSP, MBPC, PA, PSP1, PSP2, SCO1, SSP, SSP2, TLSC, TLSP1, TLSP2
S.13 Powers, duties and functions of Council as Responsible Authority	Power to determine that a specified document required under the Planning Scheme (eg. a development plan required under the Development Overlay) is to the satisfaction of the Council in its capacity as the responsible authority.	Officers do not have the power to decide either not to satisfaction or not consent. Any recommendation for refusal must be referred to DHP or Council.	DHP, DSD, MBPC, PSP1, TLSC, TLSP1
S.13 Powers, duties and functions of Council as Responsible Authority	Power to determine that a planning permit application is generally in accordance with a specified document prepared and approved pursuant to the Planning Scheme (eg. a planning permit application made following the approval of a development plan prepared pursuant to the Development Plan Overlay)	Officers do not have the power to decide either not to satisfaction or not consent. Any recommendation for refusal must be referred to DHP or Council.	DHP, DSD, MBPC, PSP1, TLSC, TLSP1

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
S.13 Powers, duties and functions of Council as Responsible Authority	Any other discretion vested in the Council under the Planning Scheme, including whether a document or plan is to the satisfaction of the Council in its capacity as the responsible authority (including engineering plans)	Officers do not have the power to decide either not to satisfaction or not consent. Any recommendation for refusal must be referred to DHP or Council.	DHP, DI, DSD, MBPC, MP, PSP1, SSP, TLPMO, TLSC, TLSP1
S.13 Powers, duties and functions of Council as Responsible Authority	Power vested in Council under a planning permit to provide secondary consent under a planning permit condition to approve a document or plan or allow modifications to an endorsed document or plan	Officers do not have the power to decide either not to satisfaction or not consent. Any recommendation for refusal must be referred to DHP or Council.	DHP, DI, DSD, MBPC, MP, PSP1, SSP, TLPMO, TLSC, TLSP1
S.13 Powers, duties and functions of Council as Responsible Authority	Power vested in Council under agreement made under s173 of the Planning and Environment Act 1987 or s52A of Town and Country Planning Act 1961 to provide secondary consent for the approval of a document or plan or to approve the amendment of a document or plan	Officers do not have the power to decide either not to satisfaction or not consent. Any recommendation for refusal must be referred to DHP or Council	DHP, DI, DSD, MBPC, MP, PSP1, SSP, TLPMO, TLSC, TLSP1
s 14	duties of a Responsible Authority as set out in s 14(a) to (d)		DSD, GSPA, GSPP, MBPC, PSP2, SSP2, TLSC, TLSP2
s 17(1)	Duty of giving copy amendment to the planning scheme		DSD, GSPA, GSPP, MBPC, PSP2, SOBPC, SSOBPC, SSP2, TLSC, TLSP2
s 17(2)	Duty of giving copy s 173 agreement		DSD, GSPA, GSPP, MBPC, PSP2, SOBPC,

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
			SSOBPC, SSP2, TLSC, TLSP2
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days		DSD, GSPA, GSPP, MBPC, PSP2, SOBPC, SSOBPC, SSP2, TLSC, TLSP2
s 18	Duty to make amendment etc. available		DSD, GSPA, GSPP, MBPC, PSP2, SOBPC, SSOBPC, SSP2, TLSC, TLSP2
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme		DSD, GSPA, GSPP, MBPC, PSP2, SSP2, TLSC, TLSP2
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	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.	DSD, MBPC, PSP2, SSP2, TLSC, TLSP2
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19		DSD, MBPC, TLSP2
s 21(2)	Duty to make submissions available		DSD, GSPA, GSPP, MBPC, PSP2, SOBPC,

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
			SSOBPC, SSP2, TLSC, TLSP2
s 21A(4)	Duty to publish notice		DSD, GSPA, GSPP, MBPC, PSP2, SOBPC, SSOBPC, SSP2, TLSC, TLSP2
s 22	Duty to consider all submissions	Except submissions which request a change to the items in s 22(5)(a) and (b)	DSD, GSPA, GSPP, MBPC, PSP2, SSP2, TLSC, TLSP2
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel		DSD, MBPC, PSP2, TLSC, TLSP2
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment		DSD, MBPC, PSP2, TLSC, TLSP2
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)		DSD, MBPC, PSP1, PSP2, SSP, SSP2, TLSC, TLSP1, TLSP2
s 26(1)	Power to make report available for inspection		DSD, GSPA, GSPP, MBPC, PSP2, SOBPC, SSOBPC, SSP2, TLSC, TLSP2
s 26(2)	Duty to keep report of panel available for inspection		DSD, GSPA, GSPP, MBPC, PSP2, SOBPC,

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
			SSOBPC, SSP2, TLSC, TLSP2
s 27(2)	Power to apply for exemption if panel's report not received		DSD, GSPA, GSPP, MBPC, PSP2, SSP2, TLSC, TLSP2
s 28	Duty to notify the Minister if abandoning an amendment	Note: the power to make a decision to abandon an amendment cannot be delegated	Not Delegated
s 30(4)(a)	Duty to say if amendment has lapsed		DSD, MBPC, PSP2, TLSC, TLSP2
s 30(4)(b)	Duty to provide information in writing upon request		DSD, MBPC, PSP2, TLSC, TLSP2
s 32(2)	Duty to give more notice if required		DSD, GSPA, GSPP, MBPC, PSP2, SSP2, TLSC, TLSP2
s 33(1)	Duty to give more notice of changes to an amendment		DSD, GSPA, GSPP, MBPC, PSP2, SSP2, TLSC, TLSP2
s 36(2)	Duty to give notice of approval of amendment		DSD, GSPA, GSPP, MBPC, PSP2, SSP2, TLSC, TLSP2

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 38(5)	Duty to give notice of revocation of an amendment		DSD, GSPA, GSPP, MBPC, PSP2, SSP2, TLSC, TLSP2
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT		DSD, GSPA, GSPP, MBPC, PSP2, SSP2, TLSC, TLSP2
s 40(1)	Function of lodging copy of approved amendment		DSD, GSPA, GSPP, MBPC, PSP2, SSP2, TLSC, TLSP2
s 41	Duty to make approved amendment available		DSD, GSPA, GSPP, MBPC, PSP2, SOBPC, SSOBPC, SSP2, TLSC, TLSP2
s 42	Duty to make copy of planning scheme available		DSD, GSPA, GSPP, MBPC, PSP2, SOBPC, SSOBPC, SSP2, TLSC, TLSP2
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	Where Council is a responsible public entity and is a planning authority Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils	Not Delegated

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 46AW	Function of being consulted by the Minister	Where Council is a responsible public entity	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
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	Where Council is a responsible public entity	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
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	Where Council is a responsible public entity	DE, DI, DSD, MBPC, MP, PSP1, PSP2, SDE, SSP, SSP2, TLD, TLSC, TLSP1, TLSP2
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	Where Council is a responsible public entity	DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
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	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency	DI, DSD, MBPC, MP, PSP1, SSP, TLPMP, TLSC, TLSP1

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans		DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority		DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land		DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land		DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46GP	Function of receiving a notice under s 46GO	Where Council is the collecting agency	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
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		DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO		DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister		DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ		DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
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		DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference		DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
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		DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)		DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 46GU	Duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met		DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46GV(3)	fFunction 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	Where Council is the collecting agency	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46GV(3)(b)	Power to enter into an agreement with the applicant	Where Council is the collecting agency	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	Where Council is the development agency	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	Where Council is the collecting agency	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area		DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
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	Where Council is the collecting agency	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	Where Council is the collecting agency	DI, DSD, MBPC, MP, PSP1, SSP, TLPMP, TLSC, TLSP1, TLSP2
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	Where Council is the collecting agency	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46GY(1)	Duty to keep proper and separate accounts and records	Where Council is the collecting agency	DCS, DI, DSD, MBPC, MFR, MP, PSP1, PSP2, TLAS, TLD, TLSC, TLSP1, TLSP2
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 1989	Where Council is the collecting agency	DCS, DI, DSD, MBPC, MFR, MP, PSP1, PSP2, TLAS, TLD, TLSC, TLSP1, TLSP2
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan	Where Council is the collecting agency under an approved infrastructure contributions plan	DCS, DI, DSD, MBPC, MFR, MP, PSP1, PSP2,

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
	preparation costs to the planning authority that incurred those costs	This duty does not apply where Council is that planning authority	TLAS, TLD, TLSC, TLSP1, TLSP2
s 46GZ(2)(a)	Function of receiving the monetary component	Where the Council is the planning authority This duty does not apply where Council is also the collecting agency	DCS, DI, DSD, MBPC, MFR, MP, PSP1, PSP2, TLAS, TLD, TLSC, TLSP1, TLSP2
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	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	DI, DSD, MBPC, MP, PSP1, SSP, TLPMP, TLSC, TLSP1, TLSP2
s 46GZ(2)(b)	Function of receiving the monetary component	Where Council is the development agency under an approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency	DCS, DI, DSD, MBPC, MFR, MP, PSP1, PSP2, TLAS, TLD, TLSC, TLSP1, TLSP2
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	Where Council is the collecting agency under an approved infrastructure contributions plan	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
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	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	DI, DSD, MBPC, MP, PSP1, PSP2, SSP, SSP2, TLPMP, TLSC, TLSP1, TLSP2

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
	approved infrastructure contributions plan to that development agency		
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	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	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	Where Council is the collecting agency under an approved infrastructure contributions plan	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
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	If any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s 46GV(4) Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency	DI, DSD, MBPC, MP, PSP1, TLPMP, TLSC, TLSP1, TLSP2
s 46GZ(9)	Function of receiving the fee simple in the land	Where Council is the development agency under an approved infrastructure contributions plan	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
		This duty does not apply where Council is also the collecting agency	
s 46GZA(1)	Duty to keep proper and separate accounts and records	Where Council is the development agency under an approved infrastructure contributions plan	DCS, DI, DSD, MBPC, MFR, MP, PSP1, PSP2, TLAS, TLD, TLSC, TLSP1, TLSP2
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 1989	Where Council is a development agency under an approved infrastructure contributions plan	DI, DSD, MBPC, MP, PSP1, SSP, TLPMO, TLSC, TLSP1, TLSP2
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	Where Council is a development agency under an approved infrastructure contributions plan	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
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	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	DI, DSD, MBPC, MP, PSP1, TLPMO, TLSC, TLSP1
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	Where Council is the development agency under an approved infrastructure contributions plan	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	Where Council is the collecting agency under an approved infrastructure contributions plan	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	Where Council is the collecting agency under an approved infrastructure contributions plan	DI, DSD, MBPC, MP, PSP1, SSP, TLP MO, TLSC, TLSP1, TLSP2
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency	DI, DSD, MBPC, MP, PSP1, TLP MO, TLSC, TLSP1, TLSP2
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	Where Council is the collecting agency under an approved infrastructure contributions plan	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
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	Where Council is the development agency under an approved infrastructure contributions plan	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s.46GZF(3)	Duty, if land is sold under s.46GZF(2)(b), to follow the steps in s.46GZF(3)(a) and (b)	Where Council is the development agency under an approved infrastructure contributions plan	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46GZF(3)	s 46GZF(3)(a) function of receiving proceeds of sale	Where Council is the collection agency under an approved infrastructure contributions plan This provision does not apply where Council is also the development agency	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	Where Council is the collecting agency under an approved infrastructure contributions plan	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	Where Council is the collecting agency under an approved infrastructure contributions plan	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
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	Where Council is the collecting agency under an approved infrastructure contributions plan	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	Where Council is a collecting agency or development agency	DI, DSD, MBPC, MP, PSP1, TLP MO, TLSC, TLSP1, TLSP2

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	Where Council is a collecting agency or development agency	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)		DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy		DE, DI, DO, DSD, GSP, MBPC, MP, PA, PSP1, SDE, SP1, SSP, TLD, TLSC, TLSP1
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy		DI, DSD, MBPC, MP, PSP1, SSP, TLPMP, TLSC, TLSP1
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit		DI, DSD, MBPC, MP, PSP1, SSP, TLPMP, TLSC, TLSP1
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy		DI, DSD, MBPC, MP, PSP1, SSP, TLPMP, TLSC, TLSP1

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured		DI, DSD, GSP, MBPC, MP, PA, PSP1, SP1, SSP, TLP MO, TLSC, TLSP1
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable		DI, DSD, MBPC, MP, PSP1, SSP, TLP MO, TLSC, TLSP1
s 46Q(1)	Duty to keep proper accounts of levies paid		DI, DSD, MBPC, MP, PSP1, PSP2, SSP, SSP2, TLP MO, TLSC, TLSP1, TLSP2
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency or plan preparation costs incurred by a development agency		DI, DSD, MBPC, MP, PSP1, TLP MO, TLSC, TLSP1
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		DI, DSD, GSP, MBPC, MP, PA, PSP1, SP1, SSP, TLP MO, TLSC, TLSP1, TLSP2
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	Only applies when levy is paid to Council as a 'development agency'	DI, DSD, MBPC, MP, PSP1, TLP MO, TLSC, TLSP1

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	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	DI, DSD, MBPC, MP, PSP1, TLPMO, TLSC, TLSP1, TLSP2
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	Must be done in accordance with Part 3	DSD, MBPC, PSP2, SSP2, TLSC, TLSP2
s46Q(4)(e)	Duty to expend that amount on other works etc.	With the consent of, and in the manner approved by, the Minister	DI, DSD, MBPC, MP, TLPMO, TLSP1, TLSP2
s 46QC	Power to recover any amount of levy payable under Part 3B		DI, DSD, MBPC, MP, PSP1, TLPMO, TLSC, TLSP1, TLSP2
s 46QD	Duty to prepare report and give a report to the Minister	Where Council is a collecting agency or development agency	DI, DSD, MBPC, MP, PSP1, TLPMO, TLSC, TLSP1, TLSP2
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available		Not Delegated
s 46Y	Duty to carry out works in conformity with the approved strategy plan		DSD, MBPC, PSP2, SSP2, TLSC, TLSP2

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 47	Power to decide that an application for a planning permit does not comply with that Act		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits		DSD, GSP, MBPC, PA, PSP1, SOBPC, SP1, SSOBPC, SSP, TLSC, TLSP1
s 49(2)	Duty to make register available for inspection		DSD, GSP, MBPC, PA, PSP1, SOBPC, SP1, SSOBPC, SSP, TLSC, TLSP1
s 50(4)	Duty to amend application		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 50(5)	Power to refuse to amend application		DHP
s 50(6)	Duty to make note of amendment to application in register		DSD, MBPC, PSP1, PSP2, TLSC, TLSP1, TLSP2
s 50A(1)	Power to make amendment to application		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 50A(4)	Duty to note amendment to application in register		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 51	Duty to make copy of application available for inspection		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
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		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
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		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
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		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 52(3)	Power to give any further notice of an application where appropriate		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 54(1)	Power to require the applicant to provide more information		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 54(1A)	Duty to give notice in writing of information required under s 54(1)		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 54(1B)	Duty to specify the lapse date for an application		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information		DHP, DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)		DHP, DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector		DSD
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go		DSD, GSP, MBPC, PA, PSP1, SOBPC, SP1, SSOBPC, SSP, TLSC, TLSP1

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 57(5)	Duty to make available for inspection copy of all objections		DSD, GSP, MBPC, PA, PSP1, SOBPC, SP1, SSOBPC, SSP, TLSC, TLSP1
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)		DHP, DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 57A(5)	Power to refuse to amend application		DHP
s 57A(6)	Duty to note amendments to application in register		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 57B(1)	Duty to determine whether and to whom notice should be given		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 57B(2)	Duty to consider certain matters in determining whether notice should be given		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 57C(1)	Duty to give copy of amended application to referral authority		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 58	Duty to consider every application for a permit		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 58A	Power to request advice from the Planning Application Committee		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 60	Duty to consider certain matters		DHP, DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 60(1A)	Duty to consider certain matters		DHP, DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006	DHP, DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit		DHP
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit		DSD, MBPC, PSP1, PSP2, SSP, SSP2, TLSC, TLSP1, TLSP2

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent		Not Delegated
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent		DHP
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant		DHP
s 62(1)	Duty to include certain conditions in deciding to grant a permit		DHP, DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 62(2)	Power to include other conditions		DHP, DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)		DHP, DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan		DHP, DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement		DHP, DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant		DHP, DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
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)		DHP, DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)		DHP, DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)		DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	This provision applies also to a decision to grant an amendment to a permit - see s 75	DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 64(3)	Duty not to issue a permit until after the specified period	This provision applies also to a decision to grant an amendment to a permit - see s 75	DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 64(5)	Duty to give each objector a copy of an exempt decision	This provision applies also to a decision to grant an amendment to a permit - see s 75	DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	This provision applies also to a decision to grant an amendment to a permit - see s 75A	DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	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	DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	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	DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
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 s 64 or 65	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	DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 69(1)	Function of receiving application for extension of time of permit		DHP, DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 69(1A)	Function of receiving application for extension of time to complete development		DHP, DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 69(2)	Power to extend time		DHP, DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 70	Duty to make copy permit available for inspection		DSD, GSP, MBPC, PA, PSP1, SOBPC, SP1, SSOBPC, SSP, TLSC, TLSP1
s 71(1)	Power to correct certain mistakes		DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 71(2)	Duty to note corrections in register		DSD, GSP, MBPC, PA, PSP1, SOBPC, SP1, SSOBPC, SSP, TLSC, TLSP1

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 73	Power to decide to grant amendment subject to conditions		DHP, DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 74	Duty to issue amended permit to applicant if no objectors		DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	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	DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	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	DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	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	DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 76D	Duty to comply with direction of Minister to issue amended permit		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 83	Function of being respondent to an appeal		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 83B	Duty to give or publish notice of application for review		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit		DSD, MBPC, PSP1, SSP, TLSC, TLSP1
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		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 84(6)	Duty to issue permit on receipt of advice within 3 working days		DSD, MBPC, PSP1, SSP, TLSC, TLSP1

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 84AB	Power to agree to confining a review by the Tribunal		DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 86	Duty to issue a permit at order of Tribunal within 3 working days		DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit		DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 91(2)	Duty to comply with the directions of VCAT		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs		DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 93(2)	Duty to give notice of VCAT order to stop development		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 95(3)	Function of referring certain applications to the Minister		DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 95(4)	Duty to comply with an order or direction		DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land		DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land		DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment		DSD, MBPC, PSP1, SSP, TLSC, TLSP1, TLSP2
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C		DSD, MBPC, PSP1, PSP2, SSP2, TLSC, TLSP1, TLSP2
s 96F	Duty to consider the panel's report under s 96E		DSD, MBPC, PSP2, SSP2, TLSC, TLSP2
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the Planning and		DHP, DSD, MBPC, PSP1, PSP2, TLSC, TLSP1, TLSP2

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
	Environment (Planning Schemes) Act 1996)		
s 96H(3)	Power to give notice in compliance with Minister's direction		DSD, MBPC, PSP1, PSP2, TLSC, TLSP1, TLSP2
s 96J	Power to issue permit as directed by the Minister		DSD, MBPC, PSP1, PSP2, TLSC, TLSP1, TLSP2
s 96K	Duty to comply with direction of the Minister to give notice of refusal		DSD, MBPC, PSP1, PSP2, TLSC, TLSP1, TLSP2
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate		DSD, MBPC, PSP1, PSP2, TLSC, TLSP1, TLSP2
s 97C	Power to request Minister to decide the application		DSD, MBPC, PSP1, PSP2, TLSC, TLSP1, TLSP2
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application		DSD, MBPC, PSP1, PSP2, TLSC, TLSP1, TLSP2
s 97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister		DSD, MBPC, PSP1, PSP2, TLSC, TLSP1, TLSP2

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 97G(6)	Duty to make a copy of permits issued under s 97F available for inspection		DSD, MBPC, PSP1, PSP2, TLSC, TLSP1, TLSP2
s 97L	Duty to include Ministerial decisions in a register kept under s 49		DSD, GSP, GSPA, GSP, MBPC, PA, PSP1, PSP2, SP1, SSP, SSP2, TLSC, TLSP1, TLSP2
s 97MH	Duty to provide information or assistance to the Planning Application Committee		DSD, MBPC, PSP2, SSP2, TLSC, TLSP2
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee		DSD, MBPC, PSP2, SSP2, TLSC, TLSP2
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance		DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate		DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate		DSD, MBPC, PSP1, SSP, TLSC, TLSP1

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 97Q(4)	Duty to comply with directions of VCAT		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions		DSD, GSP, MBPC, PA, PSP1, SOBPC, SP1, SSOBPC, SSP, TLSC, TLSP1
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances		DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed		DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 101	Function of receiving claim for expenses in conjunction with claim		DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 103	Power to reject a claim for compensation in certain circumstances		DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s.107(1)	function of receiving claim for compensation		DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 107(3)	Power to agree to extend time for making claim		DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 114(1)	Power to apply to the VCAT for an enforcement order		DSD, MBPC, PSP1, SSP, TLSC, TLSP1

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 117(1)(a)	Function of making a submission to the VCAT where objections are received		CO, CO4, CPC, DSD, GSP, MBPC, PA, PSP1, SCO1, SP1, SSP, TLSC, TLSP1
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made		DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 123(1)	Power to carry out work required by enforcement order and recover costs		DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	Except Crown Land	DSD, MBPC
s 129	Function of recovering penalties		DSD, MBPC, PSP1, SSP, TLSC, TLSP1
s 130(5)	Power to allow person served with an infringement notice further time		CO, CO4, CPC, DSD, MBPC, PSP1, SCO1, SSP, TLSC, TLSP1
s 149A(1)	Power to refer a matter to the VCAT for determination		CO, CO4, CPC, DSD, MBPC, PSP1, SCO1, SSP, TLSC, TLSP1
s 149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement		DSD, MBPC, PSP1, TLSC, TLSP1

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B)power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	Where Council is the relevant planning authority	DSD, MBPC, PSP2, TLSC, TLSP2
s 171(2)(f)	Power to carry out studies and commission reports		DSD, MBPC, PSP2, TLSC, TLSP2
s 171(2)(g)	Power to grant and reserve easements		DSD, MBPC, PSP1, PSP2, TLSC, TLSP1, TLSP2
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	Where Council is a development agency specified in an approved infrastructure contributions plan	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	Where Council is a collecting agency specified in an approved infrastructure contributions plan	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2
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,	Where Council is the development agency specified in an approved infrastructure contributions plan	DI, DSD, MBPC, MP, PSP1, PSP2, TLD, TLSC, TLSP1, TLSP2

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
	before the time that the land is required to be provided under s 46GV(4)		
s 173(1)	Power to enter into agreement covering matters set out in s 174		DSD, MBPC, PSP1, TLSC, TLSP1
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	Where Council is the relevant responsible authority	DSD, MBPC, PSP1, TLSC, TLSP1
	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority		DSD, GSP, MBPC, PA, PSP1, PSP2, SSP, SSP2, TLSC, TLSP1, TLSP2
	Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority		DSD, GSP, MBPC, PA, PSP1, PSP2, SSP, SSP2, TLSC, TLSP1, TLSP2
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9		DSD, MBPC, PSP1, PSP2, SSP, SSP2, TLSC, TLSP1, TLSP2

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 178	power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9		DSD, MBPC, PSP1, PSP2, SSP, SSP2, TLSC, TLSP1, TLSP2
s 178A(1)	Function of receiving application to amend or end an agreement		DSD, GSP, MBPC, PA, PSP1, PSP2, SP1, SSP, SSP2, TLSC, TLSP1, TLSP2
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)		DSD, GSP, MBPC, PA, PSP1, PSP2, SSP, SSP2, TLSC, TLSP1, TLSP2
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal		DSD, MBPC, PSP1, PSP2, SSP, SSP2, TLSC, TLSP1, TLSP2
s 178A(5)	Power to propose to amend or end an agreement		DSD, MBPC, PSP1, PSP2, SSP, SSP2, TLSC, TLSP1, TLSP2
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement		DSD, GSP, MBPC, PA, PSP1, PSP2, SSP, SSP2, TLSC, TLSP1, TLSP2
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement		DSD, GSP, MBPC, PA, PSP1, PSP2, SSP,

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
			SSP2, TLSC, TLSP1, TLSP2
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		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 178C(4)	Function of determining how to give notice under s 178C(2)		DSD, GSP, MBPC, PA, PSP1, SP1, SSP, TLSC, TLSP1
s 178E(1)	Duty not to make decision until after 14 days after notice has been given		DSD, MBPC, PSP1, PSP2, SSP, SSP2, TLSC, TLSP1, TLSP2
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	If no objections are made under s 178D Must consider matters in s 178B	DHP, DSD, MBPC, PSP1, PSP2, SSP, SSP2, TLSC, TLSP1, TLSP2
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	If no objections are made under s 178D Must consider matters in s 178B	DHP, DSD, MBPC, PSP1, PSP2, SSP, SSP2, TLSC, TLSP1, TLSP2
s 178E(2)(c)	Power to refuse to amend or end the agreement	If no objections are made under s 178D Must consider matters in s 178B	DHP

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	After considering objections, submissions and matters in s 178B	DHP
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	After considering objections, submissions and matters in s 178B	DHP
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	After considering objections, submissions and matters in s.178B	DHP
s 178E(3)(d)	Power to refuse to amend or end the agreement	After considering objections, submissions and matters in s 178B	DHP
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)		DSD, MBPC, PSP1, PSP2, TLSC, TLSP1, TLSP2
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)		DSD, MBPC, PSP1, PSP2, TLSC, TLSP1, TLSP2
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn		DSD, MBPC, PSP1, PSP2, SSP, SSP2, TLSC, TLSP1, TLSP2

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement		DSD, MBPC, PSP1, PSP2, SSP, SSP2, TLSC, TLSP1, TLSP2
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		DSD, GSP, MBPC, PA, PSP1, PSP2, SOBPC, SSOBPC, SSP, SSP2, TLSC, TLSP1, TLSP2
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land		DSD, MBPC, PSP1, PSP2, SSP, SSP2, TLSC, TLSP1, TLSP2
s 179(2)	Duty to make available for inspection copy agreement		DSD, MBPC, PSP1, PSP2, SSP, SSP2, TLSC, TLSP1, TLSP2
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General		DSD, GSP, MBPC, PA, PSP1, PSP2, SP1, SSP, SSP2, TLSC, TLSP1, TLSP2
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement		DSD, MBPC, PSP1, PSP2, SSP, SSP2, TLSC, TLSP1, TLSP2
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement		DSD, MBPC, PSP1, PSP2, SSP, SSP2, TLSC, TLSP1, TLSP2

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 182	Power to enforce an agreement		CO, CO4, CPC, DSD, GSP, MBPC, PA, PSP1, PSP2, SCO1, SSP, SSP2, TLSC, TLSP1, TLSP2
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement		DSD, GSP, MBPC, PA, PSP1, PSP2, SSP, SSP2, TLSC, TLSP1, TLSP2
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision		DSD, MBPC, PSP1, PSP2, TLSC, TLSP1, TLSP2
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		DSD, MBPC, PSP1, PSP2, TLSC, TLSP1, TLSP2
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		DSD, MBPC, PSP1, PSP2, TLSC, TLSP1, TLSP2
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		DSD, MBPC, PSP1, PSP2, TLSC, TLSP1, TLSP2

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 184G(2)	Duty to comply with a direction of the Tribunal		DSD, MBPC, PSP1, PSP2, TLSC, TLSP1, TLSP2
s 184G(3)	Duty to give notice as directed by the Tribunal		DSD, MBPC, PSP1, PSP2, TLSC, TLSP1, TLSP2
s 198(1)	Function to receive application for planning certificate		DSD, GSP, MBPC, PA, PSP1, PSP2, SSP, SSP2, TLSC, TLSP1, TLSP2
s 199(1)	Duty to give planning certificate to applicant		DSD, MBPC, PSP1, PSP2, SSP, SSP2, TLSC, TLSP1, TLSP2
s 201(1)	Function of receiving application for declaration of underlying zoning		DSD, GSP, MBPC, PA, PSP1, PSP2, SSP, SSP2, TLSC, TLSP1, TLSP2
s 201(3)	Duty to make declaration		DSD, MBPC, PSP1, TLSC, TLSP1
	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		CO, CO4, CPC, DSD, GSP, MBPC, PA, PSP1, SCO1, SP1, SSP, TLSC, TLSP1

Planning and Environment Act 1987			
Provision	Item Delegated	Conditions and Limitations	Delegate
	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		CO, CO4, CPC, DHP, DSD, GSP, MBPC, PA, PSP1, SCO1, SP1, SSP, TLSC, TLSP1
	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		DSD, MBPC, PSP1, SSP, TLSP1
	Power to give written authorisation in accordance with a provision of a planning scheme		DSD, GSP, MBPC, PA, PSP1, SSP, TLSP1
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district		DSD, MBPC, PSP1, PSP2, TLSC, TLSP1, TLSP2
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible		DSD, MBPC, PSP1, PSP2, TLSC, TLSP1, TLSP2

Residential Tenancies Act 1997

Residential Tenancies Act 1997			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 91ZU(1)	Power to give a renter a notice to vacate rented premises	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 July 2020, unless proclaimed earlier	Not Delegated
s 91ZZC(1)	Power to give a renter a notice to vacate rented premises	Where Council is a public statutory authority authorised to acquire land compulsorily for its purposes Note: this power is not yet in force and will commence on 1 July 2020, unless proclaimed earlier	Not Delegated
s 91ZZE(1)	Power to give a renter a notice to vacate rented premises	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 July 2020, unless proclaimed earlier	Not Delegated
s 91ZZE(3)	Power to publish Council's criteria for eligibility for the provision of housing	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 July 2020, unless proclaimed earlier	Not Delegated
s 142D	Function of receiving notice regarding an unregistered rooming house		CEH, DSD, EHO, ME, TLEH

Residential Tenancies Act 1997			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 142G(1)	Duty to enter required information in Rooming House Register for each rooming house in municipal district		CEH, DSD, EHO, ME, TLEH
s 142G(2)	Power to enter certain information in the Rooming House Register		CEH, DSD, EHO, ME, TLEH
s 142I(2)	Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry		CEH, DSD, EHO, ME, TLEH
s 206AZA(2)	Function of receiving written notification	Note: this function is not yet in force and will commence on 1 July 2020, unless proclaimed earlier	Not Delegated
s 207ZE(2)	Function of receiving written notification	Note: this function is not yet in force and will commence on 1 July 2020, unless proclaimed earlier	Not Delegated
s 252	Power to give tenant a notice to vacate rented premises if s 252(1) applies	Where Council is a public statutory authority engaged in the provision of housing Note: this provision will be repealed on 1 July 2020, unless proclaimed earlier	Not Delegated
s 262(1)	Power to give tenant a notice to vacate rented premises	Where Council is a public statutory authority engaged in the provision of housing Note: this provision will be repealed on 1 July 2020, unless proclaimed earlier	Not Delegated

Residential Tenancies Act 1997			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 262(3)	Power to publish its criteria for eligibility for the provision of housing by Council	Where Council is a public statutory authority engaged in the provision of housing Note: this provision will be repealed on 1 July 2020, unless proclaimed earlier	Not Delegated
s 311A(2)	Function of receiving written notification		Not Delegated
s 317ZDA(2)	Function of receiving written notification		Not Delegated
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements		Not Delegated
s 522(1)	Power to give a compliance notice to a person		CEH, DSD, EHO, ME, TLEH
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)		Refer S5
s 525(4)	Duty to issue identity card to authorised officers		Refer S5
s 526(5)	Duty to keep record of entry by authorised officer under s 526		CEH, DSD, EHO, ME, TLEH
s 526A(3)	Function of receiving report of inspection		Not Delegated

Residential Tenancies Act 1997			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)		Refer S5

Road Management Act 2004

Road Management Act 2004			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	Obtain consent in circumstances specified in s 11(2)	DI, MP, MWW
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette		DI, MP, MWW
s 11(9)(b)	Duty to advise Registrar		DI, MP, MWW
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	Subject to s 11(10A)	DI, MP, MWW
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	Where Council is the coordinating road authority	Not Delegated
s 12(2)	Power to discontinue road or part of a road	Where Council is the coordinating road authority	Not Delegated
s 12(4)	Power to publish, and provide copy, notice of proposed discontinuance	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies	DI, MP, MWW
s 12(5)	Duty to consider written submissions received within 28 days of notice	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies	DI, MP, MWW

Road Management Act 2004			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 12(6)	Function of hearing a person in support of their written submission	Function of coordinating road authority where it is the discontinuing body Unless s 12(11) applies	DI, MP, MWW
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies	DI, MP, MWW
s 12(10)	Duty to notify of decision made	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	DI, MP, MWW
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate	DI, MWW
s 14(4)	Function of receiving notice from the Head, Transport for Victoria		DI, MWW
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria		DI, MWW
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		DI

Road Management Act 2004			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority		Refer S5
s 15(2)	Duty to include details of arrangement in public roads register		DI, MWW
s 16(7)	Power to enter into an arrangement under s 15		Not Delegated
s 16(8)	Duty to enter details of determination in public roads register		DI, MWW
s 17(2)	Duty to register public road in public roads register	Where Council is the coordinating road authority	DI, MWW
s 17(3)	Power to decide that a road is reasonably required for general public use	Where Council is the coordinating road authority	DI, MWW
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	Where Council is the coordinating road authority	DI, MWW
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	Where Council is the coordinating road authority	DI, MWW
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	Where Council is the coordinating road authority	DI, MWW

Road Management Act 2004			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 18(1)	Power to designate ancillary area	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)	DI, MWW
s 18(3)	Duty to record designation in public roads register	Where Council is the coordinating road authority	DI, MWW
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority		DI, MWW
s 19(4)	Duty to specify details of discontinuance in public roads register		DI, MWW
s 19(5)	Duty to ensure public roads register is available for public inspection		DI, MWW
s 21	Function of replying to request for information or advice	Obtain consent in circumstances specified in s 11(2)	DI, MWW
s 22(2)	Function of commenting on proposed direction		DI, MWW
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.		Not Delegated
s 22(5)	Duty to give effect to a direction under s 22		Not Delegated

Road Management Act 2004			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 40(1)	Duty to inspect, maintain and repair a public road.		DI, MWW
s 40(5)	Power to inspect, maintain and repair a road which is not a public road		Not Delegated
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair		DI, MWW
s 42(1)	Power to declare a public road as a controlled access road	Power of coordinating road authority and sch 2 also applies	DI, MP
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	Power of coordinating road authority and sch 2 also applies	Not Delegated
s 42A(3)	Duty to consult with VicRoads before road is specified	Where Council is the coordinating road authority If road is a municipal road or part thereof	DI, MWW
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	Where Council is the coordinating road authority If road is a municipal road or part thereof and where road is to be specified a freight road	DI, MWW
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)	Where Council is the responsible road authority, infrastructure manager or works manager	DI, MWW

Road Management Act 2004			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M		Not Delegated
s 49	Power to develop and publish a road management plan		Not Delegated
s 51	Power to determine standards by incorporating the standards in a road management plan		Not Delegated
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan		DI, MWW
s 54(2)	Duty to give notice of proposal to make a road management plan		DI, MWW
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals		DI, MWW
s 54(6)	Power to amend road management plan		Not Delegated
s 54(7)	Duty to incorporate the amendments into the road management plan		Not Delegated
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper		DI, MWW

Road Management Act 2004			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 63(1)	Power to consent to conduct of works on road	Where Council is the coordinating road authority	DI, MWW
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	Where Council is the infrastructure manager	DI, MP, MWW
s 64(1)	Duty to comply with cl 13 of sch 7	Where Council is the infrastructure manager or works manager	DI, MWW
s 66(1)	Power to consent to structure etc	Where Council is the coordinating road authority	DI, MWW
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	Where Council is the coordinating road authority	Not Delegated
s 67(3)	Power to request information	Where Council is the coordinating road authority	DI, MWW
s 68(2)	Power to request information	Where Council is the coordinating road authority	DI, MWW
s 71(3)	Power to appoint an authorised officer		Refer S5
s 72	Duty to issue an identity card to each authorised officer		DCS, MCG
s 85	Function of receiving report from authorised officer		Refer S5

Road Management Act 2004			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 86	Duty to keep register re s 85 matters		DCS, DI, MWW
s 87(1)	Function of receiving complaints		Refer S5
s 87(2)	Duty to investigate complaint and provide report		DI, MWW
s 112(2)	Power to recover damages in court		Refer S5
s 116	Power to cause or carry out inspection		DI, MWW
s 119(2)	Function of consulting with the Head, Transport for Victoria		DI
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)		DI, MWW
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)		DI, MWW
s 121(1)	Power to enter into an agreement in respect of works		DI
s 122(1)	Power to charge and recover fees		Refer S5

Road Management Act 2004			
Provision	Item Delegated	Conditions and Limitations	Delegate
s 123(1)	Power to charge for any service		Refer S5
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads		DI, MP, MWW
sch 2 cl 3(1)	Duty to make policy about controlled access roads		Not Delegated
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads		Not Delegated
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria		Refer S5
sch 2 cl 5	Duty to publish notice of declaration		DI, MP, MWW
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	Where Council is the infrastructure manager or works manager	DI, MWW
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	Where Council is the infrastructure manager or works manager	DI, MWW

Road Management Act 2004			
Provision	Item Delegated	Conditions and Limitations	Delegate
sch 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure	DI, MWW
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	Where Council is the infrastructure manager or works manager	DI, MWW
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	Where Council is the infrastructure manager or works manager	DI, MWW
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	Where Council is the coordinating road authority	DI, MP, MWW, TLW
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	Where Council is the coordinating road authority	DI, MP, MWW, TLW
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	Where Council is the coordinating road authority	DI, MP, MWW, TLW

Road Management Act 2004			
Provision	Item Delegated	Conditions and Limitations	Delegate
sch 7 cl 12(5)	Power to recover costs	Where Council is the coordinating road authority	DI, MP, MWW, TLW
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	Where Council is the works manager	DI, MP, MWW, TLW
sch 7 cl 13(2)	Power to vary notice period	Where Council is the coordinating road authority	DI, MWW
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	Where Council is the infrastructure manager	DI, MWW
sch 7 cl 16(1)	Power to consent to proposed works	Where Council is the coordinating road authority	DI
sch 7 cl 16(4)	Duty to consult	Where Council is the coordinating road authority, responsible authority or infrastructure manager	Refer S5
sch 7 cl 16(5)	Power to consent to proposed works	Where Council is the coordinating road authority	Refer S5
sch 7 cl 16(6)	Power to set reasonable conditions on consent	Where Council is the coordinating road authority	Refer S5
sch 7 cl 16(8)	Power to include consents and conditions	Where Council is the coordinating road authority	Refer S5

Road Management Act 2004			
Provision	Item Delegated	Conditions and Limitations	Delegate
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	Where Council is the coordinating road authority	DI, MWW
sch 7 cl18(1)	Power to enter into an agreement	Where Council is the coordinating road authority	DI, MWW
sch7 cl 19(1)	Power to give notice requiring rectification of works	Where Council is the coordinating road authority	DI, MWW
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	Where Council is the coordinating road authority	Refer S5
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	Where Council is the coordinating road authority	DI, MWW
sch 7A cl 2	Power to cause street lights to be installed on roads	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road	DI, MP, MWW
sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	Where Council is the responsible road authority	DI, MWW
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas	Where Council is the responsible road authority	DI, MWW

Road Management Act 2004			
Provision	Item Delegated	Conditions and Limitations	Delegate
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)	DI, MWW

Cemeteries and Crematoria Regulations 2015

Cemeteries and Crematoria Regulations 2015			
Provision	Item Delegated	Conditions and Limitations	Delegate
r 24	Duty to ensure that cemetery complies with depth of burial requirements		DC, DI, MPSR, TLLNOS
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves		Not Delegated
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
r 28(1)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator		Not Delegated
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner		Not Delegated
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator		Not Delegated
r 30(2)	Power to release cremated human remains to certain persons	Subject to any order of a court	Not Delegated
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation		Not Delegated

Cemeteries and Crematoria Regulations 2015			
Provision	Item Delegated	Conditions and Limitations	Delegate
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation		Not Delegated
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation		Not Delegated
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period		Not Delegated
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)		Not Delegated
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)		DI, MPSR, TLLNOS
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)		CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
r 34	Duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs (a)-(b)		Not Delegated
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist		CLO, DC, MCW, TLCS3

Cemeteries and Crematoria Regulations 2015			
Provision	Item Delegated	Conditions and Limitations	Delegate
r 40	Power to approve a person to play sport within a public cemetery		DC, DI, MCW, MPSR
r 41(1)	Power to approve fishing and bathing within a public cemetery		DC, DI, MCW, MPSR
r 42(1)	Power to approve hunting within a public cemetery		DC, DI, MCW, MPSR
r 43	Power to approve camping within a public cemetery		DC, DI, MCW, MPSR
r 45(1)	Power to approve the removal of plants within a public cemetery		DI, MPSR, TLLNOS
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)		DC, DI, MCW, MPSR
r 47(3)	Power to approve the use of fire in a public cemetery		DC, DI, MCW, MPSR
r 48(2)	Power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area		DC, DI, MCW, MPSR, TLLNOS
	Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules		Not Delegated

Cemeteries and Crematoria Regulations 2015			
Provision	Item Delegated	Conditions and Limitations	Delegate
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch 2	See note above regarding model rules	Refer S5
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	See note above regarding model rules	DC, DI, MCW, MPSR, TLCS3, TLLNOS
sch 2 cl 5(2)	Duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	See note above regarding model rules	CLO, DC, DI, MCW, MPSR, TLCS3
sch 2 cl 6(1)	Power to give directions regarding the manner in which a funeral is to be conducted	See note above regarding model rules	CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	See note above regarding model rules	CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
sch 2 cl 8	Power to approve certain mementos on a memorial	See note above regarding model rules	CLO, DC, MCW, TLCS3
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	See note above regarding model rules	CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS

Cemeteries and Crematoria Regulations 2015			
Provision	Item Delegated	Conditions and Limitations	Delegate
sch 2 cl 11(2)	Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	See note above regarding model rules	CLO, DC, DI, MCW, MPSR, TLCS3, TLLNOS
sch 2 cl 12	Power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	See note above regarding model rules	DI, MPSR, TLLNOS
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	See note above regarding model rules	DC, DI, MPSR, TLLNOS
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	See note above regarding model rules	DC, DI, MCW, MPSR
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	See note above regarding model rules	DC, DI, MCW, MPSR
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	See note above regarding model rules	DI, MPSR, TLLNOS

Planning and Environment Regulations 2015

Planning and Environment Regulations 2015			
Provision	Item Delegated	Conditions and Limitations	Delegate
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	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.	DI, DSD, GSP, MBPC, MP, PA, PSP1, PSP2, SP1, SSP, SSP2, TLPMO, TLSC, TLSP1, TLSP2
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act		DI, DSD, GSP, MBPC, MP, PA, PSP1, PSP2, SP1, SSP, SSP2, TLPMO, TLSC, TLSP1, TLSP2
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	where Council is the responsible authority	DSD, GSP, MBPC, PA, PSP1, SSP, TLSP1
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	where Council is not the responsible authority but the relevant land is within Council's municipal district	CO, CO4, CPC, DSD, GSP, MBPC, PA, PSP1, SCO1, SOBPC, SP1, SSOBPC, SSP, TLSC, TLSP1
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	where Council is not the planning authority and the amendment affects land within Council's municipal district; or	DI, DSD, GSP, MBPC, MP, PA, PSP1, PSP2, SP1, SSP, SSP2,

Planning and Environment Regulations 2015			
Provision	Item Delegated	Conditions and Limitations	Delegate
	planning scheme and notice of a permit application	where the amendment will amend the planning scheme to designate Council as an acquiring authority.	TLPMO, TLSC, TLSP1, TLSP2

Planning and Environment (Fees) Regulations 2016

Planning and Environment (Fees) Regulations 2016			
Provision	Item Delegated	Conditions and Limitations	Delegate
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme		DI, DSD, MBPC, MP, TLSP1, TLSP2
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme		DSD
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r 19 or 20		DI, DSD, MBPC, MP, TLSP1, TLSP2

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010			
Provision	Item Delegated	Conditions and Limitations	Delegate
r 7	Function of entering into a written agreement with a caravan park owner		DSD, ME, TLEH
r 11	Function of receiving application for registration		CEH, DSD, EHO, ME, TLEH
r 13(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations		CEH, DSD, EHO, ME, TLEH
r 13(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations		CEH, DSD, EHO, ME, TLEH
r.13(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations		CEH, DSD, EHO, ME, TLEH
r 13(4) & (5)	Duty to issue certificate of registration		CEH, DSD, EHO, ME, TLEH
r 15(1)	Function of receiving notice of transfer of ownership		CEH, DSD, EHO, ME, TLEH
r 15(3)	Power to determine where notice of transfer is displayed		CEH, DSD, EHO, ME, TLEH

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010			
Provision	Item Delegated	Conditions and Limitations	Delegate
r 16(1)	Duty to transfer registration to new caravan park owner		CEH, DSD, EHO, ME, TLEH
r 16(2)	Duty to issue a certificate of transfer of registration		CEH, DSD, EHO, ME, TLEH
r 17(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration		Not Delegated
r 18	Duty to keep register of caravan parks		EH, DSD, EHO, ME, TLEH
r 19(4)	Power to determine where the emergency contact person's details are displayed		CEH, DSD, EHO, ME, TLEH
r 19(6)	Power to determine where certain information is displayed		CEH, DSD, EHO, ME, TLEH
r 22A(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner		DSD, ME, TLEH
r 22A(2)	Duty to consult with relevant emergency services agencies		DSD, ME, TLEH

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010			
Provision	Item Delegated	Conditions and Limitations	Delegate
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures		CEH, DSD, EHO, ME, TLEH
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings		CEH, DSD, EHO, ME, TLEH
r 25(3)	Duty to consult with relevant floodplain management authority		DSD, ME, TLEH
r 26	Duty to have regard to any report of the relevant fire authority		DSD, ME, TLEH
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling		CEH, DSD, EHO, ME, TLEH
r 39	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe		DSD, MBPC, ME
r 39(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe		DSD, MBPC, ME
r 40(4)	Function of receiving installation certificate		DSD, MBPC, ME

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010			
Provision	Item Delegated	Conditions and Limitations	Delegate
r 42	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling		DSD, MBPC, ME
sch 3 cl4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling		DSD, MBPC, ME

Road Management (General) Regulations 2016

Road Management (General) Regulations 2016			
Provision	Item Delegated	Conditions and Limitations	Delegate
r 8(1)	Duty to conduct reviews of road management plan		DI
r 9(2)	Duty to produce written report of review of road management plan and make report available		DI
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	Where Council is the coordinating road authority	DI, MWW
r.10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act		DI
r 13(1)	Duty to publish notice of amendments to road management plan	where Council is the coordinating road authority	DI, MWW
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment		DI
r 16(3)	Power to issue permit	Where Council is the coordinating road authority	DI, MP, MSA, MWW, PM, TLP MO, TLW

Road Management (General) Regulations 2016			
Provision	Item Delegated	Conditions and Limitations	Delegate
r 18(1)	Power to give written consent re damage to road	Where Council is the coordinating road authority	DI, MP, MWW
r 23(2)	Power to make submission to Tribunal	Where Council is the coordinating road authority	DI, MWW
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	Where Council is the coordinating road authority	DI, MWW
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	Where Council is the responsible road authority	CDM, CR, DI, DSD, GCGR, GCSR, MBPC, ME, MP, MSA, MWW, PM, TLAM, TLP MO, TLSC, TLW
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	Where Council is the responsible road authority	DCS, DI, DSD, MBPC, ME, MWW
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible		DCS, DI

Road Management (Works and Infrastructure) Regulations 2015

Road Management (Works and Infrastructure) Regulations 2015			
Provision	Item Delegated	Conditions and Limitations	Delegate
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act	DI, MWW
r 22(2)	Power to waive whole or part of fee in certain circumstances	Where Council is the coordinating road authority	DI, MWW