

Stonnington City Council

Instrument of Delegation

to

Members of Council Staff (by position title)

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. records that a reference in the Schedule to:

Acronym		Title
AssetAcc		Asset Accountant
CEO	means	Chief Executive Officer
CFO	means	Chief Financial Officer
CompOffr	means	Compliance Officer
CoordAM	means	Coordinator Animal Management
CoordEH	means	Coordinator Environmental Health
CoordPI	means	Coordinator Planning Investigations
CoordStatP	means	Coordinator Statutory Planning
CoordStrP	means	Coordinator Strategic Planning
CSP	means	Customer Service Planner
DCPO	means	Development Contribution Plan Officer
DEI	means	Director Environment & Infrastructure
DPP	means	Director Planning and Place
EHO	means	Environmental Health Officer
FAC	means	Financial Accounting Coordinator
FinMgr	means	Finance Manager
MAAC	means	Management Accounting and Analysis Coordinator
MCO	means	Manager City Operations
MCF	means	Manager City Futures
MLC	means	Manager Liveability & Compliance
MPMD	Means	Manager Project Management & Delivery
MSP	means	Manager – Statutory Planning
MTP	means	Manager – Transport and Parking
PAC	means	Planning Appeals Coordinator
PIO	means	Planning Investigations Officer
PP	means	Principal Planner
MAMP	means	Manager Asset Management
MPMD	means	Manager Project Management & Delivery
PSA	means	Planning Systems Administrator
PSO	means	Planning Support Officer
PSP	means	Principal Strategic Planner
SLLO	means	Senior Local Laws Officer
SO	means	Subdivisions Officer

SStatP	means	Senior Statutory Planner
SStrP	means	Senior Strategic Planner
StatP	means	Statutory Planner
StrP	means	Strategic Planner
TechOffr	means	Technical Officer
TLPS	means	Team Leader Planning Support

3. declares that:

3.1 this Instrument of Delegation is authorised by a resolution of Council passed on **Monday 3 April 2023**;

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;

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

3.2.5 revokes the previous delegation from Council to Council staff other than the delegation dated 12 September 2022 to the Chief Executive Officer;

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

3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a:

a) policy; or

b) strategy;

adopted by Council;

3.3.3 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.

SCHEDULE

ACTS	Page
<i>DOMESTIC ANIMALS ACT 1994</i>	
<i>FOOD ACT 1984</i>	
<i>HERITAGE ACT 2017</i>	
<i>PLANNING AND ENVIRONMENT ACT 1987</i>	
<i>RESIDENTIAL TENANCIES ACT 1997</i>	
<i>ROAD MANAGEMENT ACT 2004</i>	

REGULATIONS	Page
<i>PLANNING AND ENVIRONMENT REGULATIONS 2015</i>	
<i>PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016</i>	
<i>RESIDENTIAL TENANCIES REGULATIONS 2021</i>	
<i>ROAD MANAGEMENT (GENERAL) REGULATIONS 2016</i>	
<i>ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015</i>	

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.	CoordAM.	Council may delegate this power to an authorised officer.

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.	CoordEH & EHO.	If section 19 (1) applies.
s.19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable.	CoordEH & EHO.	
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.	CoordEH & EHO.	If section 19(1) applies Only in relation to temporary food premises or mobile food premises.
s.19(4)(a)	Power to direct that an order made under section 19(3) (a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise.	CoordEH & EHO.	If section 19 (1) applies.
s.19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with.	CoordEH.	
s.19(6)(b)	Duty to give written notice of revocation under section 19(6) (a) if satisfied that an order has been complied with.	CoordEH & EHO.	

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19AA(2)	Power to direct, by written order, that a person must take any of the actions described in sub-sections (a) to (c).	CoordEH & EHO.	Where Council is the registration authority. <i>Note – sub-sections (a) to (c) refer to issuing an order in relation to various matters including food, premises, equipment, vehicle and plant etc.</i>
s.19AA(4) (c)	Power to direct, in an order made under section 19AA (2) or any subsequent written order, that a person must ensure that any food or class of food is not removed from the premises.	Not delegated	<i>Note – the power to direct the matters under section 19AA (4) (a) and (b) is not capable of delegation and so such directions must be made by a prior Council resolution.</i>
s.19AA(7)	Duty to revoke an order issued under section 19AA and give written notice of the revocation, if satisfied that the order has been complied with.	CoordEH & EHO.	Where Council is the registration authority.
s.19CB(4)(b)	Power to request a copy of records. (*)	CoordEH & EHO.	Where Council is the registration authority. <i>(*) – Refers to records of the proprietor of the food premises.</i>
s.19E(1)(d)	Power to request a copy of the food safety program.	CoordEH & EHO.	Where Council is the registration authority.
s.19EA(3)	Function of receiving a copy of a revised food safety programme,	CoordEH & EHO.	
s.19GB	Power to request the proprietor to provide written details of the name, qualification or experience of the current food safety supervisor.	CoordEH & EHO.	

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19IA(1)	Power to form an opinion that the food safety requirements or programme are non-compliant	CoordEH & EHO.	
s.19IA(2)	Duty to give written notice to the proprietor of the premises	CoordEH & EHO.	Where Council is the registration authority. Not required if Council has taken other appropriate action in relation to deficiencies (see section 1911A(3)).
s.19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where necessary where deficiencies are identified.	Not applicable.	Where Council is the registration authority. Stonnington does not conduct food safety audits.
S.19N(2)	Function of receiving notice from the auditor.	CoordEH & EHO,	
s.19NA(1)	Power to request food safety audit reports.	CoordEH & EHO.	
s.19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances.	Not applicable.	
s.19UA	Power to charge fees for conducting a food safety assessment or inspection.	MLC, CoordEH & EHOs.	
s.19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB.	CoordEH & EHO.	Where Council is the registration authority.
s.19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction.	CoordEH & EHO.	Where Council is the registration authority.
s.19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the	CoordEH & EHO.	

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	minimum records required to be kept or food safety program of the premises.		
Various	Power to register or renew the registration of a food premises.	MLC, CoordEH & EHO.	<ul style="list-style-type: none"> • Where Council is the registration authority. • Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO – see section 58A(2)

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.36A	Power to accept an application for registration or notification using online portal.	CoordEH & EHO.	Where Council is the registration authority.
s.36B	Duty to pay the charge for use of online portal.	CoordEH & EHO.	Where Council is the registration authority.
s.38AA(5)	Power to: a) request further information; or b) advise the proprietor that the premises must be registered if the premises are not exempt.	CoordEH & EHO.	Where Council is the registration authority.
s.38AB(4)	Power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection 38AB(1).	Not delegated.	<ul style="list-style-type: none"> • Fees are determined by Council in the annual budget process. • Where Council is the registration authority.
s.38A(4)	Power to request a copy of a completed food safety programme template.	CoordEH & EHO.	Where Council is the registration authority.
s.38B(1)(a)	Duty to assess the application and determine which class of food premises under section 19C the food premises belongs.	CoordEH & EHO.	
s.38B(1)(b)	Duty to ensure the proprietor has complied with the requirements of section 38A.	CoordEH & EHO.	
s.38B(2)	Duty to be satisfied of the matters in section 38B (2) (a)-(b).	CoordEH & EHO.	

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.38D(1)	Duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39.	CoordEH & EHO.	
s.38D(2)	Duty to be satisfied of the matters in section 38D (2) (a)-(d).	CoordEH & EHO.	Where Council is the registration authority.
s.38D(3)	Power to request copies of any audit reports.	CoordEH & EHO.	Where Council is the registration authority.
s.38E(2)	Power to register the food premises on a conditional basis.	CoordEH & EHO.	<ul style="list-style-type: none"> • Where Council is the registration authority. • Not exceeding the prescribed time limit defined under sub-section (5).
s.38E(4)	Duty to register the food premises when conditions are satisfied.	CoordEH & EHO.	Where Council is the registration authority.
s.38F(3)(b)	Power to require the proprietor to comply with requirements of this Act.	CoordEH & EHO.	
s.38G(1)	Power to require notification of change of the food safety program type used for the food premises	CoordEH & EHO.	Where Council is the registration authority.
s.38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	CoordEH & EHO.	Where Council is the registration authority.
s.38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	CoordEH & EHO.	Where Council is the registration authority.

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	CoordEH & EHO.	•
s.39A	Power to register, renew or transfer food premises despite minor defects.	CoordEH & EHO.	<ul style="list-style-type: none"> • Where Council is the registration authority. • Only if satisfied of the matters in subsections 39A (2) (a) – (c).
s.39A (6)	Duty to comply with a direction of the Secretary.	CoordEH & EHO.	
s.40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration.	CoordEH & EHO.	Where Council is the registration authority.
s.40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i> .	CoordEH & EHO.	
s.40C(2)	Power to grant or renew the registration of food premises for a period of less than one year.	CoordEH & EHO.	Where Council is the registration authority.
s.40D(1)	Power to suspend or revoke the registration of food premises.	CoordEH & EHO.	Where Council is the registration authority.
s.40E	Duty to comply with a direction of the Secretary.	CoordEH & EHO.	
s.40F	Power to cancel the registration of food premises.	CoordEH.	Where Council is the registration authority. Note: \

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.43	Duty to maintain records of registration.	CoordEH & EHO.	Where Council is the registration authority.
s.43F(6)	Duty to be satisfied that the registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business.	CoordEH & EHO.	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.	CoordEH & EHO.	
S,45AC	Power to bring proceedings.	CoordEH & EHO.	

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 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.	CoordEH & EHO.	Where Council is the registration authority.

HERITAGE ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.116	Power to sub-delegate the Executive Director's (*) functions, duties or powers.	DPP, MSP & MCF.	<p>Council can only sub-delegate if the instrument of delegation from the Executive Director authorises sub-delegation.</p> <p><i>Note: the delegate must first obtain the Executive Director's written consent. (*) "Executive Director" means the Executive Director of Heritage Victoria.</i></p>

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.	DPP, MSP & MCF.	<i>Note – section 4B refers to the Minister authorising a body to change state planning provisions.</i>
s.4G	Function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister.	DPP, MSP & MCF.	
s.4H	Duty to make amendments to the Victoria Planning Provisions available in accordance with the public availability requirements.	DPP, MSP, MCF, CoordStatP, CoordPI, PAC, CoordStrP, PP, , PSP, SStatP, SStrP, StatP & StrP.	<p><i>The “public availability requirements” are set out in section 197A etc and include making documents available:</i></p> <ul style="list-style-type: none"> • <i>electronically;</i> • <i>on request;</i> • <i>in a public register; and</i> • <i>for inspection.</i>
s.4I	Duty to keep the Victoria Planning Provisions and other documents available in accordance with the public availability requirements.	DPP, MSP, MCF, CoordStatP, CordPI, PAC, CoordStrP, PP, SStatP & StatP.	
s.8A(2)	Power to prepare an amendment to the planning scheme where the Minister has given consent under section 8A.	DPP, MSP & MCF.	
s.8A(3)	Power to apply to the Minister to prepare an amendment to the planning scheme.	DPP & MCF.	
s.8A(5)	Function of receiving notice of the Minister's decision.	DPP, MSP & MCF.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response is received after 10 business days.	DPP, MSP & MCF.	
s.8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district.	Not delegated.	<i>The power remains with the Council.</i>
s.11(3)(b)	Duty to submit amendments to the planning scheme to the Minister for approval if the Minister withdraws authorisation.	DPP, MSP & MCF.	
s.12(3)	Power to carry out studies and to do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning schemes with these persons.	DPP, MSP & MCF.	
		MCF	
s.12(3)	Power to carry out studies and do things to ensure proper use of land in which Council is the planning authority and consult with other persons to ensure co-ordination of planning scheme with these persons.	DPP, MSP, MCF, CoordStatP, CoordPI,PAC & CoordStrP.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.12(B)(1)	Duty to review the planning scheme:		
s.12B(1)(a)	<ul style="list-style-type: none"> one year after each date required to approve the Council Plan under section 90 of the <i>Local Government Act 2020</i>; or 	DPP, MSP, MCF, CoordStrP, SStrP & PSP.	
s.12B(1)(b)	<ul style="list-style-type: none"> within such longer period as determined by the Minister. 	DPP, MSP, MCF, CoordStrP, SStrP & PSP .	
s.12B(5)	Duty to report the findings of the review of the planning scheme to the Minister without delay.	DPP, MSP & MCF.	
s.14	Duties of the responsible authority as set out in subsections 14(a) to (d).	DPP, MSP, MCF, CoordStatP, CoordPI, PIO, PAC, CoordStrP, PSP, PP, SO, SStrP, SStatP, StrP & StatP.	
s.17(1)	Duty of giving a copy of the amendment to the planning scheme.	DPP, MSP, MCF, CoordStatP, CoordPI, PAC & CoordStrP.	<i>Note – refers to supplying a copy of the amendment to the Minister or any person specified by the Minister.</i>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.17(2)	Duty of giving a copy of a section 173 agreement.	DPP, MSP, MCF, CoordStatP, CoordPI, PAC, CoordStrP, PP, SStatP & StatP, .	
s.17(3)	Duty of giving a copy of an amendment, explanatory report and relevant documents to the Minister within 10 business days.	DPP, MSP & MCF. ,.	
s.18	Duty to make the amendment etc. available.	DPP, MSP, MCF, CoordStatP, CoordPI, SStrP, PSP, StrP, PP, SStatP, StatP, PAC & CoordStrP.	
s.19	Power to give notice, to decide not to give notice, to publish notice, failure to give notice and to exercise any other power under section 19 to a planning scheme.	DPP, MSP, MCF, CoordStatP, CoordPI & PAC, CoordStrP & ,	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19	Function of receiving notice of preparation of an amendment to a planning scheme.	DPP & MCF.	Where: <ul style="list-style-type: none"> • Council is not the planning authority and the amendment affects land within Council's municipal district; or • where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s.20(1)	Power to apply to the Minister for exemption from the requirements of section 19.	DPP, MSP & MCF.	<i>Note - The delegation is to be exercised in association with the delegation of section 8A(2) and confined generally in relation to 'minor amendments' which propose:</i> <ul style="list-style-type: none"> • a 'correction' to the planning scheme; or • to remove a provision that duplicates another provision or has become obsolete, or a plain English translation of an existing provision where the effect of the provision is unchanged.
s.21(2)	Duty to make submissions available in accordance with the public availability requirements.	DPP, MSP, MCF, CoordStatP, CoordPI, PAC, CoordStrP, SStrP, PSP, StrP, SStatP, StatP & , PP.	
s.21A(4)	Duty to publish notice in accordance with the section.	DPP, MSP and MCF.	<i>The section refers to joint submissions in relation to a proposed amendment.</i>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.22	Duty to consider all submissions.	Not applicable.	Except submissions which request a change to the items in section 22(5) (a) and (b). The sections refer to: <ul style="list-style-type: none"> a) any land credit amount or land equalisation amount specified in an infrastructure contributions plan that is to be incorporated into a planning scheme by the amendment; or b) any estimate of the value of public purpose land (within the meaning of Part 3AB) on which the amounts referred to in paragraph (a) are based. These provisions do not currently apply to Stonnington.
s.23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	DPP, DEI & MCF.	
s.23(2)	Power to refer to panel submissions which do not require a change to the amendment.	DPP, MSP, MCF, CoordStatP, CoordPI, PAC, CoordStrP, SStrP, PSP, StrP & , PP.	<i>Note - The delegation is to be exercised generally in relation to 'minor amendments' which propose:</i> <ul style="list-style-type: none"> • a 'correction' to the planning scheme; or • to remove a provision that duplicates another provision or has become obsolete, or a plain English translation of an existing provision where the effect of the provision is unchanged.
s.24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in section 96D).	DPP, MSP, MCF, CoordStatP, CoordPI, PAC, CoordStrP, PP, , SStrP, PSP, StrP, SStatP & StatP.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.26(1)	Power to make a panel report available for inspection in accordance with the requirements set out in section 197B of the Act.	DPP, MSP & MCF.	
s.26(2)	Duty to keep the report of panel available for inspection.	DPP, MSP, MCF, CoordStatP, CoordPI, PAC, CoordStrP, PP, SStatP, SStrP, PSP, StatP & StrP.	
s.27(2)	Power to apply for exemption if the panel's report is not received.	DPP, MSP, MCF, CoordStatP, CoordPI, CoordStrP & PAC (PSP, PP, .	
s.28(1)	Duty to notify the Minister if abandoning an amendment.	DPP, MSP, MCF & CoordStrP.	<i>Note – the power to make a decision to abandon an amendment cannot be delegated.</i>
s.28(2)	Duty to publish notice of the decision on the Council's Internet site.	MCF.	<i>Refers to abandonment of amendments.</i>
s.28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least two months.	MCF.	<i>Refers to abandonment of amendments.</i>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.30(4)(a)	Duty to say if an amendment has lapsed.	DPP, MSP, MCF, CoordStatP, CoordPI, PAC, PSP, PP & CoordStrP.	
s.30(4)(b)	Duty to provide information in writing upon request.	DPP, MSP, MCF, CoordStatP, CoordPI, PAC, PSP, PP, CoordStrP, , SStatP & StatP.	
s.32(2)	Duty to give more notice if required.	DPP, MSP, MCF, CoordStatP, CoordPI, PAC, CoordStrP & PSP, PP.	
s.33(1)	Duty to give more notice of changes to an amendment.	DPP, MSP, MCF, CoordStatP, CoordPI, SStrP, PSP, StrP, PAC, CoordStrP & PP.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.36(2)	Duty to give notice of approval of an amendment.	DPP, MSP, MCF, CoordStatP, CoordPI, SStrP, PSP, StrP, PAC, CoordStrP & PP	
s.38(5)	Duty to give notice of revocation of an amendment.	DPP, MSP, MCF, CoordStatP, Coord, SStrP, PSP, StrP, PAC, CoordStrP & PP	
s.39	Function of being a party to a proceeding commenced under section 39 and duty to comply with a determination by VCAT.	DPP, MSP, MCF, CoordStatP, CoordPI, CoordStrP, SStatP, PAC, PP, , PSP, SStrP & StrP	
s.40(1)	Function of lodging a copy of an approved amendment.	DPP, MSP, MCF, CoordStatP, CoordPI, PAC, CoordStrrP & , PSP, PP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.41(1)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in section 197B of the Act after the inspection period ends.	DPP, MSP, MCF, CoordStatP, CoordPI, PAC & PP, .	
s.42(2)	Duty to make a copy of the planning scheme available in accordance with the public availability requirements.	DPP, MSP, MCF, CoordStatP, CoordPI, CoordStrP, SStatP, StatP, PAC, SStrP, PSP, StrP & PP.	
s.46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity.	DPP, MSP, MCF, CoordStatP, CoordStrP, CoordPi & PAC	Where council is a responsible public entity and is a planning authority. Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils.
			<i>Note:</i> <i>Part 3AAB of the Act refers to declared “Distinctive Areas and Landscapes” and provides that the Governor in Council may, on the advice of the Minister, declare an area to be a distinctive area and landscape. This is not applicable to Stonnington at present.</i>
s.46AW	Function of being consulted by the Minister	Not applicable.	Where Council is a responsible public entity.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<i>Note - sections 46AT to 46AZL of the Act relate to the Minister's Statement of Planning Policy in connection with declared areas. The sections are not applicable to Stonnington at present.</i>
s.46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy	Not applicable.	Where Council is a responsible public entity.
	Power to endorse the draft Statement of Planning Policy.	Not applicable.	
s.46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity.	Not applicable.	Where Council is a responsible public entity.
s.46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area.	Not applicable.	Where Council is a responsible public entity.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p><i>Part 3AB (sections 46GA to 46QD) relate to infrastructure contributions and development contributions – which will apply to Stonnington from the date the Planning Scheme Amendment C296Stonn is gazetted...</i></p> <p><i>An approved infrastructure contributions plan means an infrastructure contributions plan that:</i></p> <ul style="list-style-type: none"> • <i>is incorporated into an approved planning scheme; or</i> • <i>forms part of a precinct structure plan or strategic plan that is incorporated into an approved planning scheme</i>
s.46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction.	Not applicable.	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency.
s.46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of an infrastructure contributions plan (ICP).	Not applicable.	
s.46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority.	Not applicable.	
s.46GN(1)	Duty to arrange for estimates of values of inner public purpose land.	Not applicable.	
s.46GO(1)	Duty to give notice to owners of certain inner public purpose land.	Not applicable.	

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

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land.	Not applicable.	
s.46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under section 46GT (5).	Not applicable.	
s.46GU	Duty not to adopt an amendment under section 29 to an ICP that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in section 46GU(1)(a) and (b) are met.	Not applicable.	
s.46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution.	Not applicable.	Where Council is the collecting agency.
	Power to specify the manner in which the payment is to be made.	Not applicable.	
s.46GV(3)(b)	Power to enter into an agreement with the applicant.	Not applicable.	Where Council is the collecting agency.
s.46GV(4)(a)	Function of receiving the inner public purpose land in accordance with section 46GV (5) and (6).	Not applicable.	Where Council is the development agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GV(4)(b)	Function of receiving the inner public purpose land in accordance with section 46GV (5) and (6).	Not applicable.	Where Council is the development agency.
s.46GV(7)	Duty to impose the requirements set out in section 46GV (3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	Not applicable.	
s.46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction.	CEO & DPP.	Where Council is the collecting agency and after consultation with the General Counsel
s.46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable.	CEO.	
s.46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable.	DPP.	After obtaining the approval of the CEO
s.46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under section 46GX (1), to obtain the agreement of the development agency or agencies specified in the approved ICP.	Not applicable.	Where Council is the collecting agency.
s.46GY(1)	Duty to keep proper and separate accounts and records.	CFO, MAAC, DCPO & FAC.	Where Council is the collecting agency.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GY(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i> .	CFO, MAAC, DCPO & FAC.	Where Council is the collecting agency.
s.46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs.	Not applicable.	Where Council is the collecting agency under an approved ICP. This duty does not apply where Council is that planning authority.
s.46GZ(2)(a)	Function of receiving the monetary component.	Not applicable.	Where the Council is the planning authority. This duty does not apply where Council is also the collecting agency.
s.46GH(346GZ(2)(b))	Duty to obtain the forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan as responsible for those works, services or facilities by the applicant.	Not applicable.	Where Council is the collecting agency under an approved ICP. This provision does not apply where Council is also the relevant development agency.
s.46GZ(2)(b)	Function of receiving the monetary component.	Not applicable.	Where Council is the development agency under an approved ICP. This provision does not apply where Council is also the collecting agency.

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

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZ(9)	Function of receiving the fee simple in the land.	Not applicable.	Where Council is the development agency under an approved ICP. This duty does not apply where Council is also the collecting agency.
s.46GZA(1)	Duty to keep proper and separate accounts and records.	Not applicable.	Where Council is a development agency under an approved ICP.
s.46GZA(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i> .	Not applicable.	Where Council is a development agency under an approved ICP.
s.46GZAGZB(23)	Duty to follow the steps set out in section 46GZB(3)(a) – (c)	Not applicable.	Where Council is a development agency under an approved infrastructure contributions plan
s.46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA.	Not applicable.	If the VPA is the collecting agency under an approved ICP. Where Council is a development agency under an approved ICP.
s.46GZD(2)	Duty, within six months after the date on which the approved ICP expires, to follow the steps set out in section 46GZD (2)(a) and (b).	Not applicable.	Where Council is the development agency under an approved ICP.
s.46GZD(3)	Duty to follow the steps set out in section 46GZD (3)(a) and (b)	Not applicable.	Where Council is the collecting agency under an approved ICP.
s.46GZD(5)	Duty to make payments under section 46GZD (3) in accordance with ss.46GZD (5)(a) and 46GZD (5)(b).	Not applicable.	Where Council is the collecting agency under an approved ICP.

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

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

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46N(2)(c)	Function of determining the time and manner for receipt of a development contributions levy.	CFO, MAAC, DCPO & FAC.	
s.46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of a development infrastructure levy.	DPP.	
s.46O(1)(a) & (2)(a)	Power to ensure that the community infrastructure levy is paid or agreement is in place, prior to issuing a building permit.	MBS & DMBS.	
s.46O(1)(d) & (2)(d)	Power to enter into an agreement with the applicant regarding payment of the community infrastructure levy.	DPP.	
s.46P(1)	Power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured.	CEO & DPP.	Where Council is the collecting agency and after consultation with the General Counsel.
s.46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of the levy payable.	CEO	DPP.
s.46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of the levy payable.	DPP.	After obtaining the approval of the CEO.
s.46Q(1)	Duty to keep proper accounts of levies paid.	CFO, MAAC, DCPO & FAC.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46Q(1A)	Duty to forward to the development agency part of the levy imposed for carrying out works, services, or facilities on behalf of the development agency or plan preparation costs incurred by a development agency.	CFO, MAAC, DCPO & FAC.	
s.46Q(2)	Duty to apply the levy only for a purpose relating to the provision of plan preparation costs of the works, services and facilities in respect of which the levy was paid etc.	Not applicable.	
s.46Q(3)	Power to refund any amount of the levy paid if it is satisfied the development is not to proceed.	CFO, MAAC, DCPO & FAC.	Only applies when the levy is paid to Council as a “development agency” and after consultation with the DPP or MSP.
s.46Q(4)(c)	Duty to pay an amount to the current owners of land in the area if an amount of levy has been paid to Council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under section 46Q(4)(a).	CFO, MAAC, DCPO & FAC.	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister.
s.46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan.	DPP.	Must be done in accordance with Part 3.
s.46Q(4)(e)	Duty to expend that amount on other works etc.	Not applicable.	With the consent of, and in the manner approved by, the Minister.
s.46QC	Power to recover any amount of levy payable under Part 3 B.	CFO & MAAC DCPO.	Note – could involve legal proceedings.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46QD	Duty to prepare a report and give a report to the Minister.	DPP.	Where council is a collecting agency or development agency.
s.47	Power to make application for a planning permit.	Directors.	
s.49(1)	Duty to keep a register of all applications for permits and determinations relating to permits.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP, & StatP.	
s.49(2)	Duty to make the register available for inspection in accordance with the public availability requirements.	DPP, MSP, CoordStatP, CoordPI, SStatP, PP, PAC, & StatP.	
	Duty to amend an application.	DPP, MSP, CoordStatP, CoordPI, SStatP, PP, PAC & SO.	
s.50(4)	Power to refuse to amend an application.	DPP, MSP, CoordStatP, CoordPI, SStatP, PP, PAC, SO & StatP.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.50(6)	Duty to make note of an amendment of an application in the Register.	DPP, MSP, CoordStatP, CoordPI, SStatP, PP, PAC & SO.	
s.50A(1)	Power to make amendments to an application.	DPP, MSP, CoordStatP, CoordPI, SStatP, PP & PAC.	
s.50A(3)	Power to require the applicant to notify the owner and make a declaration that notice has been given.	DPP, MSP, CoordStatP, CoordPI, SStatP, PP, PAC, StatP & SO.	
s.50A(4)	Duty to note an amendment to an application in the Register.	DPP, MSP, CoordStatP, CoordPI, SStatP, PP, PAC, SO, TLPS & StatP.	
s.51	Duty to make a copy of an application available for inspection in accordance with the public availability requirements.	DPP, MSP, CoordStatP, CoordPI, PAC, PP, , TLPS, SO, CSP, SStatP, PSO & StatP.	

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 a permit would not cause material detriment to any person.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP, SO & StatP.	
s.52(1)(b)	Duty to give notice of the application to other municipal councils where appropriate.	DPP, MSP, CoordStatP, CoordPI, PSP, SStrP, PAC, PP, SO & StatP.	
s.52(1)(c)	Duty to give notice as required by the planning scheme.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP, SO & StatP.	
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 a breach of the covenant.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP, SO & StatP.	
s.52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if the application is to remove or vary the covenant.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP, SO & StatP.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally affected.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP, SO & StatP.	
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant.	DPP, MSP, CoordStatP, CoordPI, StatP, PAC, SStatP, PP & SO.	
s.52(3)	Power to give any further notice of an application where appropriate.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP & StatP.	
s.53(1)	Power to require the applicant to give notice under section 52(1) to persons specified by it.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP & StatP.	
s.53(1A)	Power to require the applicant to give the notice under section 52(1AA).	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP & StatP.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.54(1)	Power to require the applicant to provide more information.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP & StatP.	
s.54(1A)	Duty to give notice in writing setting out information to be provided under section 54(1).	DPP, MSP, CoordStatP, CoordPI, SStatP, PO, PAC, PP, SO & StatP.	
s.54(1B)	Duty to request more information that includes the date that the application will lapse if the required information is not given before that date.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP, SO & StatP.	
s.54A(3)	Power to decide to extend the time or refuse to extend time to give the required information.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP, SO & StatP.	
s.54A(4)	Duty to give written notice of a decision to extend or refuse time under section 54A (3).	DPP, MSP, CoordStatP, CorrdPI, SStatP, PAC PP, SO & StatP.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.54A(5)	Duty to set out a new lapse date for the application.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP, SO & StatP.	
s.55(1)	Duty to give a copy the application, together with the prescribed information, to every referral authority specified in the planning scheme.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP, SO & StatP.	
s.57(2A)	Power to reject objections considered made primarily for the commercial advantage for the objector.	DPP, MSP, CoordStatP & CoordPI.	
s.57(3)	Function of receiving the name and address of persons to whom notice of a decision is to go.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP, SO & StatP.	
s.57(5)	Duty to make available a copy of all objections in accordance with the public availability requirements.	All Planning Unit staff.	
s.57A(4)	Power to amend an application in accordance with the applicant's request, subject to section 57A (5).	DPP, MSP, CoordStatP, CoordPI, SStatP, PP, PAC, SO & StatP.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.57A(5)	Power to refuse to amend an application if the amendment is too substantial and that a new application for permit should be made.	DPP, MSP, CoordStatP, CoordPI, PAC & PP.	
s.57A(6)	Duty to note in the register any amendment that is made.	All Planning Unit staff.	
s.57B1(a)	Duty to determine whether and to whom notice should be given of the amended application.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC & PP.	
s.57B1(b)	Duty to decide on the nature and extent of notice of any amended application.	DPP, MSP, CoordStatP, CoordPI, PAC & PP.	
s.57B(2)	Duty to consider certain matters in determining whether notice should be given.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP & StatP.	
s.57C(1)	Duty to give a copy of the amended application to every person or body specified as a referral authority without delay unless it will not affect the interests of the referral authority.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC & PP.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.58	Duty to consider every application for a permit. .	DPP, MSP, CoordStatP, CoordPI, PAC, PP, SO, SStat & StatP.	
s.58A	Power to request advice from the Planning Application Committee.	DPP, MSP & MCF.	<i>Planning Application Committee means a Planning Application Committee established by the Minister pursuant to section 97MA.</i>
s.60	Duty to consider certain matters.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP, SO & StatP.	
s.60(1A)	Duty to consider certain matters.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP, SO & StatP.	
s.60(1B)	Duty to consider the number of objectors in considering whether the use or development may have significant social effect.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP, SO & StatP.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(1)	Power to determine a permit application either to: <ul style="list-style-type: none"> decide to grant a permit; decide to grant a permit with conditions; or refuse a permit application. 	DPP, MSP, CoordStatP, CoordPI, SStatP, StatP, PAC & PP.	Must be exercised in a manner that is consistent with the adopted Planning Delegation Guidelines.
s.61(2)	Duty to refuse to grant the permit if a relevant determining referral authority objects.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, StatP & PP.	
s.61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, StatP & PP.	
s.61(3)(b)	Duty to refuse to grant the permit without the Minister's consent.	DPP, MSP, CoordStatP, CoordPI, PP & PAC.	
s.61(4)	Duty to refuse to grant the permit if it would authorise anything which would result in a breach of a registered restrictive covenant.	DPP, MSP, CoordStatP, CoordPI, SStatP, PP, PAC & StatP.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.62(1)	Duty to include certain conditions in deciding to grant a permit.	DPP, MSP, CoordStatP, CoordPI, SStatP, StatP, PAC, PP & SO.	
s.62(2)	Power to include other conditions.	DPP, MSP, CoordStatP, CoordPI, SStatP, StatP, PAC, PP & SO.	
s.62(4)	Duty not to include a condition that is inconsistent with the <i>Building Act</i> 1993, building regulations or relevant determination of the Building Appeals Board under that Act in respect of the land to which the permit applies.	DPP, MSP, CoordStatP, CoordPI, SStatP, StatP, PAC, PP & SO.	
s.62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved ICP.	Not applicable.	

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 grant a permit: <ul style="list-style-type: none"> a) including a condition to implement an approved development contributions plan; b) including a condition requiring specified works, services or facilities to be provided or paid for in accordance with a section 173 Agreement; or c) including a condition requiring specified works, services or facilities etc. 	DPP, MSP, CoordStatP, CoordPI, SStatP, StatP, PAC, PP & SO.	
s.62(5)(c)(i)	Power to include a permit condition requiring specified works, services or facilities to be provided or paid for in accordance with an agreement under section 173.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, StatP, PP & SO.	
s.62(5)(c)(ii)	Power to include a permit condition that specified works be paid for by the applicant.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP, SO & StatP.	
s.62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works, services or facilities except in accordance with sections 46N(1), 46GV(7) or 62(5).	Not applicable.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.62(6)(b)	Duty not to include a permit condition requiring a person to pay for services other than services to be provided for in any agreement section 62(1)(a).	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, StatP, PP & SO.	
s.63	Duty to issue the permit where a decision is made in favour of the application (if no one has objected).	DPP, MSP, CoordStatP, CoordPI, SStatP, StatP, PAC & PP.	Must be exercised in a manner that is consistent with the adopted Planning Delegation Guidelines.
s.64(1)	Duty to give notice of a decision to grant a permit to the applicant and objectors.	DPP, MSP, CoordStatP, CoordPI, SStatP, StatP, SO, PAC & PP.	Must be exercised in a manner that is consistent with the adopted Planning Delegation Guidelines. This provision applies also to a decision to grant an amendment to a permit – see section 75.
s.64(3)	Duty not to issue a permit until after the specified period.	DPP, MSP, CoordStatP, CoordPI, SStatP, StatP, PAC, PP, SStatP, StatP, & SO.	This provision applies also to a decision to grant an amendment to a permit – see section 75.
s.64(5)	Duty to give a copy of the decision to each objector if a planning scheme exempts a decision from the requirements of sub sections (1), (2) and (3).	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP, StatP & SO.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.64A	Duty not to issue a permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit.	DPP, MSP, CoordStatP, CoordPI, PP, PAC & TLPS.	
s.65(1)	Duty to give notice of refusal to grant a permit to the applicant and person who objected under section 57.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP, TLPS, StatP & SO.	
s.66(1)	Duty to give notice under section 64 or section 65 and a copy of the permit to relevant determining referral authorities.	DPP, MSP, CoordStatP, CoordPI, SStatP, StatP, PAC, PP, SO, PSO & TLPS.	
s.66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	DPP, MSP, CoordStatP, CoordPI, SStatP, StatP, PAC, PP, SO, PSO & TLPS.	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit.	DPP, MSP CoordStatP, CoordPI, SStatP, StatP, PAC, PP, SO, PSO & TLPS.	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.	DPP, MSP CoordStatP, CoordPI, SStatP, StatP, PAC, PP, SO, PSO & TLPS.	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 an extension of time of a permit.	All Planning Unit staff.	
s.69(1A)	Function of receiving an application for extension of time to complete a development.	DPP, MSP CoordStatP, CoordPI, SStatP, StatP, PAC, PP, SO, PSO & TLPS.	
s.69(2)	Power to extend time.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP, StatP, & SO.	The responsible authority may extend the time within which the use or development or any stage of it is to be started or the development or any stage of it is to be completed or within which a plan under the <i>Subdivision Act</i> 1988 is to be certified.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.70	Duty to make a copy of the permit available for inspection in accordance with the public availability requirements.	All Planning Unit staff.	
s.71(1)	Power to correct certain mistakes.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP, StatP, & SO.	
s.71(2)	Duty to note corrections in the register (*).	All Planning Unit staff.	(*) <i>“Register” means a Register of Applications pursuant to section 49 of the Act.</i>
s.73(2)	Power to issue an amendment to a permit subject to conditions.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, StatP, & PP.	Must be exercised in a manner that is consistent with the adopted Planning Delegation Guidelines for Amendments to Plans or Permits.
s.74	Duty to issue an amended permit if there are no objectors.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC & PP.	
s.75(a) & (b)	Power to amend a permit if there are objectors and issue a decision to grant the amendment.	DPP, MSP, CoordStatP, CoordPI, PAC & PP.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.76(1) & (2)	Duty to give notice to the applicant and objectors of decisions to refuse to grant an amendment to a permit.	DPP, MSP, CoordStatP, CoordPI, PAC & PP.	
s.76A(1)	Duty to give the relevant determining referral authorities a copy of the amended permit and a copy of the Notice of Decision.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC, PP, StatP, SO & TLPS.	
s.76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit.	DPP, MSP CoordStatP, CoordPI, SStatP, StatP, PAC, PP, SO, PSO & TLPS.	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.	DPP, MSP CoordStatP, CoordPI, SStatP, StatP, PAC, PP, SO, PSO & TLPS.	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.	DPP, MSP CoordStatP, CoordPI, SStatP, StatP, PAC, PP, SO, PSO & TLPS.	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.76D(5)	Duty to issue an amended permit at the direction of the Minister.	DPP, MSP, MCF, CoordStatP, CoordPI, PAC & PP.	
s.83	Function of being a respondent to an appeal.	DPP, MSP, PAC, CoordStatP, CoordPI, PIOSStatP, PP, StatP & SO	
s.83B	Duty to give public notice of an application for review.	DPP, MSP, CoordStatP, CoordPI, PIO SStatP, PAC, PP, StatP, SO, PSO & TLPS.	
s.84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit.	DPP, MSP, CoordStatP, CoordPI, PIO SStatP, PAC, StatP, & PP, .	Must be exercised in a manner that is consistent with the adopted Planning Delegation Guidelines.
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.	DPP, MSP, CoordStatP, CoordPI, PIO SStatP, StatP, PAC & PP.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.84(3)	Duty to tell the Principal Registrar if Council decides to grant a permit after an application is made for review of its failure to grant a permit.	DPP, MSP, CoordStatP, CoordPI, PIO SStatP, PAC, PP & StatP.	<i>Note – “Principal Registrar” means the Principal Registrar of VCAT.</i>
s.84(6)	Duty to issue a permit on receipt of advice within three working days.	DPP, MSP, CoordStatP, CoordPI, PIO SStatP, StatP, PAC & PP.	
s.84AB	Power to agree to confining a review by the Tribunal.	DPP, MSP, CoordStatP & PAC.	
s.86	Duty to issue a permit at order of the VCAT within three working days.	DPP, MSP, CoordStatP, CoordPI, PIO SStatP, PAC & PP.	
s.87(3)	Power to apply to VCAT for the cancellation or amendment of a permit.	DPP, MSP, CoordStatP & PAC.	
s.90(1)	Function of being heard at a hearing of a request for cancellation or amendment of a permit.	DPP, MSP, CoordStatP, CoordPI, PIO PAC, PP & MCA.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.91(2)	Duty to comply with the directions of the VCAT without delay.	DPP, MSP, CoordStatP, CoordPI, PIO SStatP, StatP, SO, PAC & PP.	
s.91(2A)	Duty to amend a permit and issue an amended permit to the owner of land to which the permit relates.	DPP, MSP, CoordStatP, CoordPI, PIO SStatP, StatP, SO, PAC & PP.	
s.92	Duty to give notice of cancellation/ amendment of permit by VCAT to persons entitled to be heard under section 90.	DPP, MSP, CoordStatP, CoordPI, PIO SStatP, StatP, PAC & PP.	
s.93(2)	Duty to give notice of a VCAT order to stop development.	DPP, MSP, CoordStatP, CoordPI, PIO SStatP, StatP, PAC & PP.	
s.95(3)	Function of referring certain applications to the Minister.	DPP, MSP, CoordStatP, CoordPI, PIO SStatP, PAC, PP & SO.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.95(4)	Duty to comply with an order or direction.	DPP, MSP, CoordStatP, CoordPI, PIO SStatP, PAC, PP & SO.	
s.96(1)	Duty to obtain a permit from the Minister to use and develop its land.	DPP, MSP, CoordStatP, CoordPI, PIO SStatP, PAC & PP.	
s.96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land.	DPP, MSP, CoordStatP, CoordPI, PIO SStatP, PP & PAC.	
s.96A(2)	Power to agree to consider an application for a permit concurrently with preparation of a proposed amendment.	DPP, CoordStatP, CoordPI, PIO PAC, MSP & PP.	
s.96C	Power to give notice, to publish notice and to exercise any other power under section 96C.	DPP, MSP, MCF, CoordStatP, CoordStrP, CoordPI, PIO PAC, PSP & PP.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.96F	Duty to consider the panel's report under section 96E.	DPP, MSP, MCF, CoordStatP, CoordStrP, CoordPI, PIO PAC & , PSP, PP.	
s.96G	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and the power to notify the applicant of the determination (including the power to give notice under section 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i> .	DPP, MSP, CoordStatP & PAC.	
s.96H	Power to give notice in compliance with the Minister's direction.	DPP, MSP, CoordStatP, CordPI, PIO SStatP, PAC, PP, & StatP	
s.96J	Power to issue a permit as directed by the Minister.	DPP, MSP, CoordStatP, CoordPI, PIO PAC, PP & .	
s.96K	Duty to comply with the direction of the Minister to refuse a permit.	DPP, MSP, CoordStatP, CoordPI, PIO SStatP, PAC, PP & .	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.96Z	Duty to keep levy certificates given to it under section 47 or section 96A for no less than five years from receipt of the certificate.	DPP, MSP & CoordStatP & CoordPI.	
s.97C	Power to request the Minister to decide the application.	DPP, MSP CoordStatP & PAC.	
s.97D(1)	Duty to comply with directions of the Minister to supply any document or assistance relating to application.	DPP, MSP, MCF, CoordStatP, CoordPI, PIO PAC, PP, SStatP & .	
s.97G(3)	Function of receiving from the Minister a copy of notice of refusal to grant permit or copy of any permit granted by the Minister.	DPP, MSP, CoordStatP, CoordPI, PIO PAC, PP, SStatP & .	
s.97G(6)	Duty to make a copy of permits issued under section 97F available in accordance with the public availability requirements.	DPP, MSP, CoordStatP, CoordPI, PIO PAC, PP & SStatP.	
s.97L	Duty to include Ministerial decisions in a register kept under section 49.	DPP, MSP, CoordStatP, CoordPI, PIO SStatP, PAC, & PP.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.97MH	Duty to provide information or assistance to the Planning Application Committee.	DPP, MSP, PP, CoordStatP & PAC.	
s.97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee.	DPP.	
s.97O	Duty to consider an application and issue or refuse to issue a certificate of compliance.	DPP, MSP, CoordStatP, CoordPI, SStatP, PAC & PP, PIO	
s.97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate.	DPP, MSP, CoordStatP, CoordPI, PIO SStatP, PP, PAC & StatP.	
s.97Q(2)	Function of being heard by VCAT at a hearing of a request for amendment or cancellation of certificate.	DPP, MSP, CoordStatP, CoordPI, PIO PP, SStatP & PAC.	
s.97Q(4)	Duty to comply with directions of the VCAT.	DPP, MSP, CoordStatP, CoordPI, PIO SStatP, PP, PAC & StatP.	
s.97R	Duty to keep a register of all applications for a certificate of compliance and related decisions.	All Planning Unit staff.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.98(1)&(2)	Function of receiving claims for compensation in certain circumstances.	DPP, MSP & MCF.	
s.98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed.	DPP, MSP, MCF, CoordStatP, CoordPI, PIO PAC, PP & .	
s.101	Function of receiving a claim for expenses in conjunction with claim.	DPP, MSP, MCF, PAC, CoordStatP & CoordPI.	
s.103	Power to reject a claim for compensation in certain circumstances.	DPP, MSP & MCF.	<i>Note – refers to small claims, ie:</i> a) \$500 or any greater amount prescribed by the Regulations; or b) 0.1% of the value that the land had not been affected by any circumstance set out in section 98(1) or (2) or section 107.
s.107(1)	Function of receiving a claim for compensation.	DPP, MSP & MCF.	
s.107(3)	Power to agree to extend the time for making a claim.	DPP.	
s.113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes.	Not delegated	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.114(1)	Power to apply to the VCAT for an enforcement order.	DPP, MSP, CoordStatP, CoordPIPIO & PAC.	
s.117(1)(a)	Function of making a submission to the VCAT where objections are received.	DPP, MSP, CoordStatP, CoordPI, PIO SStatP, PAC, PP & StatP.	
s.120(1)	Power to apply for an interim enforcement order where a section 114 application has been made.	DPP, MSP, CoordStatP, CoordPI, PIO & PAC.	
s.123(1)	Power to carry out work required by enforcement order and recover costs.	DPP & MSP.	
s.123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under section 123(1).	DPP & MSP.	Except Crown Land.
s.129	Function of recovering penalties.	DPP, MSP, PAC, CoordStatP, CoordPI & PIO.	
s.130(5)	Power to allow a person served with an infringement notice further time.	DPP, MSP, PAC, CoordStatP & CoordPI, PIO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.149A(1)	Power to refer a matter to the VCAT for determination.	DPP, MSP, CoordStatP, CoordPI & PAC.	<i>Note – Part 6 of the Act refers to enforcement and legal proceedings.</i>
s.149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a section 173 agreement.	DPP, MSP & PAC.	
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).	DPP & MSP.	Where Council is the relevant planning authority.
s.171(2)(f)	Power to carry out studies and commission reports.	DPP, MSP, MCF, PAC, CoordStatP, CoordPI, PIO CoordStrP, SStatP, StatP, StrP & PSP, PP, .	
s.171(2)(g)	Power to grant and reserve easements.	DPP.	
s.173(1)	Power to enter into an agreement covering matters set out in section 174.	DPP.	
s.172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved ICP.	Not applicable.	Where Council is a development agency specified in an approved ICP. These provisions do not currently apply to Stonnington.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under section 46GV (4).	Not applicable.	Where Council is a collecting agency specified in an approved ICP. These provisions do not currently apply to Stonnington.
s.172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under section 46GV(4).	Not applicable.	Where Council is the development agency specified in an approved ICP. These provisions do not currently apply to Stonnington.
s.173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing.	Not delegated	Where council is the relevant responsible authority.
----	Power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority.	DPP, MSP, MCF, CoordStatP, CoordPI & PAC.	
----	Power to give consent on behalf of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority.	DPP, MSP, MCF, CoordStatP, CoordPI & PAC.	
s.177(2)	Power to end a section 173 agreement with the agreement of all those bound by a covenant in the agreement or otherwise in accordance with Division 2 of Part 9.	DPP, MSP & MCF.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178	Power to amend a section 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9.	DPP & MSP.	<i>Note – section 178 provides: “An agreement may, with the approval of the Minister, be amended by agreement between the responsible authority and all persons who are bound by any covenant in the agreement”.</i>
s.178A(1)	Function of receiving an application to amend or end an agreement.	DPP, MSP, CoordStatP, CoordPI & TLPS.	
s.178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under section 178A (1).	DPP, MSP, CoordStatP, CoordPI & TLPS.	
s.178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal.	DPP, MSP, CoordStatP, CoordPI & TLPS.	
s.178A(5)	Power to propose to amend or end an agreement.	DPP & MSP.	
s.178B(1)	Duty to consider certain matters when considering a proposal to amend an agreement.	DPP & MSP.	
s.178B(2)	Duty to consider certain matters when considering a proposal to end an agreement.	DPP & MSP.	
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 a decision to amend or end.	DPP, MSP, CoordStatP & CoordPI.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178C(4)	Function of determining how to give notice under section 178C (2).	DPP & MSP.	
s.178E(1)	Duty not to make a decision until after 14 days after notice has been given.	DPP, MSP, CoordStatP & CoordPI.	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal.	DPP, MSP, CoordStatP & CoordPI.	If no objections are made under section 178D. The delegate(s) must consider matters in section 178B.
s.178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal.	DPP, MSP, CoordStatP & CoordPI.	
s.178E(2)(c)	Power to refuse to amend or end the agreement.	DPP, MSP, CoordStatP & CoordPI.	
s.178E(3)(a)	Power to amend or end the agreement in accordance with the proposal.	DPP, MSP, CoordStatP & CoordPI.	After considering objections, submissions and matters in section 178B.
s.178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal.	DPP, MSP, CoordStatP & CoordPI.	
s.178E(3)(c)	Power to amend or end the agreement in a manner that is substantively different from the proposal.	DPP & MSP.	
s.178E(3)(d)	Power to refuse to amend or end the agreement.	DPP & MSP.	After considering objections, submissions and matters in section 178B.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178F(1)	Duty to give notice of its decision under section 178E (3) (a) or (b).	DPP, MSP, CoordStatP & CoordPI.	
s.178F(2)	Duty to give notice of its decision under section 178E (2) (c) or (3) (d).	DPP, MSP, CoordStatP & CoordPI.	
s.178F(4)	Duty not to proceed to amend or end an agreement under section 178E until at least 21 days after notice has been given or until an application for review to the VCAT has been determined or withdrawn.	DPP & MSP.	
s.178G	Duty to sign an amended agreement and give a copy to each other party to the agreement.	DPP & MSP.	
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.	DPP, MSP, CoordStatP & CoordPI.	
s.178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land.	DPP, MSP, CoordStatP & CoordPI.	
s.179(2)	Duty to make a copy of each agreement available in accordance with the public availability requirements.	All Planning Unit staff.	

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 and to deliver a memorial to the Registrar-General.	DPP, MSP, MCF, PAC, CoordStatP & CoordPI.	
s.181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement.	DPP & MSP.	
s.181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement.	DPP & MSP.	
s.182	Power to enforce an agreement.	DPP, MSP, PAC, CoordStatP, CoordPI & PIO.	
s.183	Duty to tell the Registrar of Titles of ending/amendment of agreement.	DPP, MSP, PAC, CoordStatP & CoordPI	
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.	DPP & MSP.	
s.184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement.	DPP & MSP.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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.	DPP & MSP.	
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.	DPP, MSP, CoordStatP & CoordPI.	
s.184G(2)	Duty to comply with a direction of the Tribunal.	DPP, MSP, PAC, CoordStatP & CoordPI.	
s.184G(3)	Duty to give notice as directed by the Tribunal.	DPP, MSP, PAC, CoordStatP & CoordPI.	
s.198(1)	Function of receiving an application for a planning certificate.	Not applicable.	In the metropolitan area, planning certificates are issued by the Department of Environment, Land, Water & Planning.
s.199(1)	Duty to give a planning certificate to an applicant.	Not applicable.	
s.201(1)	Function of receiving an application for a declaration of underlying zoning.	DPP, MSP, MCF, CoordStatP, CoordPI, PIO SStatP, PP & PAC.	
s.201(3)	Duty to make a declaration.	DPP & MSP.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Miscellaneous	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.	DPP, MSP, MCF, CoordStatP, CoordStrP, CoordPI, PIO, PP & PAC.	
Miscellaneous	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.	DPP, MSP, MCF, CoordStatP, CoordStrP, CoordPI, PIO, SStatP, , PP, & PAC.	
Miscellaneous	Power to settle an Application for Review and/or an Application for an Enforcement Order at VCAT where VCAT has instituted a mediation hearing.	DPP, MSP, CoordStatP, CoordPI, PIO, SStatP, , StatP, PP & PAC.	Senior Planners and Planning Officers must consult the MSP or the CoordStatP (Council decision) or the delegate (delegate decision) or PAC to agree on the extent of possible compromise.
	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.	DPP, MSP, CoordStatP, CoordPI, PIO, SStatP, PAC & PP.	
	Power to give written authorisation in accordance with a provision of a planning scheme.	DPP, MSP, CoordStatP, CoordPI, PIO, SStatP, PAC & PP.	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within the municipal district.	Not applicable.	Stonnington is not in a "growth area".
s.201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under subsection (1) as soon as possible.	Not applicable.	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.522(1)	Power to give a compliance notice to a person.	Not applicable.	<i>Note - The Act applies to caravan parks and rooming houses. In relation to rooming houses, the Manager Liveability & Compliance, the Coordinator Environmental Health and Coordinator Animal Management deal with any issues pursuant to the Building Act 1993 and the Public Health and</i>

			<i>Wellbeing Act 2008. Accordingly, a delegation under this Act is not required at present.</i>
s.525(2)	Power to authorise an officer to exercise powers in section 526 (either generally or in a particular case).	Not delegated.	As above.
s.525(4)	Duty to issue an identity card to authorised officers.	Not delegated.	As above.
RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.526(5)	Duty to keep a record of entry by an authorised officer under section 526.	Not delegated.	As above.
s.526A(3)	Function of receiving the report of an inspection.	Not applicable.	
s.527	Power to authorise a person to institute proceedings (either generally or in a particular case).	Not delegated.	As above.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.11(1)	Power to declare a road by publishing a notice in the Victoria Government Gazette.	DEI.	<i>Note – subject to:</i>

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<ul style="list-style-type: none"> obtaining consents (including Ministerial consent) in the circumstances specified in section 11(2); and a previous Council resolution.
s.11(8)	Power to name a road or change the name of a road by publishing a notice in the Victoria Government Gazette.	Not delegated.	<i>Note – the power remains with the Council however names of laneways are allocated via the CEO’s Notice Paper.</i>
s.11(9)(b)	Duty to advise the Registrar.	DEI.	<i>Note – “Registrar” refers to the Registrar of Titles.</i>
s.11(10)	Duty to inform the Secretary of a declaration etc.	DEI.	Clause subject to section 11(10A).
s.11(10A)	Duty to inform the Secretary of the nominated person.	DEI.	Duty of coordinating road authority.
s.12(2)	Power to discontinue a road or part of a road.	Not delegated.	Power of coordinating road authority. The power remains with the Council.
s.12(4)	Duty to publish, and provide a copy of notice of a proposed discontinuance.	DEI.	<ul style="list-style-type: none"> Power of coordinating road authority where it is the discontinuing body. Unless subsection (11) applies.
s.12(5)	Duty to consider written submissions received within 28 days of notice.	Not delegated.	<ul style="list-style-type: none"> Duty of coordinating road authority where it is the discontinuing body. Unless subsection (11) applies.

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<ul style="list-style-type: none">• The duty remains with the Council.
s.12(6)	Function of hearing a person in support of their written submission.	Not delegated.	<ul style="list-style-type: none">• Function of coordinating road authority where it is the discontinuing body.• Unless subsection (11) applies.• The function remains with the Council.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.12(7)	Duty to fix the day, time and place of a meeting under subsection (6) and to give notice.	Not delegated.	<ul style="list-style-type: none"> • Duty of coordinating road authority where it is the discontinuing body. • Unless subsection (11) applies. • The duty remains with the Council.
s.12(10)	Duty to notify submitters of the decision made.	DEI.	<ul style="list-style-type: none"> • Duty of coordinating road authority where it is the discontinuing body. • Does not apply where an exemption is specified by the regulations or given by the Minister.
s.13(1)	Power to fix a boundary of a road by publishing a notice in the Victoria Government Gazette.	Not delegated.	Power of the coordinating road authority to obtain consent under section 13(3) and section 13(4) as appropriate. The power remains with the Council.
s.14(4)	Function of receiving notice from the Head, Transport for Victoria.	DEI & MTP. & MAMP	Section 14 refers to the power of the Head, Transport for Victoria to make declarations in respect of roads.
s.14(7)	Power to appeal against a decision of the Head, Transport for Victoria.	Not delegated.	The power remains with the Council.
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.	DEI.	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority.	DEI.	
s.15(2)	Duty to include details of arrangements in the public roads register.	DEI & MAMP	
s.16(7)	Power to enter into an arrangement under section 15.	DEI.	
s.16(8)	Duty to enter details of determination in the public roads register.	DEI & MAMP	
s.17(2)	Duty to register public roads in the public roads register.	DEI & MAMP.	Power of the coordinating road authority.
s.17(3)	Power to decide that a road is reasonably required for general public use.	Not delegated.	Power of the coordinating road authority. The power remains with the Council. <i>Note – a public road includes a road declared pursuant to section 204(1) of the Local Government Act 1989.</i>
s.17(3)	Duty to register a road reasonably required for general public use in the public roads register.	DEI & MAMP.	Power of the coordinating road authority.
s.17(4)	Power to decide that a road is no longer reasonably required for general public use.	Not delegated.	Power of the coordinating road authority. The power remains with the Council.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.17(4)	Duty to remove a road no longer reasonably required for general public use from the public roads register.	DEI & MAMP.	
s.18(1)	Power to designate an ancillary area.	Not delegated.	Power of the coordinating road authority. The power remains with the Council.
s.18(3)	Duty to record a designation in the public roads register.	DEI & MAMP.	Power of the coordinating road authority.
s.19(1)	Duty to keep a register of public roads in respect of which it is the coordinating road authority.	DEI & MAMP.	
s.19(4)	Duty to specify details of discontinuance in the public roads register.	DEI & MAMP.	
s.19(5)	Duty to ensure the public roads register is available for public inspection.	MAMP.	
s.21	Power to reply to a request for information or advice from the Minister or relevant Minister	DEI & MTP.& MAMP	Subject to obtaining consent in the circumstances specified in section 11(2).
s.22(2)	Function of commenting on a proposed Ministerial direction.	DEI.	
s.22(4)	Duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.	DEI & MTP.& MAMP	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.22(5)	Duty to give effect to a direction under this section.	DEI & MTP. & MAMP	
s.40(1)	Duty to inspect, maintain and repair a public road.	DEI, MCO & MAMP.	
s.40(5)	Power to inspect, maintain and repair a road which is not a public road.	Not applicable.	There are no private roads in Stonnington which are maintained by Council.
s.41(1)	Power to determine the standard of construction, inspection, maintenance and repair.	DEI & MCO.	
s.42(1)	Power to declare a public road as a controlled access road.	Not delegated.	Power of the coordinating road authority and Schedule 2 also applies. The power remains with the Council. <i>Note - "controlled access road" means a public road in respect of which a declaration is in force under section 42.</i>
s.42(2)	Power to amend or revoke a declaration by notice published in the Victoria Government Gazette.	DEI.	Power of the coordinating road authority and Schedule 2 also applies. Subject to a previous Council resolution.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.42A(3)	Duty to consult with the Head, Transport for Victoria and the Minister before a road is specified.	DEI & MTP.	<p><i>Note - "specified road" means a road or part of a road which is specified under section 42A to be a specified road in respect of which a mode of transport is to have priority.</i></p> <ul style="list-style-type: none"> • Duty of coordinating road authority (i.e.: the duty remains with the Council). • If the road is a municipal road or part thereof.
s.42A(4)	Duty to approve the Minister's decision to specify a road as a specified freight road.	Not delegated.	<i>Note – section 42A (4) provides that If a road or part of a road which is to be a specified freight road is a municipal road, the Minister must obtain the approval of the municipal council which is the coordinating road authority before the road or part of the road can be specified to be a specified freight road.</i>
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).	Not delegated.	Duty of the responsible road authority, infrastructure manager or works manager. The duty remains with the Council.
s.48M(3)	Function of consulting with the relevant authority for the purposes of developing guidelines under section 48M.	DEI.	<i>Note – the section refers to bus stopping points and bus stop infrastructure.</i>
s.49	Power to develop and publish a road management plan.	Not delegated.	The power remains with the Council.
s.51	Power to determine standards by incorporating the standards in a road management plan.	DEI & MAMP.	

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 the Victoria Government Gazette of an amendment etc of a document in a road management plan.	DEI & MAMP.	
s.54(2)	Duty to give notice of a proposal to make a road management plan.	DEI & MAMP.	
s.54(5)	Duty to conduct a review of the road management plan at prescribed intervals.	DEI & MAMP.	
s.54(6)	Power to amend a road management plan.	Not delegated.	The power remains with the Council.
s.54(7)	Duty to incorporate the amendments into the road management plan.	MAMP.	
s.55(1)	Duty to cause notice of a road management plan to be published in the Victoria Government Gazette and newspaper.	DEI.	<i>Note – subject to adoption by Council of the Road Management Plan.</i>
s.63(1)	Power to consent to the conduct of works on a road.	DEI, MCO, MLC, SLLO, CompOffr & TechOffr.	
s.63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency.	DEI and MCO.	Power of the infrastructure manager.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.64(1)	Duty to comply with clause 13 of Schedule 7.	DEI, MCO, MLC, SLLO, CompOffr & TechOffr.	<i>Schedule 7 relates to infrastructure and works on roads. Clause 13 of Schedule 7 requires the works manager to give notice the relevant coordinating authority of the completion of works.</i>
s.66(1)	Power to consent to a structure etc.	DEI, MCO, MLC, SLLO, CompOffr & TechOffr.	Power of the coordinating road authority.
s.67(2)	Function of receiving the name and address of the person responsible for distributing the sign or bill.	DEI, MCO, MLC, SLLO, CompOffr & TechOffr.	Where Council is the road coordinating authority. <i>Note – the section refers to a person who commissions the making of an advertising sign or bill that is placed on or over a road or on a pole, bus shelter, traffic sign or other object or infrastructure on a road reserve.</i>
s.67(3)	Power to request information.	DEI, MCO, MLC, SLLO, CompOffr & TechOffr.	Power of coordinating road authority.
s.68(2)	Power to request information.	DEI, MCO, MLC, SLLO, CompOffr & TechOffr.	Power of coordinating road authority.
s.71(3)	Power to appoint an authorised officer.	CEO.	
s.72	Duty to issue an identity card to each officer.	CEO	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.85	Function of receiving a report from an authorised officer.	DEI & MCO.	Division 3 of the Act refers to the general powers of Authorised Officers. Section 85 refers specifically to powers of entry.
s.86	Duty to keep a register regarding section 85 (*) matters.	DEI.	(*) Refers to powers of entry onto land.
s.87(1)	Function of receiving complaints.	DEI & MCO.	
s.87(2)	Duty to investigate a complaint and provide a report.	DEI & MCO.	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	Not delegated.	
s.112(2)	Power to recover damages in Court.	CEO.	<i>Note – the section applies if a road authority incurs extraordinary expenses in repairing a road that has been damaged as a result of the passage of extraordinary traffic or excessive mass along the road.</i>
s.116	Power to cause or carry out an inspection where a notice of an incident arising out of the condition of a public road has been received	DEI & MCO.	
s.119(2)	Function of consulting with the Head, Transport for Victoria.	DEI & MCO.	<i>Note - the section refers to performing a road management function.</i>
s.120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria).	DEI.	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.120(2)	Duty to seek the consent of the Head, Transport for Victoria to exercise road management functions before exercising power in section 120(1).	DEI & MCO.	
s.121(1)	Power to enter into an agreement in respect of works.	DEI.	
s122(1)	Power to charge and recover fees.	DEI & MCO.	<i>Note – fees may be charged if authorised under the Road Management (General) Regulations 2016. The Regulations express the fees in terms of “fee units” which are indexed annually. In 2022/23, a fee unit is \$15.29.</i>
s.123(1)	Power to charge for any service.	DEI & MCO.	<i>Note:</i> a) <i>fees must not be inconsistent with the relevant Regulations. Fees are fixed by Council in the annual budget process; and</i> b) <i>the charge can include costs relating to</i> <ul style="list-style-type: none"> • <i>supplying a service, product or commodity; or</i> • <i>giving information.</i>
Schedule 2 Clause 2(1)	Power to make a decision in respect of controlled access roads.	DEI.	<i>Note – “controlled access road” means a public road in respect of which a declaration is in force under section 42.</i>
Schedule 2 Clause 3(1)	Duty to make policy about controlled access roads.	DEI.	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 2 Clause 3(2)	Power to amend, revoke or substitute policy about controlled access roads.	DEI.	
Schedule 2 Clause 4	Function of receiving details of a proposal from the Head, Transport for Victoria.	DEI.	<i>Note - Schedule 2 refers to management of road access.</i>
Schedule 2 Clause 5	Duty to publish a notice of declaration.	DEI.	
Schedule 7 Clause 7(1)	Duty to give notice to the relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve.	DEI.	<i>Note – Schedule 7 refers to infrastructure and works on roads.</i>
Schedule 7 Clause 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road.	DEI, MCO & MTP. & MAMP	Duty of the infrastructure manager or works manager.
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 the location of any non-road infrastructure and technical advice or assistance in conduct of works.	DEI, MCO & MTP. & MAMP	Duty of the infrastructure manager or works manager responsible for non-road infrastructure.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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.	DEI & MCO.	Duty of the infrastructure manager or works manager.
Schedule 7, clause 10 (2)	Where Schedule 7 Clause 10 (1) applies, duty to where possible, conduct appropriate consultation with persons likely to be significantly affected.	DEI & MCO.	Duty of the infrastructure manager or works manager.
Schedule 7 Clause 12(2)	Power to direct the infrastructure manager or works manager to conduct reinstatement works.	DEI & MCO.	Power of the coordinating road authority.
Schedule 7 Clause 12(3)	Power to take measures to ensure reinstatement works are completed.	DEI & MCO.	
Schedule 7 Clause 12(4)	Duty to ensure that works are conducted by an appropriately qualified person.	DEI & MCO.	
Schedule 7 Clause 12 (5)	Power to recover costs.	DEI & MCO.	
Schedule 7, Clause 13(1)	Duty to notify the relevant coordinating road authority within seven days that works have been completed subject to Schedule 7 Clause 13 (2).	DEI, MCO & MPMD.	Duty of the works manager.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 13(2)	Power to vary a notice period.	DEI, MCO & MPMD.	Power of the coordinating road authority.
Schedule 7 Clause 13(3)	Duty to ensure the works manager has complied with an obligation to give notice under Schedule 7, clause 13(1).	DEI, MCO & MTP.& MPMD	Duty of the infrastructure manager.
Schedule 7 Clause 16(1)	Power to consent to proposed works.	DEI, MCO & MTP.& MPMD	Power of the coordinating road authority.
Schedule 7 Clause 16(4)	Duty to consult.	DEI, MCO & MTP.& MPMD	Where Council is the coordinating road authority, responsible authority or infrastructure manager. Clause 16 provides that if an application for consent is made by an infrastructure manager, the coordinating road authority must consult with the infrastructure manager and the responsible road authority before determining the application
Schedule 7 Clause 16(5)	Power to consent to proposed works.	DEI, MCO & MTP.& MPMD	Where Council is the coordinating road authority.
Schedule 7 Clause 16(6)	Power to set reasonable conditions on consent for proposed roadworks.	DEI, MCO & MTP.& MPMD	
Schedule 7 Clause 16(8)	Power to include consents and conditions for proposed roadworks.	DEI, MCO & MTP.& MPMD	
Schedule 7 Clause 17(2)	Power to refuse to give consent to proposed roadworks and duty to give reasons for refusal.	DEI, MCO & MTP.& MPMD	Power of the coordinating road authority.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 18(1)	Power to enter into an agreement in relation to proposed roadworks.	DEI, MCO & MTP.& MPMD	Power of the coordinating road authority.
Schedule 7 Clause 19(1)	Power to give notice requiring rectification of works.	DEI, MCO & MTP.& MPMD	
Schedule 7 Clause 19(2) and (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred.	DEI, MCO & MTP. & MPMD	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.	DEI, MCO & MTP. & MPMD	Power of the coordinating road authority.
Schedule 7A Clause 2	Power to cause street lights to be installed on roads.	DEI.	Power of the responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road.
Schedule 7A Clause 3(1)(d)	Duty to pay installation and operation costs of street lighting - where the road is not an arterial road.	DEI.	Duty of council as the responsible road authority.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7A Clause 3(1)(e)	Duty to pay installation and operation costs of street lighting – where the road is a service road on an arterial road and adjacent areas.	DEI.	
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.	DEI.	Duty of the Council as the responsible road authority that installed the light (re: installation costs) and where the Council is relevant municipal council (re: operating costs).

PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.6	Function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme.	DPP, MSP & MCF.	Where: <ul style="list-style-type: none"> • Council is not the planning authority and the amendment affects land within the Council's municipal district; or • the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	Power of the responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act.	DPP, MSP, MCF, CoordStatP, CoordStrP, CoordPI, PIO SStatP, PP & PAC	

PLANNING AND ENVIRONMENT REGULATIONS 2015

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.25(a)	Duty to make a copy of matter considered under section 60(1A)(g) available for inspection free of charge.	DPP, MSP, MCF, CoordStatP, CoordPI, PIO SStatP, , PP & PAC	Where Council is the responsible authority.

PLANNING AND ENVIRONMENT REGULATIONS 2015

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
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.	DPP, MSP, MCF, CoordStatP, CoordPI, SStatP, , PP & PAC	Where Council is not the responsible authority but the relevant land is within Council's municipal district.
r.40(2)	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.	DPP, MSP & MCF.	Where: <ul style="list-style-type: none"> • Council is not the planning authority and the amendment affects land within the Council's municipal district; or • the amendment will amend the planning scheme to designate Council as an acquiring authority.

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.19	Power to waive or rebate a fee relating to an amendment of a planning scheme.	DPP, MSP, MCF, CoordStatP & CoordStrP.	Where Council is the planning authority. <i>Note – the grounds for waiving or rebating a fee include:</i> a) <i>where the application is withdrawn and a new application is submitted;</i> b) <i>the amendment combines separate items from multiple requests for an amendment; and</i> c) <i>the amendment is intended to remove anomalies in the planning scheme.</i>
r.20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme.	DPP, MSP & CoordStatP & CoordPI.	Where Council is the responsible authority. <i>Note – the grounds for waiving or rebating a fee include:</i> a) <i>where the application is withdrawn and a new application is submitted;</i> b) <i>the application relates to land used for charitable purposes; and</i> c) <i>the fee is not warranted due to the minor nature of the application.</i>
r.21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under regulation 19 or 20.	DPP, MSP & CoordStatP & CoordPI.	

RESIDENTIAL TENANCIES REGULATIONS 2021			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.8(1)	Duty to conduct reviews of the road management plan.	DEI & MAMP.	
r.9(2)	Duty to produce a written report of the review of the road management plan and make report available.	DEI & MAMP	
r.9(3)	Duty to give notice where a road management review is completed and no amendments will be made (or no amendments for which notice is required).	DEI.	Where council is the coordinating road authority.
r.10	Duty to give notice of an amendment which relates to the standard of construction, inspection, maintenance or repair under section 41 of the Act.	DEI.	

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 a road management plan	DEI.	Where council is the coordinating road authority.
r.13(3)	Duty to record on the road management plan, the substance and date of effect of the amendment.	DEI.	
r.16(3)	Power to issue a permit.	MAMP & MLC.	Where Council is the coordinating road authority.
r.18(1)	Power to give written consent to damage a road.	DEI.	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 a submission to the Tribunal.	DEI.	<ul style="list-style-type: none"> • Where Council is the coordinating road authority. • Note – refers to hoardings and advertisements.
r.23(4)	Power to charge a fee for application under section 66(1) of the <i>Road Management Act</i> 2004.	Not delegated.	Fees are determined by Council in the annual budget process.
r.25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on a road.	DEI & MCO.	Where Council is the coordinating road authority.

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.25(2)	Power to sell or dispose of things removed from a road or part of a road (after first complying with regulation 25(3)).	DEI & MCO.	
r.(254)	Power to recover in the Magistrates' Court, expenses from the person responsible.	DEI & MCO.	

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