

Instrument of Delegation by the Council

Port Phillip City Council

Instrument of Delegation

to

Members of council staff

by

the Council

Instrument of Delegation

By this instrument of delegation -

1. Pursuant to section 98(1) of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached schedule, Port Phillip Council 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 position described opposite each such duty and/or function and/or power in column 3 of the Schedule.
2. Declares that this Instrument of Delegation -
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation; and
 - 2.2 remains in force until varied or revoked;
 - 2.3 is subject to any conditions and limitations set out in sub paragraph 3 and the Schedule;
 - 2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts;
 - 2.5 in relation to the Planning and Environment Act 1987 must be exercised in accordance with the attached Signing Protocol; and
 - 2.6 is authorised by a resolution of Council dated ~~9 February 2016~~ September 2017.
3. the delegate must not determine the issue, take the action or do the act or thing:
 - 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
 - 3.2 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 policy; or strategy adopted by Council; or
 - 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
 - 3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already subject of an exclusive delegation to another member of Council staff

THE COMMON SEAL of Port Phillip City Council was hereunto affixed in the presence of:

Mayor

Chief Executive Officer

CITY OF PORT PHILLIP STATUTORY PLANNING UNIT (AUG 09)

**SIGNING PROTOCOL FOR PLANNING REPORTS DETERMINED UNDER
DELEGATION FROM COUNCIL**

Responsible Officer Level (author).	Delegated officer (for signing planning reports):
Statutory Planner - Band 5	Band 6, 7 & 8 statutory planners, relevant Planning Coordinator, Manager City Development and General Manager Place Strategy and Development.
Statutory Planner - Band 6	Band 7 & 8 statutory planners, relevant Planning Coordinator, Manager City Development and General Manager Place Strategy and Development.
Statutory Planner - Band 7	Band 8 statutory planner, relevant Planning Coordinator, Manager City Development and General Manager Place Strategy and Development.
Statutory Planner - Band 8	Relevant Planning Coordinator, Manager City Development and General Manager Place Strategy and Development.
Planning Coordinators	Manager City Development, Executive Manager City <u>Growth Manager Strategy and Growth</u> and General Manager Place Strategy and Development.

Further: No planner is to exercise delegated power with regards to the decision to give or not give notice of an application pursuant to Section 52 of the Planning and Environment Act for an application for which they are themselves responsible.

The decision to advertise or not advertise pursuant to Section 52 of the Planning and Environment Act an application must be signed off by another planner of Band 6 or higher banding.

No planner can exercise delegated power with regards to determining an application for which they are themselves responsible.

Schedule of officers

Within the schedule of delegations any reference to a group of officers shall mean the following:

Group 1 Officers	General Manager Place Strategy and Development
	Manager Sustainability and Transport
	Manager City Development
	Executive Manager City Growth Manager Strategy and Growth
	Coordinator City Strategy
	Neighbourhood Coordinators
Group 2 Officers	General Manager Place Strategy and Development
	Manager Sustainability and Transport
	Manager City Development
	Executive Manager City Growth Manager Strategy and Growth
	Neighbourhood Coordinators
	Band 8 Planners
	Band 7 Planners
	Band 6 Planners
	Subdivision Officer
Group 3 Officers	General Manager Place Strategy and Development
	Manager Sustainability and Transport
	Manager City Development
	Executive Manager City Growth Manager Strategy and Growth
	Neighbourhood Coordinators
	Band 8 Planners
	Band 7 Planners
	Band 6 Planners
	Band 5 Planners
	Fast Track Planner
Subdivision Officer	
Group 4 Officers	General Manager Infrastructure and Amenity
	Manager Safety and Amenity
	Coordinator Health Services
	Coordinator Development Compliance
	Planning Compliance Officers
Group 5 Officers	General Manager Place Strategy and Development
	Engineering Approvals Officer
	Subdivisions Officer
Group 6 Officers	General Manager Place Strategy and Development
	Manager Sustainability and Transport
	Manager City Development
	Executive Manager City Growth Manager Strategy and Growth
	Neighbourhood Coordinators
	Band 8 Planners
	Band 7 Planners
	Band 6 Planners
Band 5 Planners	
Fast Track Planner	

	Subdivision Officer
	Business Support Staff - Planning
Group A Officers	General Manager Place Strategy and Development
	Manager Sustainability and Transport
	Manager City Development
	Executive Manager City Growth Manager Strategy and Growth
	Coordinator City Strategy
	Senior Strategic Planners
	Strategic Planners
Group B Officers	(For determination of open space contribution)
	General Manager Place Strategy and Development
	Manager City Development
	Subdivisions Officer

SCHEDULE

DOMESTIC ANIMALS ACT 1994

Column 1	Column 2	Column 3	Column 4
PROVISION	POWER, DUTY OR FUNCTION	DELEGATE	CONDITIONS & LIMITATIONS
s.41A(1)	power to declare a dog to be a menacing dog	General Manager- Infrastructure and Amenity Manager Safety and Amenity Coordinator Animal Management and Local Laws	Council may only delegate this power to an officer appointed pursuant to s.224 of the Local Government Act, as an Authorised Officer to administer and enforce the Domestic Animals Act 1994.

FOOD ACT 1984

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	-General Manager Infrastructure and Amenity -Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	If section 19(1) applies
s 19(2)(b)	power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	-General Manager Infrastructure and Amenity -Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	If section 19(1) applies
s 19(4)(a)	power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	-General Manager Infrastructure and Amenity -Manager Safety and Amenity Coordinator Health Services	If section 19(1) applies

FOOD ACT 1984

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19(6)(a)	duty to revoke any order under s.19 if satisfied that an order has been complied with	-General Manager Infrastructure and Amenity -Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	If section 19(1) applies
s 19(6)(b)	duty to give written notice of revocation under s 19(6)(a) if satisfied that an order has been complied with	-General Manager Infrastructure and Amenity -Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	
s 19AA(2)	power to direct, by written order, that a person must take any of the actions described in (a) - (c).	-General Manager Infrastructure and Amenity -Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	Where Council is the registration authority

FOOD ACT 1984

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19AA(4)(c)	power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	General Manager Infrastructure and Amenity Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	
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	General Manager Infrastructure and Amenity Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	Where Council is the registration authority
s 19CB(4)(b)	power to request copy of records	General Manager Infrastructure and Amenity Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	Where Council is the registration authority

FOOD ACT 1984

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19E(1)(d)	power to request a copy of the food safety program	-General Manager Infrastructure and Amenity -Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	
s 19GB	power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	-General Manager Infrastructure and Amenity -Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	
s 19M(4)(a) & (5)	power to conduct a food safety audit and take actions where deficiencies are identified	-General Manager Infrastructure and Amenity -Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	Where Council is the registration authority

FOOD ACT 1984

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19NA(1)	power to request food safety audit reports	General Manager Infrastructure and Amenity Manager Safety and Amenity <u>Manager Safety and Amenity</u> Coordinator Health Services Environmental Health Officer	
s 19U(3)	power to waive and vary the costs of a food safety audit if there are special circumstances	General Manager Infrastructure and Amenity Manager Safety and Amenity <u>Manager Safety and Amenity</u> Coordinator Health Services	
s 19UA	power to charge fees for conducting a food safety assessment or inspection	General Manager Infrastructure and Amenity Manager Safety and Amenity Coordinator Health Services	—

FOOD ACT 1984

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	General Manager Infrastructure and Amenity Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	
s 19W(3)(a)	power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	General Manager Infrastructure and Amenity Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	
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	General Manager Infrastructure and Amenity Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	

FOOD ACT 1984

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.35A	function of registering food premises	General Manager Infrastructure and Amenity Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	
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	General Manager Infrastructure and Amenity Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	
s.38AB(4)	power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)	General Manager Infrastructure and Amenity Manager Safety and Amenity Coordinator Health Services	

FOOD ACT 1984

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.38A(4)	power to request a copy of a completed food safety program template	-General Manager Infrastructure and Amenity -Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	
s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	-General Manager Infrastructure and Amenity -Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	-General Manager Infrastructure and Amenity -Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	

FOOD ACT 1984

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	General Manager Infrastructure and Amenity Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	
s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	General Manager Infrastructure and Amenity Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	
s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	General Manager Infrastructure and Amenity Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.38D(3)	power to request copies of any audit reports	-General Manager Infrastructure and Amenity -Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	
s.38E(2)	power to register the food premises on a conditional basis	-General Manager Infrastructure and Amenity -Manager Safety and Amenity Coordinator Health Services	
s.38E(4)	duty to register the food premises when conditions are satisfied	-General Manager Place Strategy and Development -Manager Safety and Amenity Coordinator Health Services	
s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	-General Manager Infrastructure and Amenity -Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	

FOOD ACT 1984

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.39A	power to register food premises despite minor defects	-General Manager Infrastructure and Amenity -Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	
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	-General Manager Infrastructure and Amenity -Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	
s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	-General Manager Infrastructure and Amenity -Manager Safety and Amenity Coordinator Health Services <u>Environmental Health Officer</u>	

FOOD ACT 1984

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 40D(1)	power to suspend or revoke the registration of food premises	General Manager Infrastructure and Amenity Manager Safety and Amenity Coordinator Health Services	
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	General Manager Infrastructure and Amenity Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	where council is the registration authority
s 43F(7)	power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	General Manager Infrastructure and Amenity Manager Safety and Amenity Coordinator Health Services Environmental Health Officer	where council is the registration authority

FOOD ACT 1984

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46(5)	power to institute proceedings against a third person	<p>-General Manager Infrastructure and Amenity</p> <p>-Manager Safety and Amenity <u>Manager Safety and Amenity</u></p> <p>Coordinator Health Services</p> <p>Environmental Health Officer</p>	

HERITAGE ACT 1995

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 84(2)	power to sub-delegate Executive Director's functions	Manager City Development	Must obtain Executive Director's written consent

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 4B	power to prepare an amendment to the Victoria Planning Provisions upon authorisation by the Minister	General Manager Place Strategy and Development	If authorised by the Minister and for minor and / or administrative matters only.
s 4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	Group A	
s 4H	duty to make approved amendments available for inspection	Group A	
s 4I	duty to keep Victoria Planning Provisions and other documents available	Group A	
<u>s 6(2)(h)</u>	<u>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</u>	<u>Group 3</u>	
s 8A(2)	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	Group A	
s 8A3	power to apply to Minister to prepare an amendment to the planning scheme	General Manager Place Strategy and Development	
s 8A(5)	function of receiving notice of the Minister's decision	Group 6	
s 8A(7)	power to prepare the amendment specified in the application without the Minister's	General Manager Place Strategy and Development	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	authorisation if no response received after 10 business days		
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	Group A	
s 12A(1)	duty to prepare a municipal strategic statement	Group A	
s 12B(1)	duty to review planning scheme	Group A	
s 12B(2)	duty to review planning scheme at direction of Minister	Group A	
s 12B(5)	duty to report findings of review of planning scheme to minister without delay	Group A	
s 14	carry out duties of the Responsible Authority	Group 6 Group 4 Group A	
s 17(1)	duty of giving copy amendment to the planning scheme	Group 1 Group A	
s 17(2)	duty of giving copy s.173 agreement	Group 1	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		Group A	
s 17(3)	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	Group A Group 2	
s 18	duty to make amendment etc. available	Group 6 Group A	
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	Group 1 Group A	
s 20(1)	power to apply to Minister for exemption from the requirements of s 19	Group 1	
s 21 (2)	duty to make submissions about an amendment available for inspection	Group A Group 6	
s 21A(4)	duty to publish notice in accordance with section	Group A Group 6	
s 22	duty to consider all submissions about an	Group 1	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	amendment	Group A	
s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	Group 1 Group A	
s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	Group 1 Group A	
s.24	function to represent Council and present a submission at a panel hearing (including a hearing referred to in s.96D)	Group A Group 3 Group 4	
s.26(1)	power to make report available for inspection	Group 1 Group A	
s.26(2)	duty to keep report of panel available for inspection	Group 6 Group A	
s.27(2)	power to apply for exemption if panel's report not received	Group A	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.28	duty to notify the Minister if abandoning an amendment	Group A	Note: the power to make a decision to abandon an amendment cannot be delegated.
s.30(4)(a)	duty to say if amendment has lapsed or a longer period has been granted	Group A	
s.30(4)(b)	duty to provide information in writing upon request	Group A	
s.32(2)	duty to give more notice if required	Group 1 Group A	
s.33(1)	duty to give more notice of changes to an amendment	Group 1 Group A	
s.36(2)	duty to give notice of approval of amendment	Group 1 Group A	
s.38(5)	duty to give notice of revocation of an amendment by Parliament	Group 1 Group A	
s.39	function of being a party to a proceeding commenced under s.39 and duty to comply	Group A	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	with determination by VCAT	Group 1	
s 40(1)	function of lodging copy of approved amendment	Group 1 Group 2 Group A	
s 41	duty to make approved amendment available	Group A Group 6	
s 42	duty to make an up to date copy of planning scheme available	Group A Group 6	
s 46AS(ac)	power to request the Growth- Areas Victorian Planning Authority to provide advice on any matter relating to land in Victoria or an objective of planning in Victoria	Group 2 Group A	
s 46GF	duty to comply with directions issued by the Minister	Group A Group 6	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GG	duty to include a condition in a permit relating to matters set out in s.46GG(c) and (d)	Group 6	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier
s.46GH(1)	power to require the payment of an amount of infrastructure levy to be secured to Council's satisfaction	Group 6	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier
s.46GH(2)	power to accept the provision of land, works, services or facilities in part or full satisfaction of the amount of infrastructure levy payable	Group 1	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier
s.46GH(3)	duty to obtain the agreement of the relevant development agency or agencies specified in the approved infrastructure contributions plan before accepting the provision of land, works, services or facilities by the applicant	Group 6	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			earlier
s.46GI(1)	duty to keep proper accounts of any amount of infrastructure levy paid to it as a collecting agency or a development agency under part 2 of the <i>Planning and Environment Act 1987</i>	Group 6 Chief Financial Officer	must be done in accordance with <i>Local Government Act 1989</i> . this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier
s.46GI(2)	duty to forward to a development agency any part of an infrastructure levy paid to council which is imposed for plan preparation costs incurred by development agency or for carrying out of works, services or facilities on behalf of the development agency	Manager City Development Chief Financial Officer	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier
s.46GI(3)	duty to apply levy amount only in accordance with s.46GI(3) (a) and (b)	Group 2	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier
s.46GI(4)	power to refund any amount of infrastructure levy paid to it as a	Manager City Development	this provision is not yet in force and will commence on 1

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	development agency under Part 2 of the <i>Planning and Environment Act 1987</i> if satisfied that the development is not to proceed	Chief Financial Officer	June 2016 unless proclaimed earlier
s.46GI(5)	duty to take action described in s.46GI(5)(c) – (e) where s.46GI(5)(a) and (b) applies	Manager City Development Chief Financial Officer	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier
s.46GL	power to recover any amount of infrastructure levy as a debt due to Council	Manager City Development Chief Financial Officer Group 2	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier
s.46GM	duty to prepare report and give a report to the Minister	Group 1	where council is a collecting agency or development agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier
s.46N(1)	duty to include condition in permit regarding payment of development	Group 2	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	infrastructure levy	Group A	
s 46N(2)(c)	function of determining time and manner for receipt of development contributions levy	Group 1	
s 46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	General Manager Place Strategy and Development	Exercise of delegated power to be reported to councillors as soon as practicable
s 46O(1)(a) & (2)(a)	power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	Group 2	
s 46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	General Manager Place Strategy and Development	Exercise of delegated power to be reported to councillors as soon as practicable
s 46P(1)	power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	Group 1	
s 46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	General Manager Place Strategy and Development	
s 46Q(1)	duty to keep proper accounts of levies paid	Group 1	
s 46Q(1A)	duty to forward to development agency part of levy imposed for carrying out	Group 1	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	works, services, or facilities on behalf of development agency or plan preparation costs incurred by an agency		
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.	Group 1	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	Group 1	only applies when levy is paid to Council as a 'development agency'
s.46Q(4)(c)	duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the council or for the provision by the council of works, services or facilities in an area under s.46Q(4)(a)	Group 1	<p>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</p> <p>this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier</p>
s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	Group A	must be done in accordance with Part 3
s.46Q(4)(e)	duty to expend that amount on other works	Group A	with the consent of, and in the

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	etc.		manner approved by, the Minister
s 46QC	power to recover any amount of levy payable under Part 3B	Group A	
s 46QD	duty to prepare a report and give a report to the Minister	Group A	where council is a collecting agency or development agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier
s 47	power to decide that an application for a planning permit does not comply with that Act and / or Regulations	Group 3	
s 49(1)	duty to keep a register of all applications for permits and determinations relating to permits	Group 6	
s 49(2)	duty to make register available for inspection	Group 6	
s 50(4)	duty to amend application	Group 3	
s 50(5)	power to refuse to amend application	Group 2	
s 50(6)	duty to make note of amendment to application in register	Group 6	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 50A(1)	power to make amendment to application	Group 3	
s 50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	Group 2	
s 50A(4)	duty to note amendment to application in register	Group 6	
s 51	duty to make copy of application available for inspection	Group A Group 6	
s 52(1)	function of determining public notification requirements and procedure in accordance with the Act and to give notice and require an applicant to advertise an application in accordance with section 52 of the Act	Group 2	
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	Group 2	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 52(1)(b)	duty to give notice of the application to other municipal councils considering whether the application may materially affect land in a municipal district (of which the Responsible Authority is not the council)	Group 2	
s 52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	Group 2	
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	Group 2	
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	Group 2	
s 52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	Group 2	
s 52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	Group 3	
s 52(3)	power to give any further notice of an application where appropriate	Group 2	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	Group 2	
s 53(1A)	power to require the applicant to give the notice under section 52(1AA)	Group 2	
s 53(2)	function of being satisfied that the applicant has given notice	Group 3	
s 54(1)	power to require the applicant to provide more information	Group 3	
s 54(1A)	duty to give notice in writing of information required under s 54(1)	Group 3	
s 54(1B)	duty to specify the lapse date for an application	Group 3	
s 54A(3)	power to decide to extend time or refuse to extend time to give required information	Group 2	
s 54A(4)	duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	Group 3	
s 55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Group 3	
s 57(2A)	power to reject objections considered made primarily for commercial advantage for the	Group 2	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	objector		
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	Group 6	
s.57(5)	duty to make available for inspection copy of all objections	Group 6	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to s.57A(5)	Group 3	
s.57A(5)	power to refuse to amend application	Group 3	
s.57A(6)	duty to note amendments to application in register	Group 6	
s.57B(1)	duty to determine whether and to whom notice should be given	Group 2	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	Group 2	
s.57C(1)	duty to give copy of amended application to referral authority	Group 6	
s.58	duty to consider every application for a permit	Group 3	
s.58A	power to request advice from the Planning Application Committee	General Manager Place Strategy and Development Manager City Development	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 60	duty to consider certain matters	Group 3	
s 60(1A)	duty to consider certain matters	Group 3	
s 60(1B)	duty to consider number of objectors in considering whether use or development may have significant social effect	Group 3	
s 61(1)(a), (b), (c) s 62(1),(2) s 63 s 64(3) s 72 s 74 s84(1)	power to decide to grant a permit or amended permit, power to decide to grant a permit or amended permit with conditions, power to refuse the permit or amended permit, duty to include certain conditions in deciding to grant a permit or amended permit, power to include other conditions, unless otherwise stated in the Conditions/ Limitations column	Group 2 (unless otherwise stated)	For the purposes of this condition/limitation a minor amendment is defined as being something that does not require public notification as it has no third party impact.
		Group 2	Issuing permits and/or amended permits once a notice of decision to grant a permit has been issued and no appeals have been made to the Tribunal within the prescribed time
		Group 2	Issuing permits, amended

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			permits, notices of decision to grant a permit, notices of decision to grant an amended permit, notices of refusal to grant a permit and notices of refusal to grant an amended permit, in accordance with a decision of the Tribunal
		Group 2	Issuing permits, amended permits, notices of decision to grant a permit, notices of decision to grant an amended permit, notices of refusal to grant a permit and notices of refusal to grant an amended permit, in accordance with a decision of the Statutory Planning Committee or Ordinary Council
		No delegation. To be reported to Statutory Planning Committee or Ordinary Council	Applications where 16 or more objections are received and where the application has not been refused under delegation
		No delegation except for a VicSmart application (Clauses 90-95 Port Phillip Planning Scheme). To be reported to	Where a Councillor requests the application be determined by the Council.

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		Statutory Planning Committee or Ordinary Council	
		No delegation. To be reported to Statutory Planning Committee or Ordinary Council	Application raises issue of policy that should be debated at Council (strategic or substantive policy issues) as determined by the Manager City Development and/or Neighbourhood Coordinators.
		No delegation except for a VicSmart application (Clauses 90-95 Port Phillip Planning Scheme). To be reported to Statutory Planning Committee or Ordinary Council	The application involves substantive non-compliance with the Planning Scheme or Council policy but officers consider the application should be supported.

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		<p>No delegation except for a VicSmart application (Clauses 90-95 Port Phillip Planning Scheme). To be reported to Statutory Planning Committee or Ordinary Council</p>	<p>Non-compliance with residential parking requirements (except that a minor dispensation can be determined by the Manager City Development or Neighbourhood Coordinators unless a councillor requests that the application be determined by Council).</p>
		<p>Group 1</p>	<p>The application involves the total demolition of a building (excluding an outbuilding) in a heritage overlay with a 'contributory' or 'significant' grading, the policy tests for demolition at Clause 22.04-4 are met and unless a councillor requests that the application be determined by Council.</p>

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		Group 1	Decision to grant a permit where the application involves a two storey extension and a 'line of sight' principle is involved and the proposal does not meet the prescription but does, in the officers view, meet the performance approach set out in the Heritage Policy and unless a councillor requests that the application be determined by Council.
s 61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	Group 3	
s 61(2A)	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	Group 3	
s 61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Group 2	
s 61(3)(b)	duty to refuse to grant the permit without the Minister's consent	Group 2	
S61(4)	duty to refuse to grant a permit if grant would authorise a breach of a registered	Group 3	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	restrictive covenant		
S62(4)	duty to ensure conditions are consistent with subsections (a), (b) and (c)	Group 3	
s 62(5)(a)	power to include a permit condition to implement an approved development contributions plan	Group 2	
s 62(5)(b)	power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement	Group 3	
s 62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	Group 3	
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 .62(5) or s 46N	Group 3	
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)	Group 3	
s 64(1)	duty to give notice of decision to grant a	Group 6	this provision applies also to a

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	permit to applicant and objectors		decision to grant an amendment to a permit - see section 75
s 64(3)	duty not to issue a permit until after the specified period	Group 6	this provision applies also to a decision to grant an amendment to a permit - see section 75
s 64(5)	duty to give each objector a copy of an exempt decision	Group 6	this provision applies also to a decision to grant an amendment to a permit - see section 75
s 64A	duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	Group 3	
s 65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	Group 6	
s 66(1)	duty to give notice under s.64 or s.65 and a copy of permit to relevant determining referral authorities	Group 6	
s 66(2)	duty to give a recommending referral	Group 3	if the recommending referral

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	authority notice of its decision to grant a permit		authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	Group 3	if the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s 66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	Group 3	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s 69(1)	function of receiving application for extension of time of permit	Group 3	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 69(1A)	function of receiving application for extension of time to complete development	Group 6	
s 69(2)	power to extend time	Group 2	Consent for extension of time for commencement is to be granted only where no change in planning circumstance has occurred since the grant of the permit, or since the first extension (whichever is applicable) which would bring the proposal into conflict with current planning controls or instruments or bring the proposal into conflict with a seriously entertained planning proposal.
s 70	duty to make copy of permits available for inspection	Group 6	
s 71(1)	power to correct certain mistakes	Group 3	
s 71(2)	duty to note corrections in register	Group 3	
s 74	duty to issue amended permit to applicant if no objectors	Group 2	
s 76	duty to give applicant and objectors notice	Group 3	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	of decision to refuse to grant amendment to permit		
s 76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	Group 3	
s 76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	Group 3	if the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	Group 3	if the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s 76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under section 64 or 76	Group 6	if the recommending referral authority did not object to the amendment of the permit or the recommending referral

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			authority did not recommend a condition be included on the amended permit
s 76(D)	duty to comply with direction of Minister to issue amended permit	Group 2	
s 83	function of being respondent to an appeal	Group 6	Planning officers representing the Responsible Authority as a respondent at a VCAT mediation hearing are subject to consultation with and approval by the Manager City Development and / or Neighbourhood Coordinators prior to a hearing.
s 83B	duty to give or publish notice of application for review	Group 6	
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	Group 2	
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	Group 6	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 84(6)	duty to issue permit on receipt of advice from principal registrar within 3 working days	Group 6	
s 86	duty to issue a permit at order of Tribunal within 3 working days	Group 6	
s 87(3)	power to apply to VCAT for the cancellation or amendment of a permit	Group 1 Group 4	Where the tests of s87(1) are clear and obvious
s 90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	Group 4 Group 6	
s 91(2)	duty to comply with the directions of the VCAT	Group 3 Group 4	
s 91(2A)	duty to issue amended permit to owner if Tribunal so directs	Group 3	
s 92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	Group 3 Group 4	
s 93(2)	duty to give notice of VCAT order to stop	Group 1	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	development	Group 4	
s 95(3)	function of referring certain applications to the Minister	Group 3	
s 95(4)	duty to comply with an order or direction	Group 3	
s 96(1)	duty to obtain a permit from the Minister to use and develop its land	Group 1	
s 96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	Group 1	
s 96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	Group 1	
s 96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	Group 1	
s 96F	duty to consider the panel's report under section 96E	Group 1 Group A	
s 96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and	Group 3	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	power to notify applicant of the determination (including power to give notice under s 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)		
s 96H(3)	power to give notice in compliance with Minister's direction	Group 2	
s 96J	power to issue permit as directed by the Minister	Group 2	
s 96K	duty to comply with direction of the Minister to give notice of refusal	Group 1	
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	Group 6	
s 97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	Group 2	
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	Group 6	
s 97G(6)	duty to make a copy of permits issued under s 97F available for inspection	Group 6	
s 97L	duty to include Ministerial decisions in a	Group 6	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	register kept under s.49		
s.97MH	duty to provide information or assistance to the Planning Application Committee	Group 6	
s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	General Manager Place Strategy and Development Manager City Development	
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	Group 3 Group 4	
s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	All Planning and Building Services staff	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	Group 2	
s.97Q(4)	duty to comply with directions of VCAT	Group 2	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	All Planning and Building Services staff	
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	Group 1	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	Group 1	
s 101	function of receiving claim for expenses in conjunction with claim	Group 1	
s 103	power to reject a claim for compensation in certain circumstances	General Manager Place Strategy and Development	
s 107(1)	function of receiving claim for compensation	Group 1	
s 107(3)	power to agree to extend time for making claim	Group 1	
s 114(1)	power to apply to the VCAT for an enforcement order	Group 1 Group A Group 4	
s 117(1)(a)	function of appearing and / or making a submission to the VCAT where objections are received regarding an enforcement order	All Planning Officers	
s 120(1)	power to apply for an interim enforcement order where s.114 application has been	Group 1 Group A	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	made		
s 123(1)	power to carry out work required by enforcement order and recover costs	General Manager Place Strategy and Development	
s 123(2)	power to sell buildings, materials, etc. salvaged in carrying out work under s 123(1)	General Manager Place Strategy and Development	Except Crown Land
s 126	power to institute legal proceedings	Group 1 Group A Group 4 Neighborhood Coordinators	If a clear and obvious contravention of the Planning Scheme, Permit or Agreement is occurring
s 129	function of recovering penalties	Group 4	
s 130(5)	power to allow person served with an infringement notice further time	Group 1 Group A Group 4 Neighborhood Coordinators	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 133	power to act as an authorised officer to enter any land to carry out specific functions	Group 3 Group 4 Group 5 Group A	
s 134(1)	duty to obtain consent from occupier prior to entering any land	Group 3 Group 4	
s 134(2)	power to apply to the Magistrates Court for a warrant	General Manager Place Strategy and Development Manager City Development Group 4	
s 149A(1)	power to refer a matter to the VCAT for determination	Group 1 Group A Group 4	
s 149A(1A)	power to apply to VCAT for the determination of a matter relating to the	Group 1	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	interpretation of a s.173 agreement		
s 156	duty to pay fees and allowances (including a payment to the Crown under subsection (2A)), power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	Group 1	
s 162	power to appear before a panel	Group 3 Group A	
s 171(2)(f)	power to carry out studies and commission reports	Group 2 Group A	
s 171(2)(g)	power to grant and reserve easements	Group 2 Group 5	
s 173	power to enter into agreement covering matters set out in section 174	Group 1	
	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or	Group 1	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	Responsible Authority		
	power to give consent on behalf of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	Group 1	
s 177(2)	power to end a section 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	Group 1	
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	Group 1	Minor and / or administrative amendments only.
s 178A(1)	function of receiving application to amend or end an agreement	Group 6	
s 178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal	Group 1	
s 178A(4)	function of notifying the owner and a prospective owner as to whether it agrees in principle to the proposal	Group 1	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178B(1)	duty to consider certain matters when considering proposal to amend an agreement	Group 1	
s 178B(2)	duty to consider certain matters when considering proposal to end an agreement	Group 1	
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	Group 1	
s 178C(4)	function of determining how to give notice under s.178C(2)	Group 1	
s 178E(1)	duty not to make decision until after 14 days after notice has been given	Group 3	
s 178E(2)(a)	power to amend or end the agreement in accordance with the proposal	Group 1	If no objections are made under s.178D. Must consider matters in s.178B
s 178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Group 1	If no objections are made under s.178D. Must consider matters in s.178B

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178E(2)(c)	power to refuse to amend or end the agreement	Group 1	If no objections are made under s 178D. Must consider matters in s 178B
s 178E(3)(a)	power to amend or end the agreement in accordance with the proposal	Group 1	After considering objections, submissions and matters in s 178B
s 178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Group 1	After considering objections, submissions and matters in s 178B
s 178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	Group 1	After considering objections, submissions and matters in s 178B
s 178E(3)(d)	power to refuse to amend or end the agreement	Group 1	After considering objections, submissions and matters in s 178B
s 178F(1)	duty to give notice of its decision under s 178E(3)(a) or (b)	Group 3	
s 178F(2)	duty to give notice of its decision under s 178E(2)(c) or (3)(d)	Group 3	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178F(4)	duty not to proceed to amend or end an agreement under 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	Group 3	
s 178G	duty to sign amended agreement and give copy to each other party to the agreement	General Manager Place Strategy and Development Manager City Development Executive Manager City-Growth Manager Strategy and Growth	
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	Group 1	
s 178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Group 3	
s 179(2)	duty to make available for inspection copy agreement	Group 3 Group A Team Leader Records	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 181	duty to apply to the Registrar of Titles to record the agreement	Group 3 Group 4 Group 5 Group A	
s 181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	Group 1	
s 181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	Group 1	
s 182	power to enforce a covenant	Group 1 Group A	
s 183	duty to tell Registrar of Titles of ending/amendment of agreement	Group 2 Group A	
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	Group 2	
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	Group 2	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	a failure to amend or end an agreement		
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	Group 2	
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	Group 6	
s 184G(2)	duty to comply with a direction of the Tribunal	Group 3	
s 184G(3)	duty to give notice as directed by the Tribunal	Group 3	
s 198(1)	function to receive application for planning certificate	All Planning and Building Services staff	
s 199(1)	duty to give planning certificate to applicant	Group 3 Group A Chief Financial Officer Coordinator Revenue, Valuations and Accounting Services	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 199(2)	power of an authorised officer to produce and issue a planning certificate	Group 3 Group A Chief Financial Officer Coordinator Revenue, Valuations and Accounting Services	
s 201(1)	function of receiving application for declaration of underlying zoning	All Planning and Building Services staff	
s 201(3)	duty to make declaration	Group 1 Group A	Only if Planning Scheme shows the underlying zoning
	power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	Group 3	
	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	Group 3	
	power to approve any plan or any amendment to a plan or other document in	Group 1	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	accordance with a provision of a planning scheme or condition in a permit		
s.201UAB(1)	function of providing the Growth-AreasVictorian Planning Authority with information relating to any land within the municipal district	Group 1	
s.201UAB(2)	duty to provide the Growth-AreasVictorian Planning Authority with information requested under subsection (1) as soon as possible	Group 1	
s.224(8)	duty to provide information requested by Growth-AreasVictorian Planning Authority under s.201UAB(1) not yet provided to Growth-AreasVictorian Planning Authority	Group 1	

RAIL SAFETY (LOCAL OPERATIONS) ACT 2006

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.33	duty to comply with a direction of the Safety Director under this section	Manager Asset Planning and Property	duty of Council as a utility under s.3
s.33A	duty to comply with a direction of the Safety Director to give effect to arrangements under this section	Manager Asset Planning and Property	duty of Council as a road authority under the Road Management Act 2004
s.34	duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under s.33(1)	Manager Asset Planning and Property	duty of Council as a utility under s.3
s.34C(2)	function of entering into safety interface agreements with rail infrastructure manager in relation to public roads and public highways	Manager Asset Planning and Property	where Council is the relevant road authority
s.34D(1)	function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	Manager Asset Planning and Property	where Council is the relevant road authority
s.34D(2)	function of receiving written notice of opinion	Manager Asset Planning and Property	where Council is the relevant road authority
s.34D(4)	function of entering into safety interface agreement with infrastructure manager for relevant roadways or pathways	Manager Asset Planning and Property	where Council is the relevant road authority
s.34E(1)(a)	duty to identify and assess risks to safety	Manager Asset Planning and Property	where Council is the relevant

RAIL SAFETY (LOCAL OPERATIONS) ACT 2006

			road authority
s.34E(1)(b)	duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c)	Manager Asset Planning and Property	where Council is the relevant road authority
s.34E(3)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	Manager Asset Planning and Property	where Council is the relevant road authority
s.34F(1)(a)	duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)	Manager Asset Planning and Property	where Council is the relevant road authority
s.34F(1)(b)	duty to determine measures to manage any risks identified and assessed, if written notice has been received under section 34D(2)(a)	Manager Asset Planning and Property	where Council is the relevant road authority
s.34F(2)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	Manager Asset Planning and Property	where Council is the relevant road authority
s.34H	power to identify and assess risks to safety as required under sections 34B, 34C, 34D, 34E or 34F in accordance with subsections (a) – (c)	Manager Asset Planning and Property	where Council is the relevant road authority
s.34I	function of entering into safety interface agreements	Manager Asset Planning and Property	where Council is the relevant road authority
s.34J(2)	function of receiving notice from Safety Director	Manager Asset Planning and Property	where Council is the relevant road authority
s.34J(7)	duty to comply with a direction of the Safety Director given under section 34J(5)	Manager Asset Planning and Property	where Council is the relevant road authority

RAIL SAFETY (LOCAL OPERATIONS) ACT 2006			
s34K(2)	duty to maintain a register of items set out in subsections (a) – (b)	Manager Asset Planning and Property	where Council is the relevant road authority

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 142D	function of receiving notice regarding an unregistered rooming house	Manager Asset Planning and Property Manager Safety and Amenity Coordinator Health Services	
s 142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal district	Manager Asset Planning and Property Manager Safety and Amenity Coordinator Health Services	
s 142G(2)	power to enter certain information in the Rooming House Register	Manager Asset Planning and Property Manager Safety and Amenity Coordinator Health Services	
s 142I(2)	power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	Manager Asset Planning and Property Manager Safety and Amenity Coordinator Health Services	
s 252	power to give tenant a notice to vacate rented premises if subsection (1) applies	Manager Asset Planning and Property	Where council is the landlord

RESIDENTIAL TENANCIES ACT 1997

		Manager Safety and Amenity	
s.262(1)	power to give tenant a notice to vacate rented premises	Manager Asset Planning and Property Manager Safety and Amenity	Where council is the landlord
s.262(3)	power to publish its criteria for eligibility for the provision of housing by the Council	Manager Asset Planning and Property Manager Safety and Amenity	
s.522(1)	power to give a compliance notice to a person	Manager Asset Planning and Property Manager Safety and Amenity	
s.525(2)	power to authorise an officer to exercise powers in s.526 (either generally or in a particular case)	Manager Asset Planning and Property Manager Safety and Amenity	
s.525(4)	duty to issue identity card to authorised officers	Manager Asset Planning and Property Manager Safety and Amenity	
s.526(5)	duty to keep record of entry by authorised officer under section 526	Manager Asset Planning and Property Manager Safety and Amenity	
s.526A(3)	function of receiving report of inspection	Manager Asset Planning and Property Manager Safety and Amenity	

RESIDENTIAL TENANCIES ACT 1997			
s 527	power to authorise a person to institute proceedings (either generally or in a particular case)	Manager Asset Planning and Property Manager Safety and Amenity	

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.7	function of entering into a written agreement with a caravan park owner	Manager Safety and Amenity Coordinator Health Services	
r.11(1)	function of receiving applications for registration	Manager Safety and Amenity Coordinator Health Services	
r.13(1)	duty to grant registration received under regulation 11, if satisfied of (a) and (b)	Manager Safety and Amenity Coordinator Health Services	
r.13(2)	duty to grant renew registration received under regulation 12, if satisfied of (a) and (b)	Manager Safety and Amenity Coordinator Health Services	
r.13(3)	duty to have regard to items (a) – (f) when considering an application for registration or renewal of registration	Manager Safety and Amenity Coordinator Health Services	
r.13(4)	duty to issue a certificate of registration on granting registration	Manager Safety and Amenity Coordinator Health Services	
r.13(5)	duty to issue a certificate of renewal upon renewing registration	Manager Safety and Amenity Coordinator Health Services	

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.15(1)	function of receiving notice of transfer of ownership	Manager Safety and Amenity Coordinator Health Services	
r.15(3)	power to determine where notice of transfer is displayed	Manager Safety and Amenity Coordinator Health Services	
r.16(1)	duty to transfer registration to new caravan park owner	Manager Safety and Amenity Coordinator Health Services	
r.16(2)	duty to issue certificate of transfer of registration	Manager Safety and Amenity Coordinator Health Services	
r.17	power to determine registration fee in accordance with this regulation	Manager Safety and Amenity Coordinator Health Services	
r.18	duty to keep register of caravan parks	Manager Safety and Amenity Coordinator Health Services	
r.19(4)	power to determine where the emergency contact person's details are displayed	Manager Safety and Amenity Coordinator Health Services	
r.19(6)	power to determine where certain information is displayed	Manager Safety and Amenity Coordinator Health Services	

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.22(6)	duty to notify caravan park owners of emergency service agencies	Manager Safety and Amenity Coordinator Health Services	
r.22(7)	duty to consult with relevant emergency services agency	Manager Safety and Amenity Coordinator Health Services	
r.23(2)	power to determine places in which caravan park owner must display a copy of emergency procedures	Manager Safety and Amenity Coordinator Health Services	
r.24(1)	power to determine places in which caravan park owner must display copy of public emergency warnings	Manager Safety and Amenity Coordinator Health Services	
r.25(3)	duty to consult with relevant floodplain management authority	Manager Safety and Amenity Coordinator Health Services	
r.26	duty to have regard to any report of the relevant fire authority	Manager Safety and Amenity Coordinator Health Services	
r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	Manager Safety and Amenity Coordinator Health Services	

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	Manager Safety and Amenity Coordinator Health Services	
r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	Manager Safety and Amenity Coordinator Health Services	
r.40(4)	function of receiving installation certificate	Manager Safety and Amenity Coordinator Health Services	
r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	Manager Safety and Amenity Coordinator Health Services	
Schedule 3 cl.4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	Manager Safety and Amenity Coordinator Health Services	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 11(10)	duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	Manager Asset Planning and Property	clause subject to s 11(10A)
s 11(10A)	duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	Manager Asset Planning and Property	where council is the coordinating road authority
s 13(1)	power to fix a boundary of a road by publishing notice in Government Gazette	Manager Asset Planning and Property	power of coordinating road authority and obtain consent under s13(3) and s13(4) as appropriate
s 14(4)	function of receiving notice from VicRoads	Manager Asset Planning and Property	
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	Manager Asset Planning and Property	
s 15(1A)	power to enter into an arrangement with a utility to transfer a road management function of the utility to the road authority	Manager Asset Planning and Property	

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s15(2)	duty to include details of arrangement in public roads register	Manager Asset Planning and Property	
s16(7)	power to enter into an arrangement under s15	Manager Asset Planning and Property	
s16(8)	duty to enter details of determination in public roads register	Manager Asset Planning and Property	
s17(2)	duty to register public road in public roads register	Manager Asset Planning and Property	power of coordinating road authority
s17(3)	power to decide that a road is reasonably required for general public use	Manager Asset Planning and Property	power of coordinating road authority
s17(3)	duty to register a road reasonably required for general public use in public roads register	Manager Asset Planning and Property	power of coordinating road authority
s17(4)	power to decide that a road is no longer	Manager Asset Planning and Property	power of coordinating road

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	reasonably required for general public use		authority
s17(4)	duty to remove road no longer reasonably required for general public use from public roads register	Manager Asset Planning and Property	power of coordinating road authority
s18(1)	power to designate ancillary area	Manager Asset Planning and Property	power of coordinating road authority, and obtain consent in circumstances specified in s18(2)
s18(3)	duty to record designation in public roads register	Manager Asset Planning and Property	power of coordinating road authority
s19(1)	duty to keep register of public roads	Manager Asset Planning and Property	
s19(4)	duty to specify details of discontinuance in public roads register	Manager Asset Planning and Property Coordinator Enterprise Asset Management	
s19(5)	duty to ensure public roads register is available	Manager Asset Planning and Property	

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	for public inspection	Coordinator Enterprise Asset Management	
s.21	function of replying to request for information or advice	General Manager Infrastructure and Amenity Manager Maintenance and Renewal <u>Manager Maintenance and Operations</u>	obtain consent in circumstances specified in s11(2)
s.22(2)	function of commenting on proposed direction	General Manager Infrastructure and Amenity Coordinator Enterprise Asset Management	
s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report	General Manager Infrastructure and Amenity Coordinator Enterprise Asset Management	
s.22(5)	duty to give effect to a direction under this section	General Manager Infrastructure and Amenity Coordinator Enterprise Asset Management	
s.40(1)	duty to inspect, maintain and repair a public	Manager Asset Planning and Property	

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	road	<p>Coordinator Enterprise Asset Management</p> <p>Manager Maintenance and Renewal <u>Manager Maintenance and Operations</u></p> <p>Coordinator Infrastructure Maintenance</p>	
s.40(5)	power to inspect, maintain and repair a road which is not a public road	<p>Manager Asset Planning and Property</p> <p>Coordinator Enterprise Asset Management</p> <p>Manager Maintenance and Renewal <u>Manager Maintenance and Operations</u></p> <p>Coordinator Infrastructure Maintenance</p>	
s42(1)	power to declare a public road as a controlled access road	Manager Asset Planning and Property	power of coordinating road authority and Schedule 2

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		Coordinator Enterprise Asset Management	also applies
s42(2)	power to amend or revoke declaration by notice published in Government Gazette	Manager Asset Planning and Property Coordinator Enterprise Asset Management	power of coordinating road authority and Schedule 2 also applies
s.42A(3)	duty to consult with VicRoads before road is specified	Manager Asset Planning and Property Coordinator Enterprise Asset Management	<ul style="list-style-type: none"> ▪ duty of coordinating road authority ▪ if road is a municipal road or part thereof
s.42A(4)	power to approve Minister's decision to specify a road as a specified freight road	Manager Asset Planning and Property Coordinator Enterprise Asset Management	<ul style="list-style-type: none"> ▪ power of coordinating road authority ▪ if road is a municipal road or part thereof and where road is to be specified a freight road

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.48EA	duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	Manager Asset Planning and Property Coordinator Enterprise Asset Management	duty of responsible road authority, infrastructure manager or works manager
s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	Manager Asset Planning and Property Coordinator Enterprise Asset Management	
s.54(2)	duty to give notice of proposal to make a road management plan	Manager Asset Planning and Property Coordinator Enterprise Asset Management	
s.54(5)	duty to conduct a review of road management plan at prescribed intervals	Manager Asset Planning and Property Coordinator Enterprise Asset Management	
s.54(7)	duty to incorporate the amendments into the road management plan	Manager Asset Planning and Property	

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		Coordinator Enterprise Asset Management	
s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	Manager Asset Planning and Property Coordinator Enterprise Asset Management	
s.63(2)(e)	power to conduct or to authorize the conduct of works in, on, under or over a road in an emergency	General Manager Infrastructure and Amenity General Manager Organisational Performance Manager Asset Planning and Property Manager Maintenance and Renewal <u>Manager Maintenance and Operations</u>	where Council is the infrastructure manager
s.66(1)	power to consent to structure etc	Manager City Development	where Council is the coordinating road authority
s.67(2)	function of receiving the name & address of the person responsible for distributing the sign or bill	Manager City Development	where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 67(3)	power to request information	Manager City Development	where Council is the coordinating road authority
s 68(2)	power to request information	Manager City Development	where Council is the coordinating road authority
s71(3)	power to appoint an authorised officer	General Manager Infrastructure and Amenity General Manager Organisational Performance	
s 72	duty to issue an identity card to each authorised officer	General Manager Infrastructure and Amenity General Manager Organisational Performance	
s86	duty to keep register re s85 matters	Manager Asset Planning and Property Coordinator Enterprise Asset Management	
s 87(1)	function of receiving complaints	Manager Asset Planning and Property Coordinator Enterprise Asset Management	

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s87(2)	duty to investigate complaint and provide report	Manager Asset Planning and Property Coordinator Enterprise Asset Management	
s 112(2)	power to recover damages in court	General Manager Infrastructure and Amenity Manager Asset Planning and Property Coordinator Enterprise Asset Management	
s116	power to cause or carry out inspection	Manager Asset Planning and Property Coordinator Enterprise Asset Management Manager Maintenance and Renewal <u>Manager Maintenance and Operations</u> Coordinator Infrastructure	

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		Maintenance	
s 119(2)	function of consulting with VicRoads	Manager Asset Planning and Property Coordinator Enterprise Asset Management	
S120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	Manager Asset Planning and Property Coordinator Enterprise Asset Management Manager Maintenance and Renewal <u>Manager Maintenance and Operations</u> Coordinator Infrastructure Maintenance	
s120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	Manager Asset Planning and Property Coordinator Enterprise Asset Management	

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		<p>Manager Maintenance and Renewal <u>Manager Maintenance and Operations</u></p> <p>Coordinator Infrastructure Maintenance</p>	
s121(1)	power to enter into an agreement in respect of works	<p>Manager Asset Planning and Property</p> <p>Coordinator Enterprise Asset Management</p>	
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	<p>Manager Asset Planning and Property</p> <p>Coordinator Enterprise Asset Management</p>	
Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	<p>Manager Asset Planning and Property</p> <p>Coordinator Enterprise Asset Management</p>	
Schedule 2	power to amend, revoke or substitute policy	Manager Asset Planning and Property	

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Clause 3(2)	about controlled access roads	Coordinator Enterprise Asset Management	
Schedule 2 Clause 5	duty to publish notice of declaration	Manager Asset Planning and Property Coordinator Enterprise Asset Management	
Schedule 7 Clause 7(1)	duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	Manager Asset Planning and Property Coordinator Enterprise Asset Management	
Schedule 7 Clause 8(1)	duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve on any road	Manager Asset Planning and Property Coordinator Enterprise Asset Management	
Schedule 7 Clause 9(1)	duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to	Manager Asset Planning and Property Coordinator Enterprise Asset	

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	the location of any non-road infrastructure and technical advice or assistance in conduct of works	Management Manager Maintenance and Renewal <u>Manager Maintenance and Operations</u> Coordinator Infrastructure Maintenance	
Schedule 7 Clause 9(2)	duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	Manager Asset Planning and Property Coordinator Enterprise Asset Management Manager Maintenance and Renewal <u>Manager Maintenance and Operations</u> Coordinator Infrastructure Maintenance	
Schedule 7 Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	Manager Asset Planning and Property Coordinator Enterprise Asset Management	

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	Manager Asset Planning and Property Coordinator Enterprise Asset Management Manager Maintenance and Renewal <u>Manager Maintenance and Operations</u> Coordinator Infrastructure Maintenance	power of coordinating road authority
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	Manager Asset Planning and Property Coordinator Enterprise Asset Management Manager Maintenance and Renewal <u>Manager Maintenance and Operations</u> Coordinator Infrastructure Maintenance	power of coordinating road authority

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	Manager Asset Planning and Property Coordinator Enterprise Asset Management Manager Maintenance and Renewal <u>Manager Maintenance and Operations</u> Coordinator Infrastructure Maintenance	power of coordinating road authority
Schedule 7 Clause 12(5)	power to recover costs	Manager Asset Planning and Property Coordinator Enterprise Asset Management	power of coordinating road authority
Schedule 7 Clause 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2)	Manager Asset Planning and Property Coordinator Enterprise Asset Management	
Schedule 7	power to vary notice period	Manager Asset Planning and Property	power of coordinating road

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Clause 13(2)		Coordinator Enterprise Asset Management	authority
Schedule 7 Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1)	Manager Asset Planning and Property Coordinator Enterprise Asset Management	
Schedule 7 Clause 16(1)	power to consent to proposed works	Manager Asset Planning and Property Coordinator Enterprise Asset Management	power of coordinating road authority
Schedule 7 Clause 16(4)	duty to consult	Manager Asset Planning and Property Coordinator Enterprise Asset Management	where council is the coordinating road authority, responsible authority or infrastructure manager
Schedule 7 Clause 16(5)	power to consent to proposed works	Manager Asset Planning and Property Coordinator Enterprise Asset Management	where council is the coordinating road authority

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	M anager Asset Planning and Property Coordinator Enterprise Asset Management	where council is the coordinating road authority
Schedule 7 Clause 16(8)	power to include consents and conditions	M anager Asset Planning and Property Coordinator Enterprise Asset Management	where council is the coordinating road authority
Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	M anager Asset Planning and Property Coordinator Enterprise Asset Management	where council is the coordinating road authority
Schedule 7 Clause 18(1)	power to enter into an agreement	M anager Asset Planning and Property Coordinator Enterprise Asset Management	where council is the coordinating road authority

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	Manager Asset Planning and Property Manager Maintenance and Renewal <u>Manager Maintenance and Operations</u>	where council is the coordinating road authority
Schedule 7 Clause 19(2)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	Manager Asset Planning and Property Manager Maintenance and Renewal <u>Manager Maintenance and Operations</u>	where council is the coordinating road authority
Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	Manager Asset Planning and Property Coordinator Enterprise Asset Management	where council is the coordinating road authority
Schedule 7A Clause 2	power to cause street lights to be installed on roads	Manager Asset Planning and Property Coordinator Enterprise Asset Management	

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7A Clause 3(1)(d)	duty to pay installation and operation costs of street lighting – where road is not an arterial road	Manager Asset Planning and Property Coordinator Enterprise Asset Management	
Schedule 7A Clause 3(1)(e)	duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	Manager Asset Planning and Property Manager Maintenance and Renewal <u>Manager Maintenance and Operations</u> Coordinator Enterprise Asset Management	
Schedule 7A Clause (3)(1)(f)	duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with clauses 3(2) and 4	Manager Asset Planning and Property Coordinator Enterprise Asset Management	

PLANNING AND ENVIRONMENT REGULATIONS 2015

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	COMMENTS
r.8	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	Group B	where Council is not the planning authority and the amendment affects land within its municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.22	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	Group B	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	Group B	where Council is the responsible authority
r.25(b)	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	Group B	where Council is not the responsible authority but the relevant land is within Council's municipal district

PLANNING AND ENVIRONMENT REGULATIONS 2015

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	COMMENTS
r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application.	Group B	

PLANNING AND ENVIRONMENT (FEES) INTERIM REGULATIONS 2015

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	COMMENTS
r.16	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	Group B	
r.17	power to waive or rebate a fee relating to an amendment of a planning scheme	Group B	
r.18	duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r.16 or 17	Group 6	

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	COMMENTS
r.19	power to waive or rebate a fee relating to an amendment of a planning scheme	Group B	
r.20	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	Group B	
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	Group 6	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2005

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.301	duty to conduct reviews of road management plan	Manager Asset Planning and Property Coordinator Enterprise Asset Management	
r.302(2)	duty to give notice of review of road management plan	Manager Asset Planning and Property Coordinator Enterprise Asset Management	
r.302(5)	duty to produce written report of review of road management plan and make report available	Manager Asset Planning and Property Coordinator Enterprise Asset Management	
r.303	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	Manager Asset Planning and Property Coordinator Enterprise Asset Management	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2005

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.306(2)	duty to record on road management plan the substance and date of effect of amendment	Manager Asset Planning and Property Coordinator Enterprise Asset Management	
r.501(1)	power to issue permit	Manager Asset Planning and Property Coordinator Development Compliance	power of responsible road authority
r.501(4)	power to charge fee for issuing permit under r.501(1)	Manager Asset Planning and Property Coordinator Enterprise Asset Management	power of responsible road authority
r.503(1)	power to give written consent to person to drive on road a vehicle which is likely to cause damage to road	Manager Asset Planning and Property Coordinator Enterprise Asset Management	power of responsible road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2005

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.508(3)	power to make submission to Tribunal	Manager Asset Planning and Property Coordinator Enterprise Asset Management	power of responsible road authority
r.509(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	Manager Asset Planning and Property Coordinator Enterprise Asset Management Manager Maintenance and Renewal Manager Maintenance and Operations Coordinator Infrastructure Maintenance	power of responsible road authority
r.509(2)	power to sell or destroy things removed from road or part of road (after first complying with r.509(3))	Manager Asset Planning and Property Manager Maintenance and Renewal	power of responsible road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2005

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.509(4)	power to recover in the Magistrates' Court, expenses from person responsible	Manager Asset Planning and Property Coordinator Enterprise Asset Management	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.8(1)	duty to conduct reviews of road management plan	Manager Asset Management and Property Coordinator Enterprise Asset Management	
r.9(2)	duty to produce written report of review of road management plan and make report available	Manager Asset Management and Property Coordinator Enterprise Asset Management	
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)	Manager Asset Management and Property Coordinator Enterprise Asset Management	where council is the coordinating road authority
r.10	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	Manager Asset Management and Property Coordinator Enterprise Asset Management	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.13(1)	duty to publish notice of amendments to road management plan	Manager Asset Management and Property Coordinator Enterprise Asset Management	where council is the coordinating road authority
r.13(3)	duty to record on road management plan the substance and date of effect of amendment	Manager Asset Management and Property Coordinator Enterprise Asset Management	
r.16(3)	power to issue permit	Manager Asset Management and Property Coordinator Development Compliance	where council is the coordinating road authority
r.18(1)	power to give written consent to person to drive on road a vehicle which is likely to cause damage to road	Manager Asset Management and Property Coordinator Development Compliance	where council is the coordinating road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.23(2)	power to make submission to Tribunal	Manager Asset Management and Property Coordinator Enterprise Asset Management	where council is the coordinating road authority
r.25(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	Manager Asset Management and Property Coordinator Enterprise Asset Management Manager Maintenance and Operations Coordinator Infrastructure Maintenance	power of responsible road authority
r.25(2)	power to sell or dispose of things removed from road or part of road (after first complying with r.25(3))	Manager Asset Management and Property Manager Maintenance and Renewal	power of responsible road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.25(5)	power to recover in the Magistrates' Court, expenses from person responsible	Manager Asset Management and Property Coordinator Enterprise Asset Management	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.10	power, where consent given under s.63(1) of the Act, to exempt a person from requirement under clause 13(1) of Schedule 7 to that Act to give notice as to the completion of those work	<p>Manager Asset Planning and Property</p> <p>Manager Maintenance and Renewal <u>Manager Maintenance and Operations</u></p>	power of coordinating road authority
r.22(2)	power to waive whole or part of fee in certain circumstances	<p>Manager Asset Planning and Property</p> <p>Manager Maintenance and Renewal <u>Manager Maintenance and Operations</u></p>	power of coordinating road authority

MISCELLANEOUS

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Section B - Finance Issues			
	Financial authority and power to award, enter and sign contracts power to authorise purchase orders for the purchase of goods and services and approve invoices and accounts for payments	Chief Executive Officer Chief-Executive Officer (\$1M)	Up to \$1M. Refer to the Council's Procurement Policy.
	power to award, enter and sign contracts		
	- where price accepted is the lowest	Chief Executive Officer (\$1M)	The Chief Executive Officer has the power to vary any contract however the contract variation/s in aggregate must not exceed the financial limit delegated to that position and provided there has been a prior budget allocation and the contract variation is in accordance with the Contracts and Procurement Policy.

MISCELLANEOUS

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	<p>- where price accepted is not the lowest</p>	<p>Chief Executive Officer (\$500k)</p>	<p>The Chief Executive Officer has the power to vary any contract however the contract variation/s in aggregate must not exceed the financial limit delegated to that position and provided there has been a prior budget allocation and the contract variation is in accordance with the Contracts and Procurement Policy.</p>
	<p><u>- Power to declare a contract is required to be entered into due to an emergency and to award, enter into and sign such contracts.</u></p>	<p><u>Chief Executive Officer</u></p>	<p><u>Up to \$5M.</u> <u>Refer to the Council's Procurement Policy.</u></p>

MISCELLANEOUS

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	<p><u>- Power to vary contracts</u></p>	<p><u>Chief Executive Officer</u></p>	<p><u>The contract variation/s in aggregate must not exceed the financial limit delegated to that position (currently \$1M) and provided there has been a prior budget allocation and the contract variation is in accordance with the Council's Procurement Policy.</u></p>
	<p><u>- Annual Insurance premiums exemption</u></p>	<p><u>Chief Executive Officer</u></p>	<p><u>The CEO has delegation to authorise payment of annual insurance premiums procured in accordance with the requirements of Table 2 'Spend thresholds' in Council's Procurement Policy.</u></p>