



Maddocks

Maddocks Delegations and Authorisations

S6. Instrument of Delegation – Members of Staff

Melton City Council

Instrument of Delegation

to

Members of Council Staff

Instrument of Delegation

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

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

Abbreviation (Column 1)	Meaning (Column 2)
GM	General Manager Corporate Services General Manager Planning and Development General Manager Community Services
CEM	Customer Engagement Manager
CEO	Chief Executive Officer
CPM	Capital Projects Manager
CM	Compliance Manager
COC	Civil Operations Coordinator
DP	Development Planner
EHO	Environmental Health Officer
EHSC	Environmental Health Services Coordinator
EO	Enforcement Officer
ESM	Engineering Services Manager
FM	Finance Manager
GC	Governance Coordinator
LLC	Local Laws Coordinator
MBS	Municipal Building Services Coordinator
MDC	Major Developments Coordinator
MDP	Major Developments Planner
MFPO	Municipal Fire Prevention Officer
OM	Operations Manager
PM	Planning Manager
PP	Planning Manager
PSO	Planning Support Officer
RA	Roads Administrator
RAO	Roads Asset Officer
SDP	Senior Development Planner
SEHO	Senior Environmental Health Officer
SEO	Senior Enforcement Officer
SLLO	Senior Local Laws Officer
SMDP	Senior Major Developments Planner

SO	Subdivision Officer
SPC	Strategic Planning Coordinator
SPC1	Statutory Planning Coordinator
SPSO	Senior Planning Support Officer
SSP	Senior Strategic Planner

3. declares that:
 - 3.1 this **Instrument of Delegation** is authorised by a resolution of **Council** passed on **25 June 2013**; and
 - 3.2 the delegation:
 - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 3.2.2 remains in force until varied or revoked;
 - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 3.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategy
 adopted by Council; or
 - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
 - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.



The Common Seal of the Melton City)
Council was hereunto affixed in the)
presence of:)

..... Councillor

..... Chief Executive Officer



Maddocks

SCHEDULE



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CEMETERIES AND CREMATORIA ACT 2003

[[#The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.8(1)(a)(ii)	power to manage one or more public cemeteries	GMCS, CEM	where appointed to manage cemetery by Governor in Council
s.12(1)	function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	GMCS, CEM, GC	where council is a Class B cemetery trust
s.12(2)	duty to have regard to the matters set out in paragraphs (a)-(c) in exercising its functions	GMCS, CEM, GC	where council is a Class B cemetery trust
s.12A(1)	function to do the activities set out in paragraphs (a) – (n)		where council is a Class A cemetery trust
s.12A(2)	duty to have regard to matters set out in paragraphs (a)-(e) in exercising its functions		where council is a Class A cemetery trust
s.13	duty to do anything necessary or convenient to enable it to carry out its functions	GMCS, CEM, GC	
s.14	power to manage multiple public cemeteries as if they are one cemetery	GMCS, CEM	
s.15(1) and (2)	power to delegate powers or functions other than those listed	GMCS, CEM	
s.15(4)	duty to keep records of delegations	GMCS, CEM, GC	
s.17(1)	power to employ any persons necessary	GMCS, CEM	
s.17(2)	power to engage any professional, technical or other assistance considered necessary	GMCS, CEM, GC	
s. 17(3)	power to determine the terms and conditions of employment or engagement	GMCS, CEM	subject to the any guidelines or directions of the Secretary

CEMETERIES AND CREMATORIA ACT 2003

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.18(3)	duty to comply with a direction from the Secretary	GMCS, CEM	
s.18B(1) & (2)	duty to establish governance committees within 12 months of becoming a Class A cemetery trust and power to establish other governance committees from time to time		where council is a Class A cemetery trust
s.18C	power to determine the membership of the governance committee		where council is a Class A cemetery trust
s.18D	power to determine procedure of governance committee		where council is a Class A cemetery trust
s.18D(1)(a)	duty to appoint community advisory committee for the purpose of liaising with communities		where council is a Class A cemetery trust
s.18D(1)(b)	power to appoint any additional community advisory committees		where council is a Class A cemetery trust
s.18D(2)	duty to establish a community advisory committee under section 18D(1)(a) within 12 months of becoming a Class A cemetery trust.		where council is a Class A cemetery trust
s.18D(3)	duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the <i>Financial Management Act 1994</i>		where council is a Class A cemetery trust
s.18F(2)	duty to give preference to a person who is not a funeral director of a stonemason (or a similar position) when appointing a person to a community advisory committee		where council is a Class A cemetery trust
s.18H(1)	duty to hold an annual meeting before 30 December in each calendar year, in accordance with section		where council is a Class A cemetery trust
s.18I	duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting		where council is a Class A cemetery trust

CEMETERIES AND CREMATORIA ACT 2003

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.18J	duty to provide leadership, assistance and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in section 18J(2))		where council is a Class A cemetery trust
s.18L(1)	duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust		where council is a Class A cemetery trust
s.18N(1)	duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)		where council is a Class A cemetery trust
s.18N(3)	duty to give a copy of the proposed annual plan to the Secretary on or before 30 September each year for the Secretary's approval		where council is a Class A cemetery trust
s.18N(5)	duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months		where council is a Class A cemetery trust
s.18N(7)	duty to ensure that an approved annual plan is available to members of the public on request		where council is a Class A cemetery trust
s.18O(1)	duty to prepare a strategic plan and submit the plan to the Secretary for approval		where council is a Class A cemetery trust
s.18O(4)	duty to advise the Secretary if the trust wishes to exercise its functions in a manner inconsistent with its approved strategic plan		where council is a Class A cemetery trust
s.18O(5)	duty to ensure that an approved strategic plan is available to members of the public on request		where council is a Class A cemetery trust
s.18Q(1)	duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year.		where council is a Class A cemetery trust
s.19	power to carry out or permit the carrying out of works	GMCS, CEM, GC	

**CEMETERIES AND CREMATORIA ACT 2003**

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.20(1)	duty to set aside areas for the interment of human remains	GMCS, CEM, GC	
s.20(2)	power to set aside areas for the purposes of managing a public cemetery	GMCS	
s.20(3)	power to set aside areas for those things in paragraphs (a) – (e)	GMCS, CEM, GC	
s.21(1)	power to establish and operate a crematorium in a public cemetery		council must not establish or operate a crematorium set aside for particular religious or community groups.
s.22	power to establish mausolea facilities	GMCS	subject to the prior written approval of the Secretary
s.24(2)	power to apply to the Secretary for approval to alter the existing distribution of land	GMCS, CEM, GC	
s.26(1)	power to make rules for or with respect to the general care, protection and management of a public cemetery	GMCS, CEM	
s.36	power to grant licences to enter and use part of the land or building in a public cemetery in accordance with this section	GMCS	subject to the approval of the Minister
s.37	power to grant leases over land in a public cemetery in accordance with this section	GMCS	subject to the Minister approving the purpose
s.39(1)	power to fix fees and charges or a scale of fees and charges for its services in accordance with this section	GMCS, CEM	subject to the approval of the Secretary under section 40 unless exempt under section 40A
s.39(3)	power to fix different fees and charges for different cases or classes of cases	GMCS, CEM	
s.40	duty to notify Secretary of fees and charges fixed under section 39	GMCS, CEM, GC	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.45	power to invest money	GMCS	subject to any direction of the Minister This provision does not apply if the management of the public cemetery is a municipal council, not a cemetery trust. In this case, the borrowing & investment powers are governed by the Local Government Act 1989.
s.46	power to borrow money to enable it to perform its functions and exercise its powers	GMCS	subject to the approval and conditions of the Treasurer This provision does not apply if the management of the public cemetery is a municipal council, not a cemetery trust. In this case, the borrowing & investment powers are governed by the Local Government Act 1989.
s.47	power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	GMCS	provided the street was constructed pursuant to the Local Government Act 1989
s.57(1)	duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	GMCS, CEM, GC	applies only to municipal councils, not cemetery trusts report must contain the particulars listed in s.57(2)
s.59	duty to keep records for each public cemetery	GMCS, CEM, GC	
s.60(1)	duty to make information in records available to the public for historical or research purposes	GMCS, CEM, GC	
s.60(2)	power to charge fees for providing information	GMCS, CEM, GC	

CEMETERIES AND CREMATORIA ACT 2003

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.64(4)	duty to comply with a direction from the Secretary under section 64(3)	GMCS, CEM, GC	
s.64B(d)	power to permit interments at a reopened cemetery		
s.66(1)	power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park		the application must include the requirements listed in s.66(2)(a)–(d)
s.69	duty to take reasonable steps to notify of conversion to historic cemetery park		
s.70(1)	duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed		
s.70(2)	duty to make plans of existing place of interment available to the public		
s.71(1)	power to remove any memorials or other structures in an area to which an approval to convert applies		
s.71(2)	power to dispose of any memorial or other structure removed		
s.72(2)	duty to comply with request received under section 72		
s.73(1)	power to grant a right of interment	GMCS, CEM, GC	
s.73(2)	power to impose conditions on the right of interment	GMCS, CEM	
s.75	power to grant the rights of interment set out in subsections (a) and (b)	GMCS, CEM, GC	
s.76(3)	duty to allocate a piece of interment if an unallocated right is granted	GMCS, CEM, GC	
s.77(4)	power to authorise and impose terms and conditions on the removal of cremated	GMCS, CEM	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	human remains or body parts from the place of interment on application		
s.80(1)	function of receiving notification and payment of transfer of right of interment	GMCS, CEM, GC	
s.80(2)	function of recording transfer of right of interment	GMCS, CEM, GC	
s.82(2)	duty to pay refund on the surrender of an unexercised right of interment	GMCS, CEM, GC	
s.83(2)	duty to pay refund on the surrender of an unexercised right of interment (sole holder)	GMCS, CEM, GC	
s.83(3)	power to remove any memorial and grant another right of interment for a surrendered right of interment	GMCS, CEM, GC	
s.84(1)	function of receiving notice of surrendering an entitlement to a right of interment	GMCS, CEM, GC	
s.85(1)	duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	GMCS, CEM, GC	the notice must be in writing and contain the requirements listed in s.85(2)
s.86	power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	GMCS, CEM	
s.87(3)	duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	GMCS, CEM, GC	
s.88	function to receive applications to carry out a lift and re-position procedure at a place of interment	CEM, GC	
s.89(1)	power to approve or refuse an application for a lift and re-position procedure in accordance with subsection (2) & (3)		can only be delegated to members of a committee established under section 86 of the <i>Local Government Act 1989</i>

CEMETERIES AND CREMATORIA ACT 2003

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.90	power to authorise a person without an exhumation licence to carry out a lift and re-position procedure as set out in section 90(1)(a)-(d)		can only be delegated to members of a committee established under section 86 of the <i>Local Government Act 1989</i>
s.91(1)	power to cancel a right of interment in accordance with this section	GMCS, CEM, GC	
s.91(3)	duty to publish notice of intention to cancel right of interment	GMCS, CEM, GC	
s.92	power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	GMCS, CEM, GC	
s.98(1)	function of receiving application to establish or alter a memorial or a place of interment	GMCS, CEM, GC	
s.99	power to approve or refuse an application made under section 98, or to cancel an approval	GMCS, CEM	
s.99(4)	duty to make a decision on an application under section 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	GMCS, CEM	
s.100(1)	power to require a person to remove memorials or places of interment	GMCS, CEM, GC	
s.100(2)	power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with section 100(1)	GMCS, CEM, GC	
s.100(3)	power to recover costs of taking action under section 100(2)	GMCS, CEM, GC	
s.101	function of receiving applications to establish or alter a building for ceremonies in the cemetery	GC	

**CEMETERIES AND CREMATORIA ACT 2003**

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.102(1)	power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)		
s.102(2) & (3)	power to set terms and conditions in respect of, or to cancel, an approval granted under section 102(1)		
s.103(1)	power to require a person to remove a building for ceremonies	GMCS, CEM, GC	
s.103(2)	power to remove and dispose of a building for ceremonies or remedy the failure to comply with section 103(1)	GMCS, CEM, GC	
s.103(3)	power to recover costs of taking action under section 103(2)	GMCS, CEM, GC	
s.106(1)	power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	GMCS, CEM, GC	
s.106(2)	power to require the holder of the right of interment to provide for an examination	GMCS, CEM, GC	
s.106(3)	power to open and examine the place of interment if section 106(2) not complied with	GMCS, CEM, GC	
s.106(4)	power to repair or – with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under section 106(1) is not complied with	GMCS, CEM, GC	
s.107(1)	power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	GMCS, CEM, GC	
s.107(2)	power to repair or take down, remove and dispose any building for ceremonies if notice under section 107(1) is not complied with	GMCS, CEM, GC	

CEMETERIES AND CREMATORIA ACT 2003

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.108	power to recover costs and expenses	GMCS, CEM, GC	
s.109(1)(a)	power to open, examine and repair a place of interment	GMCS, CEM, GC	where the holder of right of interment or responsible person cannot be found
s.109(1)(b)	power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	GMCS, CEM, GC	where the holder of right of interment or responsible person cannot be found
s.109(2)	power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	GMCS, CEM, GC	where the holder of right of interment or responsible person cannot be found
s.110(1)	power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder. with consent of the Secretary	GMCS	
s.110(2)	power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	GMCS	
s.111	power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	GMCS, CEM, GC	
s.112	power to sell and supply memorials	GMCS, CEM, GC	
s.116(4)	duty to notify the Secretary of an interment authorisation granted	GMCS, CEM, GC	
s.116(5)	power to require an applicant to produce evidence of the right of interment holder's consent to application	GMCS, CEM, GC	
s.118	power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	GMCS, CEM, GC	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.119	power to set terms and conditions for interment authorisations	GMCS, CEM, GC	
s.131	function of receiving an application for cremation authorisation	GMCS, CEM, GC	
s.133(1)	duty not to grant a cremation authorisation unless satisfied that requirements of section 133 have been complied with	GMCS, CEM, GC	Subject to subsection (2)
s.145	duty to comply with an order made by the Magistrates' Court or a coroner	GMCS, CEM	
s.146	power to dispose of bodily remains by a method other than interment or cremation	GMCS, CEM	subject to the approval of the Secretary
s.147	power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	GMCS, CEM, GC	
s.149	duty to cease using method of disposal if approval revoked by the Secretary	GMCS, CEM	
s.150 & 152(1)	power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	GMCS, CEM, GC	
s.151	function of receiving applications to inter or cremate body parts	GMCS, CEM, GC	
s.152(2)	power to impose terms and conditions on authorisation granted under section 150.	GMCS, CEM, GC	
Schedule 1 clause 8(3)	power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	GMCS, CEM, GC	where council is a Class B cemetery trust
Schedule 1 clause 8(8)	power to regulate own proceedings		where council is a Class B cemetery trust subject to clause 8



CEMETERIES AND CREMATORIA ACT 2003

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 1A clause 8(3)	power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	GMCS, CEM, GC	where council is a Class A cemetery trust
Schedule 1A clause 8(8)	power to regulate own proceedings		where council is a Class A cemetery trust subject to clause 8



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	LLC, SLLO	Council may delegate this power to an authorised officer



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

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	EHSC	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	EHSC	If section 19(1) applies
s.19(4)(a)	power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	EHSC	If section 19(1) applies
s.19(4)(b)	duty to notify the Department of the making of the order	EHSC	If section 19(1) applies
s.19(4)(c)	duty to notify the registration authority of the making of the order and any appeal and the outcome of the appeal	EHSC	If section 19(1) applies and if council is not the registration authority
s.19(6)(a)	duty to revoke any order under section 19 if satisfied that an order has been complied with	EHSC	If section 19(1) applies
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	EHSC	If section 19(1) applies
s.19AA(2)	power to direct, by written order, that a person must take any of the actions described in (a)-(c).	EHSC	where council is the registration authority
s.19AA(4)(c)	power to direct, in an order made under s.19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	EHSC	Note: the power to direct the matters under s.19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s.19AA(7)	duty to revoke order issued under s.19AA and give written notice of revocation, if satisfied that that order has been complied with	EHSC	where council is the registration authority
s.19A(4)(b)	function of receiving notice from authorised officer	EHSC	where council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19BA(3)	duty to give notice of the variation or revocation of the order to the general public in the same manner as the original notice	EHSC	must be done by the same person as gave the original notice
s.19CB(4)(b)	power to request copy of records	EHO	where council is the registration authority
s.19E(1)(d)	power to request a copy of the food safety program	EHSC, EHO	where council is the registration authority
s.19EA(3)	function of receiving a copy of any significant revision made to the food safety program	EHSC, EHO	where council is the registration authority
s.19GB	power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	EHSC, EHO	where council is the registration authority
s.19H(5)(a) & (5)(b)	duty to take into account (a) the food safety performance of the food business; and (b) any guidelines issued by the Secretary in determining the frequency and intervals of the assessments and audits	EHSC, EHO	where council is the registration authority
s.19I	duty to conduct a food safety assessment as required under section 19H	EHSC, EHO	Subject to section 19J where council is the registration authority
s.19IA(2)	duty to give written notice to proprietor if food safety requirements or section 19DC(2) have not been complied with unless subsection (3) applies.	EHSC, EHO	where council is the registration authority
s.19M(4)(a) & (5)	power to conduct a food safety audit and take actions where deficiencies are identified	EHSC, EHO	where council is the registration authority
s.19N	function of receiving information from a food safety auditor	EHSC, EHO	where council is the registration authority
s.19NA(1)	power to request food safety audit reports	EHSC, EHO	where council is the registration authority
s.19U(3)	power to waive and vary the costs of a food safety audit if there are special circumstances	EHSC	

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19U(4)	duty to ensure that information relating to costs of a food safety audit are available for inspection by the public	EHSC	
s.19UA	power to charge fees for conducting a food safety assessment or inspection	EHSC	except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39.
s.19UA(4)	duty to consider proprietor's history of compliance in deciding whether to charge the fee	EHSC	
s.19UA(5)	duty to ensure that the method of determining a fee under subsection (3)(a) and the considerations that apply under subsection (4) are available for inspection by the public	EHSC, EHO	
s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	EHSC, 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	EHSC, EHO	where council is the registration authority
s.19W(3)(b)	power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	EHSC, EHO	where council is the registration authority
---	power to register, renew or transfer registration	EHSC, EHO	where council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see section 58A(2))
s.35A(2)	function of receiving notice of operation from the proprietor of a food premises	EHSC, EHO	where council is the registration authority
s.37	function of receiving application, information and documents required under	EHSC, EHO	

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	section 36 from the proprietor of a food business		
s.38(3)	duty to consult with the Secretary about the proposed exemption under section 38(2)	EHSC	
s.38AA(2)	function of being notified of operation	EHSC	where council is the registration authority
s.38AA(4)	duty to determine whether the food premises are exempt from the requirement of registration	EHSC	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	EHSC	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 (1)	EHSC	where council is the registration authority
s.38A(4)	power to request a copy of a completed food safety program template	EHSC, EHO	where council is the registration authority
s.38A(5) & (6)	function of receiving a food safety audit certificate from a proprietor	EHSC, 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	EHSC, EHO	where council is the registration authority
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	EHSC, EHO	where council is the registration authority
s.38B(1)(c)	duty to inspect premises	EHSC, EHO	where council is the registration authority
s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	EHSC, EHO	where council is the registration authority
s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	EHSC, EHO	where council is the registration authority
s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	EHSC, 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.38D(3)	power to request copies of any audit reports	EHSC, EHO	where council is the registration authority
s.38E(1)(c)	function of assessing the requirement for a food safety program	EHSC, EHO	where council is the registration authority
s.38E(2)	power to register the food premises on a conditional basis	EHSC	where council is the registration authority; not exceeding the prescribed time limit defined under subsection (5).
s.38E(3)(a)	function of receiving certificates	EHSC, EHO	where council is the registration authority
s.38E(4)	duty to register the food premises when conditions are satisfied	EHSC	where council is the registration authority
s.38F(3)(a)	duty to note the change to the classification of the food premises on the certificate of registration	EHSC, EHO	where council is the registration authority
s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	EHSC, EHO	where council is the registration authority
s.39(2)	duty to inspect within 12 months before renewal of registration	EHSC, EHO	where council is the registration authority
s.39(3)	duty to inspect within 3 months before renewal of registration if circumstances in section 39(3)(a)-(d) apply	EHSC, EHO	where council is the registration authority
s.39A	power to register, renew or transfer food premises despite minor defects	EHSC	where council is the registration authority only if satisfied of matters in subsections (2)(a)-(c)
s.39A(6)	duty to comply with direction of Secretary.	EHSC	
s.40(1)	duty to issue a certificate of registration in the prescribed form	EHSC	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>	EHSC	

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	EHSC	where council is the registration authority
s.40D(1)	power to suspend or revoke the registration of food premises	EHSC	where council is the registration authority
s.40D(2)	duty to specify how long a suspension is to last under s.40D(1)	EHSC	where council is the registration authority
s.40E(4)	duty to comply with direction of Secretary	EHSC	
s.43(1) and (2)	duty to maintain records of the prescribed particulars and orders in force under Part III	EHSC	where council is the registration authority
s.43(3)	duty to make available information held in records, free of charge, on request	EHSC	where council is the registration authority
s.43F(6)	duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	EHSC, 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	EHSC	where council is the registration authority
s.43I	function of receiving a statement of trade of a proprietor of a food business	EHSC, EHO	
s.46(5)	power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	EHSC	where council is the registration authority



HERITAGE ACT 1995			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.84(2)	power to sub-delegate Executive Director's functions	PM, SPC1, SDP, PP	must obtain Executive Director's written consent first.



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	GM, PM	if authorised by the Minister
s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	GM, PM	
s.4H	duty to make amendment to Victoria Planning Provisions available	GM, PM, SPC1, SPC, MDC, SMDP, SSP, PP, SDP, DP, MDP	
s.4I	duty to keep Victoria Planning Provisions and other documents available	GM, PM, SPC1, SPC, MDC, SMDP, SSP, PP, SDP, DP, MDP	
s.8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	GM, PM	
s.8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	GM, PM	
s.11(3)(b)	duty to submit amendment to planning scheme to Minister for approval if the Minister withdraws authorisation	GM PM	
s.12(3)	power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	GM, PM	
s 12A(1)	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under section 19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	GM, PM	
s.12B(1)	duty to review planning scheme	GM, PM	
s.12B(2)	duty to review planning scheme at direction of Minister	GM, PM	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	GM, PM	
s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP	
s.17(1)	duty of giving copy amendment to the planning scheme	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP	
s.17(2)	duty of giving copy s.173 agreement	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP	
s.18	duty to make amendment etc. available	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP	
s.19	power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under section 19 to a planning scheme	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP	
s.20(1)	power to apply to Minister for exemption from the requirements of section 19	GM, PM, SPC	
s.21(2)	duty to make submissions available	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.21A(4)	duty to publish notice in accordance with section	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.22	duty to consider all submissions	GM, PM, SPC1, SPC, MDC, SMDP, PP,	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		SDP, SSP, DP, MDP	
s.23(2)	power to refer submissions to a panel	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDMDPP, SSP, DP	
s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in section 96D)	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.26(1)	power to make report available for inspection	GM, PM, SPC, SPC1, MDC	
s.26(2)	duty to keep report of panel available for inspection	GM, PM, SPC, SPC1, MDC	
s.27(2)	power to apply for exemption if panel's report not received	GM, PM, SPC, SPC1, MDC	
s.28	duty to notify the Minister if abandoning an amendment	GM, PM, SPC, SPC1, MDC	Note: the power to make a decision to abandon an amendment cannot be delegated
s.30(4)(a)	duty to say if amendment has lapsed	GM, PM, SPC, SPC1, MDC	
s.30(4)(b)	duty to provide information in writing upon request	GM, PM, SPC, SPC1, MDP	
s.31	duty to submit adopted amendment to Minister and, if applicable, details under section 19(1B)	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.32(2)	duty to give more notice if required	GM, PM, SPC1, SPC, MDC, SMDP, PP,	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		SDP, SSP, DP, MDP	
s.33(1)	duty to give more notice of changes to an amendment	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.35A(2)	duty to not approve an amendment under section 35B unless the amendment has been certified by the Secretary	GM, PM, SPC, SPC1, MDC	
s.35B(1)	power to approve amendment in form certified under section 35A	GM, PM	
s.35B(2)	duty to give to Minister notice of approval, copy of approved amendment and other documents	GM, PM, SPC, SPC1, MDC	
s.36(2)	duty to give notice of approval of amendment	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.38(5)	duty to give notice of revocation of an amendment	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.40(1)	function of lodging copy of approved amendment	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.40(1A)	duty to lodge prescribed documents and copy of approved amendment with the relevant authorities	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.41	duty to make approved amendment available	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.42	duty to make copy of planning scheme available	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	GM, PM	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	GM, PM	
s.46O(1)(a) & (2)(a)	power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	GM, PM, SPC1, SPC, MDC	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	GM, PM, SPC1, SPC, MDC	
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	GM, PM, SPC1, SPC, MDC	
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	GM, PM	
s.46Q(1)	duty to keep proper accounts of levies paid	GM, PM, FM, SO, MDC	
s.46Q(1A)	duty to forward to development agency part of levy imposed for carrying out	GM, PM, FM	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	works, services, or facilities on behalf of development agency		
s.46Q(2)	duty to apply levy only for a purpose relating to the provision of the works, services and facilities in respect of which the levy was paid etc.	GM, PM, FM	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	GM, PM	only applies when levy is paid to Council as a 'development agency'
s.46Q(4)(c)	duty to pay amount to current owners of land in the area	GM, PM, FM	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	GM, PM	must be done in accordance with Part 3
s.46Q(4)(e)	duty to expend that amount on other works etc.	GM, PM	with the consent of, and in the manner approved by, the Minister
s.46QC	power to recover any amount of levy payable under Part 3B	GM, PM, FM	
s.46V(3)	duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.46Y	duty to carry out works in conformity with the approved strategy plan	GM, PM	
s.47	power to decide that an application for a planning permit does not comply with that Act	GM, PM, SPC1, MDC	
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, SPSO, PSO, MDP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.49(2)	duty to make register available for inspection	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, SPSO, PSO, MDP	
s.50(4)	duty to amend application	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, SPSO, PSO, MDP	
s.50(5)	power to refuse to amend application	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.50(6)	duty to make note of amendment to application in register	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, SPSO, PSO, MDP	
s.50A(1)	power to make amendment to application	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, SPSO, PSO, MDP	
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.50A(4)	duty to note amendment to application in register	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, SPSO, PSO, MDP, MDP	
s.51	duty to make copy of application available for inspection	GM, PM, SPC1, SPC, MDC, SMDP, PP,	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		SDP, SSP, DP, SPSO, PSO, MDP	
s.52(1)(a)	duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.52(1)(ca)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.52(1)(cb)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.52(1A)	power to refuse an application	GM, PM, SPC1, MDC	
s.52(3)	power to give any further notice of an application where appropriate	GM, PM, SPC1, SPC, MDC, SMDP, PP,	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		SDP, SSP, DP, MDP	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.54(1)	power to require the applicant to provide more information	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.54(1A)	duty to give notice in writing of information required under section 54(1)	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.54(1B)	duty to specify the lapse date for an application	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.54A(4)	duty to give written notice of decision to extend or refuse to extend time under section 54A(3)	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.55(1)	duty to give copy application to every referral authority specified in the planning scheme	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	GM, PM	
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, SPSO, PSO, MDP	
s.57(5)	duty to make available for inspection copy of all objections	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, SPSO, PSO, MDP	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to section 57A(5)	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.57A(5)	power to refuse to amend application	GM, PM, SPC1, MDC	
s.57A(6)	duty to note amendments to application in register	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, SPSO, PSO, MDP	
s.57B(1)	duty to determine whether and to whom notice should be given	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.57C(1)	duty to give copy of amended application to referral authority	GM, PM, SPC1, SPC, MDC, SMDP, PP,	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		SDP, SSP, DP, MDP	
s.58	duty to consider every application for a permit except for a development assessment committee application	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	Note: this section is not yet in force and will commence on 28 October 2013, if not proclaimed earlier
s.60	duty to consider certain matters	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s60(1A)	power to consider certain matters before deciding on application	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.61(1)(a)	power to decide to grant a permit	GM, PM, SPC1, PP, MDC	the permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>
s.61(1)(b)	power to decide to grant a permit with conditions	GM, PM, SPC1, PP, MDC	the permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>
s.61(1)(c)	power to refuse the permit	GM, PM, SPC1, PP, MDC	
s.61(2)	duty to decide to refuse to grant a permit if a relevant referral authority objects to grant of permit	GM, PM, SPC1, MDC, SMDP, PP, SDP	
s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without Minister's consent	GM, PM, SPC1, MDC, SMDP, PP, SDP	
s.61(3)(b)	duty to refuse to grant the permit without the Minister's consent	GM, PM, SPC1, MDC, SMDP, PP, SDP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	GM, PM, SPC1, PP, MDC	
s.62(1)	duty to include certain conditions in deciding to grant a permit	GM, PM, SPC1, MDC, SMDP, PP, SDP	
s.62(2)	power to include other conditions	GM, PM, SPC1, MDC, SMDP, PP, SDP	
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	GM, PM, SPC1, PP, MDC	
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	GM, PM, SPC1, MDC, SMDP, PP, SDP	
s.62(5)(b)	power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement	GM, PM, SPC1, MDC, SMDP, PP, SDP	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	GM, PM, SPC1, MDC, SMDP, PP, SDP	
s.62(6)(a)	duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with section 62(5) or section 46N	GM, PM, SPC1, MDC, SMDP, PP, SDP	
s.62(6)(b)	duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in section 62(1)(a)	GM, PM, SPC1, MDC, SMDP, PP, SDP	
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.64(3)	duty not to issue a permit until after the specified period	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP	
s.64(5)	duty to give each objector a copy of an exempt decision	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP	
s.65(1)	duty to give notice of refusal to grant permit to applicant and objector	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP	
s.66	duty to give notice under section 64 or section 65 and copy permit to referral authorities	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP	
s.69(1)	function of receiving application for extension of time of permit	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP	
s.69(2)	power to extend time	GM, PM, SPC1, PP, MDC	
s.70	duty to make copy permit available for inspection	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP	
s.71(1)	power to correct certain mistakes	GM, PM, SPC1, PP, MDC	
s.71(2)	duty to note corrections in register	GM, PM, SPC1, SPC, PP, SDP, SSP, DP, SPSO, PSO	
s.73	power to decide to grant amendment subject to conditions	GM, PM, SPC1, PP, MDC	
s.74	duty to issue amended permit to applicant if no objectors	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP	
s.76A	duty to give referral authorities copy of amended permit and copy of notice	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, MDP	
s.76D	duty to comply with direction of Minister to issue amended permit	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, MDP	
s.83	function of being respondent to an appeal	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, MDP	
s.83B	duty to give or publish notice of application for review	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, MDP	
s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	GM, PM, SPC1, MDC	
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	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, MDP	
s.84(3)	duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP	
s.84(6)	duty to issue permit on receipt of advice within 3 working days	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, MDP	
s.86	duty to issue a permit at order of Tribunal within 3 working days	GM, PM, SPC1, MDC,	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		SMDP, PP, SDP, DP, MDP	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	GM, PM, SPC1	
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, MDP	
s.91(2)	duty to comply with the directions of VCAT	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, MDP	
s.91(2A)	duty to issue amended permit to owner if Tribunal so directs	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, MDP	
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, MDP	
s.93(2)	duty to give notice of VCAT order to stop development	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, MDP	
s.95(3)	function of referring certain applications to the Minister	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, MDP	
s.95(4)	duty to comply with an order or direction	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, MDP	
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP,	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		MDP	
s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	GM, PM	
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	GM, PM	
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	GM, PM, SPC1, SPC, MDC	
s.96F	duty to consider the panel's report under section 96E	GM, PM, SPC1, SPC, MDC	
s.96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	GM, PM, SPC1, SPC, MDC	
s.96H(3)	power to give notice in compliance with Minister's direction	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP	
s.96J	power to issue permit as directed by the Minister	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP	
s.96K	duty to comply with direction of the Minister to give notice of refusal	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.97C	power to request Minister to decide the application	GM, PM	
s.97D(1)	duty to comply with directions of Minister to supply any document or	GM, PM, SPC1, SPC, MDC, SMDP, PP,	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	assistance relating to application	SDP, SSP, DP, MDP	
s.97G(3)	function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, MDP	
s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, SPSO, PSO, MDP	
s.97L	duty to include Ministerial decisions in a register kept under section 49	GM, PM, SPC1, SPC, MDC, SMDP, PP, SDP, SSP, DP, SPSO, PSO, MDP	
s.97MCA(2)	function of consulting with advisory committee regarding the areas for which the Development Assessment Committee is to be established	N/A	
s.97MG	duty to provide documents and information to development assessment committee	N/A	
s.97MH	duty to provide assistance to the development assessment committee	N/A	
s.97MJ(2)	duty to ensure that the register of applications specifies whether the development assessment committee has made the decision	N/A	
s.97MK	function of nominating member of the development assessment committee	N/A	
s.97ML(4)	power to nominate alternate members of the development assessment committee	N/A	
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	GM, PM, SPC1	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, MDP	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, MDP	
s.97Q(4)	duty to comply with directions of VCAT	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, MDP	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, MDP	
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, MDP	
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, MDP	
s.101	function of receiving claim for expenses in conjunction with claim	GM, PM	
s.103	power to reject a claim for compensation in certain circumstances	GM, PM	
s.107(1)	function of receiving claim for compensation	GM, PM	
s.107(3)	power to agree to extend time for making claim	GM, PM	
s.114(1)	power to apply to the VCAT for an enforcement order	GM, PM, SPC1	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.117(1)(a)	function of making a submission to the VCAT where objections are received	GM, PM, SPC1, PP, SDP, DP, SEO, EO, MDP	
s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	GM, PM	
s.123(1)	power to carry out work required by enforcement order and recover costs	GM, PM	
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	GM, PM	except Crown Land
s.129	function of recovering penalties	GM, PM, SPC1	
s.130(5)	power to allow person served with an infringement notice further time	GM, PM, SPC1, SEO	
s.149A(1)	power to refer a matter to the VCAT for determination	GM, PM	
s.156	duty to pay fees and allowances (including a payment to the Crown under subsection (2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under subsection (2B)power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	GM, PM	where council is the relevant planning authority
s.171(2)(f)	power to carry out studies and commission reports	GM, PM	
s.171(2)(g)	power to grant and reserve easements	GM	
s.173	power to enter into agreement covering matters set out in section 174	GM, PM	
---	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</i> 1987 requires something to be to the satisfaction of Council or Responsible	GM, PM, SPC, SDP, MDC	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	Authority		
---	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	GM, PM	
s.177(2)	power to end a section 173 agreement with approval of the Minister or the consent of all those bound by any covenant in the agreement	GM, PM	
s.178	power to amend a s.173 agreement	GM, PM	
s.179(1)	Duty to lodge agreement with Minister		
s.179(2)	duty to make available for inspection copy agreement	GM, PM, SPC1, ,DC. SMDP, PP, SDP, DP, MDP	
s.181	Duty to apply to the Registrar of Titles for registration of the agreement and to deliver a memorial to Registrar-General	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, MDP	
s.182	power to enforce an agreement	GM, PM, SPC1, SEO, EO	
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	GM, PM, SPC1, PP, SDP, DP	
s.198(1)	function to receive application for planning certificate	NA	Not applicable
s.199(1)	duty to give planning certificate to applicant	NA	Not applicable
s.201(1)	function of receiving application for declaration of underlying zoning	GM, PM, SPC1, PP, SDP	
s.201(3)	duty to make declaration	GM, PM, SPC1	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
-	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	GM, PM, SPC1, PP, MDC	Where no more than five objections have been received and provided the delegate is satisfied that the proposal is generally consistent with the Melton Planning Scheme.
	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	GM, PM, SPC1, PP, MDC	Where no more than five objections have been received and provided the delegate is satisfied that the proposal is generally consistent with the Melton Planning Scheme.
	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	GM, PM, SPC1, PP, MDC	Where no more than five objections have been received and provided the delegate is satisfied that the proposal is generally consistent with the Melton Planning Scheme.
-	power to give written authorisation in accordance with a provision of a planning scheme	GM, PM, SPC1, PP, MDC	Where no more than five objections have been received and provided the delegate is satisfied that the proposal is generally consistent with the Melton Planning Scheme.
s.201UAB(1)	function of providing the Growth Areas Authority with information relating to any land within municipal district	GM, PM, SPC1, SPC, PP, SDP, MDC, SMDP	
s.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	GM, PM, SPC1, SPC, PP, SDP, MDC, SMDP	

RAIL SAFETY ACT 2006			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.33	duty to comply with a direction of the Safety Director under this section	ESM	where council is a utility under section 3
s.33A	duty to comply with a direction of the Safety Director to give effect to arrangements under this section	ESM	duty of council as a road authority under the <i>Road Management Act 2004</i>
s.34	duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under section 33(1)	ESM	where council is a utility under section 3
s.34C(2)	function of entering into safety interface agreements with rail infrastructure manager	ESM	where council is the relevant road authority
s.34D(1)	function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	ESM	where council is the relevant road authority
s.34D(2)	function of receiving written notice of opinion	ESM	where council is the relevant road authority
s.34D(4)	function of entering into safety interface agreement with infrastructure manager	ESM	where council is the relevant road authority
s.34E(1)(a)	duty to identify and assess risks to safety	ESM	where council is the relevant road authority
s.34E(1)(b)	duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c)	ESM	where council is the relevant road authority
s.34E(3)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	ESM	where council is the relevant road authority
s.34F(1)(a)	duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)	ESM	where council is the relevant road authority



RAIL SAFETY ACT 2006			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.34F(1)(b)	duty to determine measures to manage any risks identified and assessed, if written notice has been received under section 34D(2)(a)	ESM	where council is the relevant road authority
s.34F(2)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	ESM	where council is the relevant road authority
s.34H	power to identify and assess risks to safety as required under sections 34B, 34C, 34D, 34E or 34F in accordance with subsections (a)-(c)	ESM	where council is the relevant road authority
s.34I	function of entering into safety interface agreements	ESM	where council is the relevant road authority
s.34J(2)	function of receiving notice from Safety Director	ESM	where council is the relevant road authority
s.34J(7)	duty to comply with a direction of the Safety Director given under section 34J(5)	ESM	where council is the relevant road authority
s.34K(2)	duty to maintain a register of items set out in subsections (a)-(b)	ESM	where council is the relevant road authority

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.142D	function of receiving notice regarding an unregistered rooming house	EHSC	
s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal district		[note: this provision is not yet in operation and will commence 1/7/2014 if not proclaimed earlier]
s. 142G(2)	power to enter certain information in the Rooming House Register		[note: this provision is not yet in operation and will commence 1/7/2014 if not proclaimed earlier]
s.142I(2)	power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry		[note: this provision is not yet in operation and will commence 1/7/2014 if not proclaimed earlier]
s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies		where council is the landlord
s.262(1)	power to give tenant a notice to vacate rented premises		where council is the landlord
s.262(3)	power to publish its criteria for eligibility for the provision of housing by council		
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	EHSC	
s.522(1)	power to give a compliance notice to a person	GM, CM, EHSC	
s.525(2)	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	GM, CM, EHSC	
s.525(4)	duty to issue identity card to authorised officers	GM, CM, EHSC	
s.526(5)	duty to keep record of entry by authorised officer under section 526	GM, CM, EHSC	
s.526A(3)	function of receiving report of inspection	GM, CM, EHSC	
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	GM, CM, EHSC	



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.11(1)	power to declare a road by publishing a notice in the Government Gazette	ESM	obtain consent in circumstances specified in section 11(2)
s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	ESM, GC	
s.11(9)(b)	duty to advise Registrar	ESM, GC	
s.11(10)	duty to inform Secretary to Department of Sustainability and Environment of declaration etc.	ESM, GC	clause subject to section 11(10A)
s.11(10A)	duty to inform Secretary to Department of Sustainability and Environment or nominated person	ESM, GC	where council is the coordinating road authority
s.12(2)	power to discontinue road or part of a road	ESM, GC	where council is the coordinating road authority
s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	ESM, GC	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	ESM, GC	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(6)	function of hearing a person in support of their written submission	ESM, GC	function of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	ESM, CEM	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
s.12(10)	duty to notify of decision made	ESM, CEM	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 road by publishing notice in Government Gazette	ESM, CEM	power of coordinating road authority and obtain consent under section 13(3) and section 13(4) as appropriate
s.14(4)	function of receiving notice from VicRoads	CEO	
s.14(7)	power to appeal against decision of VicRoads	ESM, CEM	
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	ESM	
s.15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	ESM	
s.15(2)	duty to include details of arrangement in public roads register	ESM	
s.16(7)	power to enter into an arrangement under section 15	ESM	
s.16(8)	duty to enter details of determination in public roads register	ESM	
s.17(2)	duty to register public road in public roads register	ESM	where council is the coordinating road authority
s.17(3)	power to decide that a road is reasonably required for general public use	ESM	where council is the coordinating road authority
s.17(3)	duty to register a road reasonably required for general public use in public roads register	ESM	where council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.17(4)	power to decide that a road is no longer reasonably required for general public use	ESM	where council is the coordinating road authority
s.17(4)	duty to remove road no longer reasonably required for general public use from public roads register	ESM	where council is the coordinating road authority
s.18(1)	power to designate ancillary area	ESM	where council is the coordinating road authority, and obtain consent in circumstances specified in section 18(2)
s.18(3)	duty to record designation in public roads register	ESM	where council is the coordinating road authority
s.19(1)	duty to keep register of public roads in respect of which it is the coordinating road authority	ESM	
s.19(4)	duty to specify details of discontinuance in public roads register	ESM	
s.19(5)	duty to ensure public roads register is available for public inspection	ESM	
s.21	function of replying to request for information or advice	ESM, GC	obtain consent in circumstances specified in section 11(2)
s.22(2)	function of commenting on proposed direction	ESM	
s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.	ESM, CEM	
s.22(5)	duty to give effect to a direction under this section.	ESM, CEM	
s.40(1)	duty to inspect, maintain and repair a public road.	OM	
s.40(5)	power to inspect, maintain and repair a road which is not a public road	OM	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	ESM, OM	
s.42(1)	power to declare a public road as a controlled access road	ESM, CEM	power of coordinating road authority and Schedule 2 also applies
s.42(2)	power to amend or revoke declaration by notice published in Government Gazette	ESM, CEM	power of coordinating road authority and Schedule 2 also applies
s.42A(3)	duty to consult with VicRoads before road is specified	ESM	where council is the coordinating road authority if road is a municipal road or part thereof
s.42A(4)	power to approve Minister's decision to specify a road as a specified freight road	ESM	where council is the coordinating road authority if road is a municipal road or part thereof and where road is to be specified a freight road
s.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)	ESM, OM	where council is the responsible road authority, infrastructure manager or works manager
s.48M(3)	function of consulting with the Secretary for purposes of developing guidelines under section 48M	ESM	
s.48N	duty to notify the Secretary of the location of the bus stopping point and the action taken by council	ESM	
s.49	power to develop and publish a road management plan	ESM	
s.51	power to determine standards by incorporating the standards in a road management plan	ESM	
s.53(2)	power to cause notice to be published in Government Gazette of amendment	ESM	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	etc of document in road management plan		
s.54(2)	duty to give notice of proposal to make a road management plan	ESM	
s.54(5)	duty to conduct a review of road management plan at prescribed intervals	ESM	
s.54(6)	power to amend road management plan	ESM	
s.54(7)	duty to incorporate the amendments into the road management plan	ESM	
s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	ESM	
s.63(1)	power to consent to conduct of works on road	ESM, OM	where council is the coordinating road authority
s.63(2)(e)	power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	ESM, OM	where council is the infrastructure manager
s.64(1)	duty to comply with clause 13 of Schedule 7	OM, COC, RAO, RA	where council is the infrastructure manager or works manager
s.66(1)	power to consent to structure etc	LLC,MBS, ESM	where council is the coordinating road authority
s.67(2)	function of receiving the name & address of the person responsible for distributing the sign or bill	LLC,SEO, ESM	where council is the coordinating road authority
s.67(3)	power to request information	LLC,SEO, ESM, CEM	where council is the coordinating road authority
s.68(2)	power to request information	LLC,SEO, ESM, CEM	where council is the coordinating road authority
s.71(3)	power to appoint an authorised officer	OM, COC, RAO, RA, CEM	
s.72	duty to issue an identity card to each authorised officer	OM	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.85	function of receiving report from authorised officer	CEO	
s.86	duty to keep register re section 85 matters	OM, CEM	
s.87(1)	function of receiving complaints	GM	
s.87(2)	duty to investigate complaint and provide report	GM, CEM	
s.112(2)	power to recover damages in court	OM	
s.116	power to cause or carry out inspection	OM	
s.119(2)	function of consulting with VicRoads	ESM	
s.120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	ESM	
s.120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	ESM	
s.121(1)	power to enter into an agreement in respect of works	ESM, OM	
s.122(1)	power to charge and recover fees	OM	
s.123(1)	power to charge for any service	OM	
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	ESM	
Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	ESM	

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	ESM	
Schedule 2 Clause 4	function of receiving details of proposal from VicRoads	ESM	
Schedule 2 Clause 5	duty to publish notice of declaration	ESM	
Schedule 7, Clause 7(1)	duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	ESM	where council is the infrastructure manager or works manager
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	ESM	where council is 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	ESM	where council is the infrastructure manager or works manager responsible for non-road infrastructure
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	ESM	where council is 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	ESM, CPM, CPC	where council is the infrastructure manager or works manager
Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	OM, COC, RAO, RA	where council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	OM, COC, RAO, RA	where council is the coordinating road authority
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	OM, COC, RAO, RA	where council is the coordinating road authority
Schedule 7 Clause 12(5)	power to recover costs	OM, COC, RAO, RA	where council is the coordinating road authority
Schedule 7, Clause 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2)	OM, COC	where council is the works manager
Schedule 7 Clause 13(2)	power to vary notice period	OM, COC	where council is the coordinating road authority
Schedule 7, Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1)	OM, COC	where council is the infrastructure manager
Schedule 7 Clause 16(1)	power to consent to proposed works	ESM	where council is the coordinating road authority
Schedule 7 Clause 16(4)	duty to consult	ESM	where council is the coordinating road authority, responsible authority or infrastructure manager
Schedule 7 Clause 16(5)	power to consent to proposed works	ESM	where council is the coordinating road authority
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	ESM	where council is the coordinating road authority
Schedule 7 Clause 16(8)	power to include consents and conditions	ESM	where council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	ESM	where council is the coordinating road authority
Schedule 7 Clause 18(1)	power to enter into an agreement	ESM	where council is the coordinating road authority
Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	OM, COC, RAO, RA	where council is the coordinating road authority
Schedule 7 Clause 19(2) & (3)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	OM, COC, RAO, RA	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	ESM	where council is the coordinating road authority
Schedule 7A Clause 2	power to cause street lights to be installed on roads	ESM	power of 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 road is not an arterial road	ESM	where council is the responsible road authority
Schedule 7A Clause 3(1)(e)	duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	ESM	where council is the responsible road authority
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	ESM	duty of council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs)

CEMETERIES AND CREMATORIA REGULATIONS 2005

[[#These provisions apply to Councils appointed as a cemetery trust under section 5 of the *Cemeteries and Crematoria Act* 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.17	power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)		Not applicable
r.18(1)	power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator		Not applicable
r.18(2)	duty to ensure any fittings removed of are disposed in an appropriate manner		Not applicable
r.19	power to dispose of any metal substance or non-human substance recovered from a cremator		Not applicable
r.20(2)	power to release cremated human remains to certain persons	GMCS, CEM, GC	Subject to any order of a court
r.21(1)	duty to make cremated human remains available for collection within 2 working days after the cremation		Not applicable
r.21(2)	duty to hold cremated human remains for at least 12 months from the date of cremation		Not applicable
r.21(3)	power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation		Not applicable
r.21(4)	duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period		Not applicable
r.22	duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)		Not applicable
r.26	duty to provide statement that alternative vendors or supplier of monuments exist	-	Not applicable

**CEMETERIES AND CREMATORIA REGULATIONS 2005**

[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the *Cemeteries and Crematoria Act* 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.36	power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	GMCS, CEM	
r.38(2)	power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	GMCS, CEM, GC	
Schedule 6, clause 4	power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of Schedule 6	-	Not applicable
Schedule 6, clause 5(1)	duty to display the hours during which pedestrian access is available to the cemetery	GMCS, CEM, GC	
Schedule 6, clause 5(2)	duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	GMCS, CEM, GC	
Schedule 6, clause 6(1)	power to give directions regarding the manner in which a funeral is to be conducted	GMCS, CEM, GC	
Schedule 6, clause 7(1)	power to give directions regarding the dressing of places of interment and memorials	GMCS, CEM, GC	
Schedule 6, clause 11(1)	power to remove objects from a memorial or place of interment	CEM, GC	
Schedule 6, clause 11(2)	duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	CEM, GC	
Schedule 6, clause 12	power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	GMCS, CEM, GC	



CEMETERIES AND CREMATORIA REGULATIONS 2005

[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the *Cemeteries and Crematoria Act* 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 6, clause 14	power to approve an animal to enter into or remain in a cemetery	CEM, GC	



PLANNING AND ENVIRONMENT REGULATIONS 2005			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.6	duty of responsible authority to provide copy of matter considered under section 60(1A)(g) for inspection free of charge	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, MDP	
r.7	duty of responsible authority to provide copy information or report requested by Minister	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, MDP	
r.22	power of responsible authority to require verification of information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in application for permit or to amend a permit or any information provided under section 54 of the Act	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, MDP	
r.55	duty of responsible authority to tell Registrar of Titles under r 183 of the Act of the cancellation or amendment of an agreement	GM, PM, SPC1, MDC, SMDP, PP, SDP, DP, SO, MDP	



PLANNING AND ENVIRONMENT (FEES) INTERIM REGULATIONS 2012

***Note: These regulations expire on 20 October 2013**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.16	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	GM, PM	
r.17	power to waive or rebate a fee relating to an amendment of a planning scheme	GM, PM	
r.18	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r.16 or 17	GM, PM	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.7	function of entering into a written agreement with a caravan park owner	EHSC	
r.11	function of receiving application for registration	EHSC	
r.13(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	EHSC	
r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	EHSC	
r.13(4) & (5)	duty to issue certificate of registration	EHSC	
r.15(1)	function of receiving notice of transfer of ownership	EHSC	
r.15(3)	power to determine where notice of transfer is displayed	EHSC	
r.16(1)	duty to transfer registration to new caravan park owner	EHSC	
r.16(2)	duty to issue a certificate of transfer of registration	EHSC	
r.17(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	EHSC	
r.18	duty to keep register of caravan parks	EHSC	
r.19(4)	power to determine where the emergency contact person's details are displayed	EHSC	
r.19(6)	power to determine where certain information is displayed	EHSC	
r.22A(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park	EHSC	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	owner.		
r.22A(2)	Duty to consult with relevant emergency services agencies	EHSC	
r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	EHSC	
r.24	power to determine places in which caravan park owner must display copy of public emergency warnings	EHSC	
r.25(3)	duty to consult with relevant floodplain management authority	EHSC	
r.26	duty to have regard to any report of the relevant fire authority	MBS, EHSC	
r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	EHSC	
r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	EHSC	
r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	EHSC	
r.40(4)	function of receiving installation certificate	EHSC	
r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	MBS	
Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	EHSC	



ROAD MANAGEMENT (GENERAL) REGULATIONS 2005			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.301(1)	duty to conduct reviews of road management plan	ESM	
r.302(2)	duty to give notice of review of road management plan	ESM	
r.302(5)	duty to produce written report of review of road management plan and make report available	ESM	
r.303	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	ESM	
r.306(2)	duty to record on road management plan the substance and date of effect of amendment	ESM	
r.501(1)	power to issue permit	ESM, OM	where council is the coordinating road authority
r.501(4)	power to charge fee for issuing permit under regulation 501(1)	ESM, OM	where council is the coordinating road authority
r.503(1)	power to give written consent to person to drive on road a vehicle which is likely to cause damage to road	ESM	where council is the coordinating road authority
r.508(3)	power to make submission to Tribunal	MBS, ESM	where council is the coordinating road authority
r.509(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	CM, LLC, OM, COC	where council is the responsible road authority
r.509(2)	power to sell or destroy things removed from road or part of road (after first complying with regulation 509(3))	CM, LLC, OM, COC	where council is the responsible road authority
r.509(4)	power to recover in the Magistrates' Court, expenses from person responsible	CM, LLC, OM, COC	



ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2005			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.10	power to exempt a person from requirement under clause 13(1) of Schedule 7 to the Act to give notice as to the completion of those works	ESM	where council is the coordinating road authority and where consent given under section 63(1) of the Act
r.18(2)	power to waive whole or part of fee in certain circumstances	ESM	where council is the coordinating road authority