

6.3.4 Instrument of Delegation - Council to Members of Council Staff

File Reference: Nil.
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Recommendation(s)

That Council in exercising its powers conferred by the legislation referred to in the attached instrument of delegation, Council resolves that:

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
3. On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

Attachments

1. Instrument of Delegation to other members of Council staff - 17 August 2020 [6.3.4.1 - 48 pages]

Executive Summary

The attached instrument is proposed to reflect changes in the organisation and legislative amendments to ensure legislative compliance.

Background

Council previously resolved in May 2020 to delegate its power to specific members of Council staff under various statutes. The changes will be:

- To reflect the delegation changes in the Local Government Act 2020 which no longer allows Council to delegate to members of staff under this specific piece of legislation.
- Include a new planning position to the delegations.
- General formatting.

Policy Implications

Nil.

Relevance to Council Plan

Nil.

Climate Emergency Consideration

Nil.

Consultation/Communication

The instrument has been prepared following consultation with relevant Council business units and advice received from the sector.

Financial and Resource Implications

Nil.

Conclusion

The update to the Instrument is necessary to allow Council officers to complete required duties, powers and functions.



Instrument of Delegation to Members of Council Staff

17 August 2020

Instrument of Delegation

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

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

Delegate Reference	Meaning
CCS	Coordinator Compliance Services
CFO	Chief Finance Officer
CGAP	Coordinator Growth Area Planning
CO	Compliance Officer
CSP	Coordinator Statutory Planning
CSTRP	Coordinator Strategic Planning
EMOC	Executive Manager Office of the CEO
GMCPP	General Manager Customer, People & Performance
GMIE	General Manager Infrastructure & Environment
GMLC	General Manager Liveable Communities
IOO	Infringements Oversight Officer
MBS	Municipal Building Surveyor
MDCS	Manager Development and Compliance Services
MED	Manager Economic Development
MG	Manager Governance
MIS	Manager Infrastructure Services
MO	Manager Operations
MPDG	Manager Policy Design Growth Area Planning
PDDP	Staff employed as a Planner (Including Planning Support Officer) in the Liveable Communities or Infrastructure and Environment Divisions
PO	Prosecution Officer
STE	Senior Traffic Engineer
TLP	Team Leader Prosecutions
TLSP	Team Leader Statutory Planning

3. declares that:
 - 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 17 August 2020; and
 - 3.2 the delegation:
 - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 3.2.2 remains in force until varied or revoked;
 - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

- 3.3 the delegate must not determine the issue, take the action or do the act or thing:
- 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
 - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategyadopted by Council;
 - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
 - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

The common seal of **Cardinia Shire Council** was here to affixed in the presence of:

Councillor

Chief Executive Officer

SCHEDULE

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DOMESTIC ANIMALS ACT 1994			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s 41A(1)	Power to declare a dog to be a menacing dog	MDCS, CSS, IOO, PO, TLP	Council may delegate this power to a Council authorised officer

ENVIRONMENT PROTECTION ACT 1970			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 53M(3)	Power to require further information	MDCS	
s 53M(4)	Duty to advise applicant that application is not to be dealt with	MDCS	
s 53M(5)	Duty to approve plans, issue permit or refuse permit	MDCS	Refusal must be ratified by Council or it is of no effect
s 53M(6)	Power to refuse to issue septic tank permit	MDCS	Refusal must be ratified by Council or it is of no effect
s 53M(7)	Duty to refuse to issue a permit in circumstances in (a)-(c)	MDCS	Refusal must be ratified by Council or it is of no effect

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	MDCS	If s 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	MDCS	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	MDCS	If s 19(1) applies Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	MDCS	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under s 19 if satisfied that an order has been complied with	MDCS	If s 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	MDCS	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	MDCS	Where Council is the registration authority
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	MDCS	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	MDCS	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	MDCS	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	MDCS	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	MDCS	Where Council is the registration authority
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	MDCS	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	MDCS	Where Council is the registration authority
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	MDCS	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	MDCS	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	MDCS	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	MDCS	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	MDCS	Where Council is the registration authority
---	Power to register, renew or transfer registration	MDCS	Where Council is the registration authority Refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see s 58A(2))
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	MDCS	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	MDCS	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	MDCS	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	MDCS	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	MDCS	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	MDCS	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	MDCS	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	MDCS	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38D(3)	Power to request copies of any audit reports	MDCS	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	MDCS	Where Council is the registration authority; not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	MDCS	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	MDCS	Where Council is the registration authority
s 39A	Power to register, renew or transfer food premises despite minor defects	MDCS	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	MDCS	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	MDCS	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	MDCS	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	MDCS	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	MDCS	Where Council is the registration authority
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	MDCS, IOO, PO, TLP	Where Council is the registration authority

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 181H	Power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge	CEO¹	
s 185L(4)	Power to declare and levy a cladding rectification charge	CEO²	

¹ The only member of staff who can be a delegate in Column 3 is the CEO.

² The only member of staff who can be a delegate in Column 3 is the CEO.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 4B	Power to prepare an amendment to the Victorian Planning Provisions		If authorised by the Minister
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	GMLC, MPDG	
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	GMLC, MPDG	
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	GMLC, GMIE, MPDG, MDCS	
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	GMLC, MPDG, CGAP, PDDP	
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	GMLC, MPDG	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	GMLC	
s 26(1)	Power to make report available for inspection	GMLC, GMIE, MPDG, MDCS, CGAP, CSP, PDDP	
s 27(2)	Power to apply for exemption if panel's report not received	GMLC, MPDG	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	GMLC, MPDG	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	GMLC, MPDG	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	GMLC, MPDG	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	GMLC, MPDG	
s 46GV(3)(b)	Power to enter into an agreement with the applicant	GMLC, MPDG	Where Council is the collecting agency
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	GMLC, MPDG	Where Council is the collecting agency
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	GMLC, MPDG	Where Council is the collecting agency
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)		Where Council is the collecting agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	CFO	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	GMLC, GMIE, MPDG, MDCS	Where Council is a collecting agency or development agency
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	GMLC, GMIE, MPDG, MDCS, CGAP	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	GMLC, GMIE, MPDG, MDCS, CGAP	
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	GMLC, MPDG	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	GMLC, GMIE, MPDG, MDCS, MBS, CFO	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	GMLC, GMIE, MDCS	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	GMLC, GMIE, MPDG, MDCS, CGAP	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	CFO	Only applies when levy is paid to Council as a 'development agency'

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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)	CFO	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s 46QC	Power to recover any amount of levy payable under Part 3B	CFO	
s 47	Power to decide that an application for a planning permit does not comply with that Act	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 50(5)	Power to refuse to amend application	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 50A(1)	Power to make amendment to application	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
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	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
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	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 52(3)	Power to give any further notice of an application where appropriate	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 54(1)	Power to require the applicant to provide more information	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 57A(5)	Power to refuse to amend application	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 57B(1)	Duty to determine whether and to whom notice should be given	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 57C(1)	Duty to give copy of amended application to referral authority	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 58	Duty to consider every application for a permit	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 58A	Power to request advice from the Planning Application Committee	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 60	Duty to consider certain matters	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 60(1A)	Duty to consider certain matters	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 62(2)	Power to include other conditions	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 69(2)	Power to extend time	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 70	Duty to make copy permit available for inspection		
s 71(1)	Power to correct certain mistakes	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 71(2)	Duty to note corrections in register		
s 73	Power to decide to grant amendment subject to conditions	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 84AB	Power to agree to confining a review by the Tribunal	GMLC, MPDG	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	GMLC, GMIE, MPDG, MDCS, CCS, TLP	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	GMLC, GMIE	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	GMLC, GMIE, MPDG, MDCS	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	GMLC, GMIE, MPDG, MDCS	
s 96F	Duty to consider the panel's report under s 96E		
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	GMLC, GMIE, MPDG, MDCS	
s 96H(3)	Power to give notice in compliance with Minister's direction	GMLC, GMIE, MPDG, MDCS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96J	Power to issue permit as directed by the Minister	GMLC, GMIE, MPDG, MDCS	
s 97C	Power to request Minister to decide the application	GMLC, GMIE, MPDG, MDCS	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	GMLC, GMIE, MPDG, MDCS	
s 103	Power to reject a claim for compensation in certain circumstances	GMLC, GMIE, MPDG, MDCS	
s 107(3)	Power to agree to extend time for making claim	GMLC, GMIE, MPDG, MDCS	
s 114(1)	Power to apply to the VCAT for an enforcement order	GMLC, GMIE, MPDG, MDCS, CCS, TLP, PO, CO, IOO,	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	GMLC, GMIE, MPDG, MDCS, CCS, TLP, PO, IOO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 123(1)	Power to carry out work required by enforcement order and recover costs	GMLC, GMIE, MPDG, MDCS, CCS	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	GMLC, GMIE, MPDG, MDCS	Except Crown Land
s 130(5)	Power to allow person served with an infringement notice further time	GMLC, GMIE, MPDG, MDCS	
s 149A(1)	Power to refer a matter to the VCAT for determination	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, CCS, TLP	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s 173 agreement	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, CCS, TLP	
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B) power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	GMLC, MPDG	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	GMLC, GMIE, MPDG, MDCS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 171(2)(g)	Power to grant and reserve easements	GMLC, GMIE, MPDG, MDCS	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	GMLC, GMIE, MPDG, MDCS	Where Council is a development agency specified in an approved infrastructure contributions plan
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	GMLC, GMIE, MPDG, MDCS	Where Council is a collecting agency specified in an approved infrastructure contributions plan
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	GMLC, GMIE, MPDG, MDCS	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	GMLC, GMIE, MPDG, MDCS, CGAP, TLP	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	GMLC, GMIE, MPDG, MDCS, CGAP, TLP	Where Council is the relevant responsible authority
---	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
---	Power to give consent on behalf of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, TLP, PDDP	
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, TLP	
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	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, TLP	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, TLP, PDDP	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	
s 178A(5)	Power to propose to amend or end an agreement	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP, PDDP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP	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	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP	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	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP	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	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP	After considering objections, submissions and 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(3)(c)	Power to amend or end the agreement in a manner that is substantively different from the proposal	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP	After considering objections, submissions and matters in s 178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP	After considering objections, submissions and matters in s 178B
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	GMLC, GMIE, MPDG, MDCS	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP	
s 182	Power to enforce an agreement	GMLC, GMIE, MPDG, MDCS, CCS, TLP, PO, CO	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, TLSP	
s 201(3)	Duty to make declaration	GMLC, GMIE, MPDG, MDCS	
-	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	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, CCS, TLP, TLSP, PO, CO, PDDP	
	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	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, CCS, TLP, TLSP, PO, CO, PDDP	
	Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, CCS, TLP, TLSP, PO, CO, PDDP	
-	Power to give written authorisation in accordance with a provision of a planning scheme	GMLC, GMIE, MPDG, MDCS, CSP, CGAP, CCS, TLP, TLSP, PO, CO, PDDP	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 91ZU(1)	Power to give a renter a notice to vacate rented premises	MDCS, MPDG	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 91ZZC(1)	Power to give a renter a notice to vacate rented premises	MDCS, MPDG	Where Council is a public statutory authority authorised to acquire land compulsorily for its purposes Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 91ZZE(1)	Power to give a renter a notice to vacate rented premises	MDCS, MPDG	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 91ZZE(3)	Power to publish Council's criteria for eligibility for the provision of housing	MDCS, MPDG	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 142G(2)	Power to enter certain information in the Rooming House Register	MDCS	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 142I(2)	Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	MDCS	
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	MDCS	
s 522(1)	Power to give a compliance notice to a person	MDCS	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	GMLC, GMIE	
s 525(4)	Duty to issue identity card to authorised officers	MG	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	GMLC, GMIE	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	GMIE	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	GMIE, MG	
s 12(2)	Power to discontinue road or part of a road	GMIE, MG	Where Council is the coordinating road authority
s 12(4)	Power to publish, and provide copy, notice of proposed discontinuance	GMIE, MG	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	GMIE	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	GMIE, MO, STE	
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	GMIE, MO, STE	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	GMIE	
s 16(7)	Power to enter into an arrangement under s 15	GMIE, MO, STE	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 17(3)	Power to decide that a road is reasonably required for general public use	GMIE, MIS, MO, STE	Where Council is the coordinating road authority
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	GMIE, MIS, MO	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	GMIE, MIS, MO	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	MO	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	GMIE, MIS, MO	
s 42(1)	Power to declare a public road as a controlled access road	GMIE	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	GMIE, MO, STE	Power of coordinating road authority and sch 2 also applies
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	GMIE, MIS, STE	Where Council is the coordinating road authority If road is a municipal road or part thereof and where road is to be specified a freight road
s 49	Power to develop and publish a road management plan	GMIE, MIS	
s 51	Power to determine standards by incorporating the standards in a road management plan	GMIE, MIS	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	GMIE, MIS	
s 54(6)	Power to amend road management plan	GMIE	
s 63(1)	Power to consent to conduct of works on road	GMIE, MIS, MO, STE	Where Council is the coordinating road authority
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	GMIE, MIS, MO, STE	Where Council is the infrastructure manager
s 66(1)	Power to consent to structure etc	GMIE, MIS, MO, STE	Where Council is the coordinating road authority
s 67(3)	Power to request information	GMIE, MIS, MO, STE	Where Council is the coordinating road authority
s 68(2)	Power to request information	GMIE, MIS, MO, STE	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	MG	
s 112(2)	Power to recover damages in court	GMIE, MIS, MO	
s 116	Power to cause or carry out inspection	GMIE, MIS, MO, STE	
s 119(2)	Function of consulting with the Head, Transport for Victoria		

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	GMIE, MIS, MO	
s 121(1)	Power to enter into an agreement in respect of works	GMIE, MIS, MO, STE	
s 122(1)	Power to charge and recover fees	GMIE, MIS, MO, STE	
s 123(1)	Power to charge for any service	GMIE, MIS, MO, STE	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	GMIE, MIS, MO, STE	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	GMIE, MIS, MO, STE	
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	GMIE, MIS, MO	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	GMIE, MIS, MO, STE	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	GMIE, MIS, MO, STE	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	GMIE, MIS, MO	Where Council is the works manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 13(2)	Power to vary notice period	GMIE, MIS, MO	Where Council is the coordinating road authority
sch 7 cl 16(1)	Power to consent to proposed works	GMIE, MIS, MO, STE	Where Council is the coordinating road authority
sch 7 cl 16(5)	Power to consent to proposed works	GMIE, MIS, MO, STE	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	GMIE, MIS, MO, STE	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	GMIE, MIS, MO, STE	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	GMIE, MIS, MO, STE	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	GMIE, MIS, MO, STE	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	GMIE, MIS, MO, STE	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	GMIE, MIS, MO	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	GMIE, MIS, MO, STE	Where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7A cl 2	Power to cause street lights to be installed on roads	GMIE, MIS, MO, STE	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road

PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 21	Power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under s 54 of the Act	GMIE, GMLC, MPDG, MDCS, CGAP, TLP	

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	GMLC, GMIE	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	GMLC, GMIE, MPDG, MDCS, CGAP, TLP	

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

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 15(1)	Duty to transfer registration to new caravan park owner	MDCS	
r 15(2)	Duty to issue a certificate of transfer of registration	MDCS	
r 15(3)	Power to determine where certificate of transfer of registration is displayed	MDCS	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	MDCS	
r 17	Duty to keep register of caravan parks	MDCS	
r 18(4)	Power to determine where the emergency contact person's details are displayed	MDCS	
r 18(6)	Power to determine where certain information is displayed	MDCS	
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	MDCS	
r 22(2)	Duty to consult with relevant emergency services agencies	MDCS	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	MDCS	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	MDCS	
r 25(3)	Duty to consult with relevant floodplain management authority	MDCS	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 26	Duty to have regard to any report of the relevant fire authority	MDCS	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	MDCS	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	MDCS	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	MDCS	
r 41(4)	Function of receiving installation certificate	MDCS	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	MBS	
Sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	MBS	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 16(3)	Power to issue permit	GMIE, MIS, MO, STE	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	GMIE, MIS, MO, STE	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	GMIE, MIS, MO, STE	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	GMIE, MIS, MO, STE	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	GMIE, MIS, MO, STE	Where Council is the responsible road authority
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	MDCS, CCS	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	GMIE, MIS, MO, STE, TLP, CCS	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	GMIE, MIS, MO, STE	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	GMIE, MIS, MO, STE	Where Council is the coordinating road authority

1. Decision Guidelines for Planning Staff

Irrespective of the delegations to staff made under the Planning and Environment Act the following matters are required to be placed before the Town Planning Committee or Council for a decision:

Planning permits.

- An application subject of a previous application that raised significant community interest.
- An application with four or more objections
- An application which raises matters which are in conflict with planning policy and may set a significant precedent which may be deemed to be planning policy.
- An application which involves a reduction in car parking which does not meet rates agreed to by council in an adopted policy, strategy or guidelines.
- An application for a major commercial development
- An application where the recommendation is to refuse an application, unless the proposal is prohibited under the planning scheme, or where a referral authority objects to the issue of a permit
- An application where a Councillor has requested for a matter to be reported to council/committee.
- An application lodged by Council or on behalf of Council unless the works are of a minor nature where no objections have been received.
- A significant amendment to any application previously approved by the Council or Committee

Planning Scheme Amendments

- A decision to seek authorisation to prepare a planning scheme amendment.
- A decision to refer submissions to an independent panel for consideration.
- A decision to adopt or abandon a planning scheme amendment (must be a council decision).

Other Planning Matters

- A request to cancel a planning permit.
- Lodgement of an application to the Supreme Court.
- New Planning Policies or Guidelines.
- Response to State Government on planning policy.

Exceptions to Guidelines

If a matter is unable to be referred to the Town Planning Committee due to an urgency in making a decision on a planning matter (including but not limited to the application is over the allotted statutory days or no meetings are scheduled due to the Christmas period or when the committee is unable to fulfil quorum under section 91(3A) of the Local Government Act 1989 due to emergency or extraordinary circumstances) the following procedure will be followed:

The matter will be reported in the weekly Bulletin to councillors. Councillors will be advised of the details of the application, any objections received consideration of main issues and a draft determination will be provided for consideration.

Councillors will be invited to submit any comments they may have regarding the application before a decision is made under delegation.

It is acknowledged that these decision guidelines do not affect VicSmart applications that are exempt from these guidelines

Information to be submitted with an application and what council can consider is pre-set the Chief Executive Officer of the council or delegate decides the application.