

**Yarra Ranges Shire Council**

**Instrument of Delegation**

**to**

**Members of Council Staff**

**June 2025**

# Instrument of Delegation

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

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

2. records that references in the Schedule to:

BPCO	means Building & Planning Compliance Officer
BOPS	means Business Operations (includes: Customer Experience Business Operations Coordinator; Lead Customer Experience Officer - Business Operations, Customer Experience Officer - Business Operations & Business Operations Officer)
BSO	means Business Support Officer (business unit identified in brackets where relevant)
CEO	means Chief Executive Officer
CSCO	means Community Safety Coordinator
DCS	means Director Corporate Services
DBEI	means Director Built Environment and Infrastructure
DPSF	means Director Planning, and Sustainable Futures
DCOM	means Director Communities
EHO	means Environmental Health Officer
EODC	means Executive Officer Development Compliance & Prosecutions
EOSC	means Executive Officer Safer Communities
EOSTT	means Executive Officer Stormwater, Traffic & Transport
EOPS	means Executive Officer Planning Services
EOGRC	means Executive Officer Governance, Risk and Compliance
EOSP	means Executive Officer Strategic Planning
EOUDLA	means Executive Officer Urban Design and Landscape Architecture
MBS	means Municipal Building Surveyor
MPB	means Manager Planning and Building
MFIN	means Manager Financial Services
MIO	means Manager Infrastructure Operations
MCW	means Manager Community Wellbeing
MDP	means Manager Design & Place
MSP	means Manager Strategic Projects
MOPI	means Manager Organisational Performance & Integrity
PEHC	means Public & Environmental Health Coordinator
PO	means all Planning Officers
PMSP	means Project Manager Strategic Planning
(PS)	means Planning Services Team
(SP)	means Strategic Planning Team
SPO	means Senior Planning Officer
PPO	Principal Planning Officer
TLPO	means Team Leader Planning Services
VCAT	VCAT Lead
SUB	Subdivision Officer
SSUB	Senior Subdivision Officer

3. declares that:

3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 27 August 2024

3.2 the delegation:

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

3.2.2 remains in force until varied or revoked;

- 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
- 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

3.3 the delegate must not determine the issue, take the action or do the act or thing:

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

The COMMON SEAL of YARRA )  
RANGES SHIRE COUNCIL was )  
hereto affixed on / / )  
in the presence of Tammi Rose )  
Chief Executive Officer. )

.....  
**Tammi Rose**  
**Chief Executive Officer**

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DOMESTIC ANIMALS ACT 1994			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s41A(1)	Power to declare a dog to be a menacing dog	DCOM, MCW, EOSC	Council may delegate this power to a Council authorised officer

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	DCOM, MCW, EOSC, PEHC, , EHO	If s 19(1) applies
s19(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	DCOM, MCW, EOSC, PEHC, , EHO	If s 19(1) applies
s19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	DCOM, MCW, EOSC, PEHC, EHO	If s 19(1) applies Only in relation to temporary food premises or mobile food premises
s19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	DCOM, MCW, EOSC, PEHC, EHO	If s 19(1) applies
s19(6)(a)	Duty to revoke any order under s 19 if satisfied that an order has been complied with	DCOM, MCW, EOSC, PEHC, EHO	If s 19(1) applies
s19(6)(b)	Duty to give written notice of revocation under s 19(6)(a) if satisfied that an order has been complied with	DCOM, MCW, EOSC, PEHC, EHO	If s 19(1) applies
s19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s19AA(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	DCOM, MCW, EOSC, PEHC, EHO	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s19CB(4)(b)	Power to request copy of records	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s19E(1)(d)	Power to request a copy of the food safety program	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	MCW, EOSC, PEHC, EHO	Where Council is the registration authority
S 19FA(1)	Power to direct a proprietor of a food premises to revise the food safety program for the premises or comply with any requirements specified in the food safety program	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority Subject to s 19FA(2), which requires a time limit for compliance to be specified
s 19FA(3)(a)	Power to refuse to approve an application for registration or renewal of the premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 19FA(3)(b)	Power to revoke a registration granted in respect of premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	DCOM, MCW, EOSC	Where Council is the registration authority
s 19FA(3)(c)	Power to suspend the registration of the premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	DCOM, MCW, EOSC	Where Council is the registration authority
s19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	MCW, EOSC, PEHC, EHO	Where Council is the registration authority  Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s19NA(1)	Power to request food safety audit reports	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	DCOM, MCW, EOSC, PEHC	
s19UA	Power to charge fees for conducting a food safety assessment or inspection	DCOM, MCW, EOSC, PEHC, EHO	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
s19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s19W(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	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
---	Power to register or renew the registration of a food premises	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority  Refusal to grant/ or renew/transfer the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	DCOM, MCW, EOSC, PEHC,	Where Council is the registration authority
s38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	DCOM, MCW, EOSC, PEHC	Where Council is the registration authority
s38A(4)	Power to request a copy of a completed food safety program template	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s38D(3)	Power to request copies of any audit reports	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s38E(2)	Power to register the food premises on a conditional basis	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority; Not exceeding the prescribed time limit defined under s 38E(5).
s38E(4)	Duty to register the food premises when conditions are satisfied	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s38F(3)(b)	Power to require proprietor to comply with requirements of this Act	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	DCOM, MCW, EOSC, PEHC, 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 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s39A	Power to register, renew or transfer food premises despite minor defects	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 39A (6)	Duty to comply with a direction of the Secretary	DCOM, MCW, EOSC, PEHC, EHO	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s40(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>	DCOM, MCW, EOSC, PEHC, EHO	
s40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s40D(1)	Power to suspend or revoke the registration of food premises	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s 40E	Duty to comply with direction of the Secretary	DCOM, MCW, EOSC, PEHC, EHO	
s 40F	Power to cancel registration of food premises	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s 43	Duty to maintain records of registration	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, or renewing registration of a component of a food business	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s43F(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	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority
s 45AC	Power to bring proceedings	DCOM, MCW, EOSC, PEHC, EHO	
s46(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	DCOM, MCW, EOSC, PEHC, EHO	Where Council is the registration authority

HERITAGE ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s116	Power to sub-delegate Executive Director's functions, duties or powers	DPSF	Must first obtain Executive Director's written consent.  Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s185L(4)	Power to declare and levy a cladding rectification charge	CEO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s4B	Power to prepare an amendment to the Victoria Planning Provisions	Not delegated	If authorised by the Minister
s4G	Function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	MDP, MSP, EOSP, PMSP, PO(SP), BSO(SP)	
s4H	Duty to make amendment to Victoria Planning Provisions available in accordance with public availability requirements	MDP, MSP, EOSP, PMSP, PO(SP), BSO(SP)	
s4I(2)	Duty to make a copy of the Victoria Planning Provisions and other documents available in accordance with public availability requirements	MDP, MSP, EOSP, PMSP, PO(SP), BSO(SP)	
s8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	MDP, MSP, EOSP, PMSP, PO(SP)	
s8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	MDP, MSP, EOSP, PMSP, PO(SP)	
s8A(5)	Function of receiving notice of the Minister's decision	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	
s8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	
s12(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	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, EOUDLA	
s12B(1)	Duty to review planning scheme	DPSF, MDP	
s12B(2)	Duty to review planning scheme at direction of Minister	DPSF, MDP	
s12B(5)	Duty to report findings of review of planning scheme to Minister without delay	DPSF, MDP	
s14	Duties of a Responsible Authority as set out in s 14(a) to (d)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, BPCO, SPO, TLPO, PPO, VCAT, PO	Must be acted upon in accordance with the officer's position description, as directed by his/her manager or supervisor, and as provided elsewhere in this schedule of delegations
s17(1)	Duty of giving copy amendment to the planning scheme	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP), BSO(SP)	
s17(2)	Duty of giving copy s 173 agreement	MPB, MDP, MSP, EOPS, EODC, BPCO, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO	
s17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	
s18	Duty to make amendment etc. available in accordance with public availability requirements	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP), BSO(SP)	Until the proposed amendment is approved or lapsed

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	DPSF, MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	A decision to not give notice must only be made by the MDP, MSP, EOSP or PMSP
s19	Function of receiving notice of preparation of an amendment to a planning scheme	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or  Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s20(1)	Power to apply to Minister for exemption from the requirements of s 19	DPSF, MPB, MDP, MSP, EOSP, PMSP	Where Council is a planning authority
s21(2)	Duty to make submissions available in accordance with public availability requirements	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP), BSO(SP)	Until the end of 2 months after the amendment comes into operation or lapses
s21A(4)	Duty to publish notice	MDP, MSP, EOSP, PMSP, BSO(SP)	
s22 (1)	Duty to consider all submissions received before the date specified in the notice	MDP, MSP, EOSP, PMSP	Except submissions which request a change to the items in s 22(5)(a) and (b)
s22(2)	Power to consider a late submission  Duty to consider a late submission, if directed by the Minister	MDP, MSP, EOSP, PMSP	
s23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	MDP, MSP, EOSP, PMSP	
s23(2)	Power to refer to a panel submissions which do not require a change to the amendment	DPSF, MDP, MSP	A submission must only be referred to a panel without prior consideration by Council where it is either not practicable to do so before a panel hearing commences or where directed by the panel. All submissions must be reported to Council when Council considers whether or not to adopt or not adopt the amendment.
s24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO	The DPSF, MPB, MDP or MSP may appoint a consultant or legal representative to represent Council at a panel hearing.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	DPSF, MDP, MSP	
s26(2)	Duty to keep report of panel available in accordance with public availability requirements	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, BSO(SP)	During the inspection period
s27(2)	Power to apply for exemption if panel's report not received	DPSF, MDP, MSP	Must only be exercised where Council has previously indicated its intention to seek an exemption or where a situation exists that requires urgent action to be taken prior to reporting to Council.
s28(1)	Duty to notify the Minister if abandoning an amendment	DPSF, MDP, MSP, EOSP, PMSP	Note: the power to make a decision to abandon an amendment cannot be delegated
s 28(2)	Duty to publish notice of the decision on Internet site	DPSF, MDP, MSP, EOSP, PMSP	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	DPSF, MDP, MSP, EOSP, PMSP	
s30(4)(a)	Duty to say if amendment has lapsed	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	
s30(4)(b)	Duty to provide information in writing upon request	DPSF, MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	
s32(2)	Duty to give more notice if required	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	
s33(1)	Duty to give more notice of changes to an amendment	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	
s36(2)	Duty to give notice of approval of amendment	MDP, MSP, EOSP, PMSP	
s38(5)	Duty to give notice of revocation of an amendment	MDP, MSP, EOSP, PMSP	
s39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, EOUDLA	The DPSF, MPB, MDP or MSP may appoint a consultant or legal representative to represent Council at a proceeding
s40(1)	Function of lodging copy of approved amendment	MDP, MSP, EOSP, PMSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP), BSO(SP)	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP), BSO(SP)	
s42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP), BSO(SP)	
s46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	Where Council is a responsible public entity and is a planning authority  Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation.
s46AW	Function of being consulted by the Minister	DPSF, MDP, MSP	Where Council is a responsible public entity
s46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy  Power to endorse the draft Statement of Planning Policy	DPSF, MDP, MSP	Where Council is a responsible public entity
s46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	DPSF, MDP, MSP, EOSP, PMSP	Where Council is a responsible public entity
s46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	DPSF, MDP, MSP, EOSP, PMSP	Where Council is a responsible public entity

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	DPSF, MDP, MSP, EOSP, PMSP	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	DPSF, MDP, MSP	
s46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	DPSF, MDP, MSP	
s46GN(1)	Duty to arrange for estimates of values of inner public purpose land	MDP, MSP, EOSP, PMSP	
s46GO(1)	Duty to give notice to owners of certain inner public purpose land	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	
s46GP	Function of receiving a notice under s.46GO	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	Where Council is the collecting agency
s46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	
s46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s.46GO	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	
s46GR(2)	Power to consider a late submission  Duty to consider a late submission if directed to do so by the minister	MDP, MSP, EOSP, PMSP, SPO(SP), PO(SP)	
s46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s.46GQ	DPSF, MDP, MSP, EOSP, PMSP	



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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	DPSF, MDP, MSP, EOSP, PMSP	
s46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	DPSF, MDP, MSP, EOSP, PMSP	
s46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	DPSF, MDP, MSP, EOSP, PMSP	
s46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	DPSF, MDP, MSP, EOSP, PMSP	
s46GU	Duty not to adopt an amendment under s 29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	DPSF, MDP, MSP, EOSP, PMSP	
s46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution  Power to specify the manner in which the payment is to be made	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency
s46GV(3)(b)	Power to enter into an agreement with the applicant	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency
s46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the development agency
s46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	DPSF, MDP, MSP, EOSP, PMSP	
s46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency
s46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	DPSF, MDP, MSP, EOSP, PMSP	Where Council is the collecting agency
s46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency
s46GY(1)	Duty to keep proper and separate accounts and records	DPSF, MDP, MSP, EOSP, PMSP, MFIN	where Council is the collecting agency
s46GY(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency
s46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is that planning authority
s46GZ(2)(a)	Function of receiving the monetary component	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where the Council is the planning authority  This duty does not apply where Council is also the collecting agency
s46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan as responsible for those, works, services or facilities	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the relevant development agency

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s46GZ(2)(b)	Function of receiving the monetary component	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the development agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the collecting agency
s46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the relevant development agency
s46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the development agency specified in the approved infrastructure contributions plan  This provision does not apply where Council is also the collecting agency
s46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s.46GW	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	DPSF, MDP, MSP, EOSP, PMSP, MFIN	If any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s 46GV(4)  Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the development agency

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s46GZ(9)	Function of receiving the fee simple in the land	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the development agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the collecting agency
s46GZA(1)	Duty to keep proper and separate accounts and records	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is a development agency under an approved infrastructure contributions plan
s46GZA(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is a development agency under an approved infrastructure contributions plan
s46GZB(3)	Duty to follow the steps set out in s.46GZB(3)(a) – (c)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is a development agency under an approved infrastructure contributions plan
s46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	DPSF, MDP, MSP, EOSP, PMSP, MFIN	If the VPA is the collecting agency under an approved infrastructure contributions plan  Where Council is a development agency under an approved infrastructure contributions plan
s46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the development agency under an approved infrastructure contributions plan
s46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss.46GZD(5)(a) and 46GZD(5)(b)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the development agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the collecting agency

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s46GZE(2)	Function of receiving the unexpended land equalisation amount	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the development agency
s46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the development agency under an approved infrastructure contributions plan
s46GZF(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s.46GZF(3)(a) and (b)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the development agency under an approved infrastructure contributions plan
s46GZF(3)	Function of receiving proceeds of sale	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collection agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the development agency
s46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	DPSF, MDP, MSP, EOSP, PMSP	Where Council is a collecting agency or development agency

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	DPSF, MDP, MSP, EOSP, PMSP, MFIN	Where Council is a collecting agency or development agency
s46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	DPSF, MDP, MSP, EOSP, PMSP, MFIN	
s46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	DPSF, MDP, MPB, MSP, EOPS, SPO, TLPO, PPO, VCAT, PO	
s46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	DPSF, MDP, MSP	
s46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DPSF, MDP, MSP	
s46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	MBS, EODC	
s46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	DPSF, MDP, MSP	
s46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	DPSF, MDP, MSP	
s46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	DPSF, MDP, MSP	
s46Q(1)	Duty to keep proper accounts of levies paid	MFIN	
s46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency or plan preparation costs incurred by a development agency	DPSF, MDP, MSP	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc.	Not delegated	
s46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	Not delegated	Only applies when levy is paid to Council as a 'development agency'
s46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal Council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	Not delegated	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
s46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	Not delegated	Must be done in accordance with Part 3
s46Q(4)(e)	Duty to expend that amount on other works etc.	Not delegated	With the consent of, and in the manner approved by, the Minister
s46QC	Power to recover any amount of levy payable under Part 3B	Not delegated	
s46QD	Duty to prepare report and give a report to the Minister	Not delegated	Where Council is a collecting agency or development agency
s46V(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, in accordance with the public availability requirements, during the inspection period	Not delegated	
s 46V(4)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with s 197B of the Act and on payment of the prescribe fee, after the inspection period	Not delegated	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	Not delegated	
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public available requirements	Not delegated	
s46Y	Duty to carry out works in conformity with the approved strategy plan	Not delegated	
s47	Power to decide that an application for a planning permit does not comply with that Act	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB	
s49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	MPB, EOPS, PO(PS), BSO(PS)	
s49(2)	Duty to make register available for inspection in accordance with the public availability requirements	MPB, EOPS, SPO, TLPO, PPO, VCAT, PO, BSO(PS)	
s50(4)	Duty to amend application	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s50(5)	Power to refuse to amend application	MPB, MDP, MSP, EOPS, EOSP, PMSP	
s50(6)	Duty to make note of amendment to application in register	MPB, MDP, MSP, EOPS, EOSP, PMSP, PO, SPO, PPO, VCAT, TLPO, BSO	
s50A(1)	Power to make amendment to application	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO	
s50A(4)	Duty to note amendment to application in register	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, BSO	
s51	Duty to make copy of application available for inspection in accordance with the public availability requirements	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, BSO	



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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s52(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	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO	In case of a decision not to give notice of an application, this delegation must only be exercised by the MPB, MDP, MSP, EOPS, EOSP, PMSP or TLPO
s52(1)(b)	Duty to give notice of the application to other municipal councils where appropriate	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s52(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	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s52(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	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s52(3)	Power to give any further notice of an application where appropriate	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s53(1A)	power to require the applicant to give the notice under s 52(1AA)	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s54(1)	Power to require the applicant to provide more information	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s54(1A)	duty to give notice in writing of information required under s 54(1)	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s54(1B)	Duty to specify the lapse date for an application	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s54A(3)	Power to decide to extend time or refuse to extend time to give required information	MPB, MDP, MSP, EOPS, EOSP, PMSP, TLPO, PPO, VCAT, PO, SSUB, SUB, SPO	<p>A decision to extend time in response to a first request pursuant to s 54A(1) may be exercised by all delegated officers.</p> <p>A decision to extend time in response to a second request pursuant to s 54A(1) must only be exercised by the MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO or TLPO.</p> <p>A decision to extend time in response to a third request pursuant to s 54A(1) must only be exercised by the MPB, MDP, MSP, EOPS, EOSP, PMSP or TLPO.</p> <p>A decision to extend time for any subsequent requests pursuant to s 54A(1) must only be exercised by the MPB, MDP, MSP, EOPS, EOSP, PMSP.</p> <p>A decision to refuse to extend time in response to any request pursuant to s 54A(1) must only be exercised by the MPB, MDP, MSP, EOPS or EOSP, TLPO, PMSP.</p>
s54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	MPB, MDP, MSP, EOPS, EOSP, PMSP	
s57(3)	Function of receiving name and address of persons to whom notice of decision is to go	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s57A(5)	Power to refuse to amend application	MPB, MDP, MSP, EOPS, EOSP, PMSP	
s57A(6)	Duty to note amendments to application in register	MPB, MDP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s57B(1)	Duty to determine whether and to whom notice should be given	MPB, MDP, MSP, EOPS, EOSP, PMSP, TLPO, SPO, PPO, VCAT, PO, SSUB, SUB	A decision to not give notice must only be exercised by the MPB, MDP, MSP, EOPS, EOSP, PMSP or TLPO.
s57B(2)	Duty to consider certain matters in determining whether notice should be given	MPB, MDP, MSP, EOPS, EOSP, PMSP, TLPO, SPO, PPO, VCAT, PO, SSUB, SUB	A decision to not give notice must only be exercised by the MPB, MDP, MSP, EOPS, EOSP, PMSP or TLPO.
s57C(1)	Duty to give copy of amended application to referral authority	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s58	Duty to consider every application for a permit	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s58A	Power to request advice from the Planning Application Committee	DPSF, MPB, MDP, MSP	
s60	Duty to consider certain matters	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s60(1A)	Duty to consider certain matters	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, VCAT	<p>The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>A decision to refuse to issue a permit must only be exercised by MPB, MDP, MSP, EOPS, EOSP or PMSP.</p> <p>The permit application made under Schedule 1 to the Comprehensive Development Zone (former Lilydale Quarry) must be generally consistent with the Incorporated Document Former Lilydale Quarry Comprehensive Development Plan.</p> <p>A decision made under Schedule 1 to the Comprehensive Development Zone must only be exercised by the MPB or MSP.</p> <p>Must not be exercised for <b>approval</b> if any of the following conditions* apply:</p> <p>A – Objections</p> <p>B – Major development</p> <p>C – Call in by relevant ward councillor</p> <p>D- To decide a planning application when a beneficiary of a covenant objects</p> <p>Must not be exercised for <b>refusal</b> if any of the following conditions* apply:</p> <p>A – Objections</p> <p>B – Major development</p> <p>C – Call in by relevant ward councillor</p> <p>D- To decide a planning application when a beneficiary of a covenant objects</p> <p>* The above conditions do not apply in circumstances described in the following conditions</p> <p>E – Call out by relevant ward councillor</p> <p>F – Summer recess and emergency delegations</p> <p>Decision must be dual signed by PO and Delegate.</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	
s61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	Must only be exercised in a manner consistent with the delegations applicable to s 61 decisions.
s61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Not Delegated	Not applicable – no coastal land in the Municipality
s61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	
s61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	
s62(1)	Duty to include certain conditions in deciding to grant a permit	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s62(2)	Power to include other conditions	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	This provision applies also to a decision to grant an amendment to a permit - see s 75
s64(3)	Duty not to issue a permit until after the specified period	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	This provision applies also to a decision to grant an amendment to a permit - see s 75
s64(5)	Duty to give each objector a copy of an exempt decision	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	This provision applies also to a decision to grant an amendment to a permit - see s 75
s64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	This provision applies also to a decision to grant an amendment to a permit - see s 75A
s65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s69(1)	Function of receiving application for extension of time of permit	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s69(1A)	Function of receiving application for extension of time to complete development	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	



**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s69(2)	Power to extend time	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO	<p>Must not be exercised if any of the following conditions apply:</p> <p>C - Call in by relevant ward Councillor</p> <p>A decision to extend the time of a permit under a 2nd request must only be exercised by the MPB, MDP, MSP, EOPS, EOSP, PMSP or TLPO.</p> <p>A decision to extend the time of a permit under a 3rd request must only be exercised by the MPB, MDP, MSP, EOPS, EOSP, PMSP or TLPO.</p> <p>A decision to extend the time of a permit under a 4<sup>th</sup> or subsequent request must only be exercised by the MPB, MDP, MSP, EOPS, EOSP or PMSP.</p> <p>Power to refuse to extend time must only be exercised by the DPSF, MPB, MDP, MSP, EOPS, EOSP or PMSP</p>
s70	Duty to make copy permit available in accordance with public availability requirements	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s71(1)	Power to correct certain mistakes	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, TLPO	A mistake made by an individual officer must only be corrected by a different officer.
s71(2)	Duty to note corrections in register	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s73	Power to decide to grant amendment subject to conditions	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, VCAT	<p>The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>The permit application made under Schedule 1 to the Comprehensive Development Zone (former Lilydale Quarry) must be generally consistent with the Incorporated Document Former Lilydale Quarry Comprehensive Development Plan.</p> <p>A decision made under Schedule 1 to the Comprehensive Development Zone must only be exercised by the MPB or MSP.</p> <p>Must not be exercised if any of the following conditions apply:</p> <p>A – Objections</p> <p>B – Major development</p> <p>C - Call in by relevant ward Councillor</p> <p>E- To decide a planning application when a beneficiary of a covenant objects</p> <p>The above conditions do not apply in circumstances described in the following conditions:</p> <p>F - Call out by relevant ward Councillor</p> <p>G- Summer recess and emergency delegations.</p> <p>Decision must be dual signed by PO &amp; Delegate.</p>
s74	Duty to issue amended permit to applicant if no objectors	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s76D	Duty to comply with direction of Minister to issue amended permit	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s83	Function of being respondent to an appeal	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, TLPO, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	The DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP may appoint a consultant or legal representative to represent Council at a proceeding
s83B	Duty to give or publish notice of application for review	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, TLPO	Must only be exercised in a manner consistent with the delegations applicable to Section 61 decisions.
s84(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	MPB, MDP, MSP, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s84(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	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s84(6)	Duty to issue permit on receipt of advice within 3 business days	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s84AB	Power to agree to confining a review by the Tribunal	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, VCAT	
s86	Duty to issue a permit at order of Tribunal within 3 business days	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO, VCAT	
s87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	DPSF	Must only be exercised where Council has previously indicated its intention to apply for cancellation or amendment, or where an extraordinary situation exists that requires action to be taken prior to reporting the matter to Council.
s90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, BPCO, SPO, TLPO, VCAT, PO	The DPSF, MPB, MDP or MSP, EOPS may appoint a consultant or legal representative to represent Council at a proceeding.
s91(2)	Duty to comply with the directions of VCAT	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, EOUDLA, BPCO, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s91(2A)	Duty to issue amended permit to owner if Tribunal so directs	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s93(2)	Duty to give notice of VCAT order to stop development	MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s95(3)	Function of referring certain applications to the Minister	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	
s95(4)	Duty to comply with an order or direction	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, BPCO, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s96(1)	Duty to obtain a permit from the Minister to use and develop its land	MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	DPSF, MPB, MDP, MSP	Must only be exercised where the use, works or development has been approved by Council and where the written agreement of the manager responsible for the management of the land is given.
s96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	DPSF, MDP, MSP, EOSP, PMSP	
s96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	
s96F	Duty to consider the panel's report under s 96E	Not delegated	
s96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i> )	Not delegated	
s96H(3)	Power to give notice in compliance with Minister's direction	MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, BPCO, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s96J	Duty to issue permit as directed by the Minister	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s96K	Duty to comply with direction of the Minister to give notice of refusal	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s96Z	Duty to keep levy certificates given to it under ss 47 or 96a for no less than 5 years from receipt of the certificate	MPB, MDP, MSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s97C	Power to request Minister to decide the application	DPSF	
s97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	MPB, MDP, MSP, EOPS, EOSP, PMSP, EOUDLA, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, BPCO, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with public availability requirements	MPB, MDP, MSP, EOPS, EOSP, PMSP, BPCO, EODC, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s97L	Duty to include Ministerial decisions in a register kept under s 49	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s97MH	Duty to provide information or assistance to the Planning Application Committee	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	
s97O	Duty to consider application and issue or refuse to issue certificate of compliance	DPSF, MPB, MDP, MSP, EOPS, EODC, BPCO, SPO, TLPO	A decision to issue or refuse to issue a certificate of compliance must only be exercised by DPSF, MPB, MDP, MSP, EOPS or EOSP, PMSP
s97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	MPB, MDP, MSP, EOPS, EODC, BPCO, SPO, TLPO, PPO, BSO, VCAT	
s97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	MPB, MDP, MSP, EOPS, EODC, BPCO, PPO, SPO, TLPO, PO, VCAT	The DPSF, MPB, MDP or MSP may appoint a consultant or legal representative to represent Council at a proceeding.
s97Q(4)	Duty to comply with directions of VCAT	MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, BPCO, SPO, TLPO, PO, BSO, PPO, VCAT	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s97R	Duty to keep register of all applications for certificate of compliance and related decisions	MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, BPCO, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s98(1)&(2)	Function of receiving claim for compensation in certain circumstances	DPSF, MPB, MDP, MSP,	
s98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	DPSF, MPB, MDP, MSP, EOSP, PMSP, PO(SP)	
s101	Function of receiving claim for expenses in conjunction with claim	DPSF, MPB, MDP, MSP	
s103	Power to reject a claim for compensation in certain circumstances	DPSF	
s107(1)	Function of receiving claim for compensation	DPSF, MDP, MSP, EOSP, PMSP	
s107(3)	Power to agree to extend time for making claim	DPSF	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	DPSF, MPB, MDP, EOSP, EOPS	
s114(1)	Power to apply to the VCAT for an enforcement order	DPSF, MPB, EODC	
s117(1)(a)	Function of making a submission to the VCAT where objections are received	EODC, BPCO	The EODC may appoint a consultant or legal representative to represent Council at a proceeding.
s120(1)	Power to apply for an interim enforcement order where s 114 application has been made	DPSF, MPB, EODC	
s123(1)	Power to carry out work required by enforcement order and recover costs	DBEI, DPSF, EODC	
s123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	DBEI, DPSF	Except Crown Land

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 125(1)	Power to apply to any court of competent jurisdiction or to the tribunal for an injunction restraining any person from contravening an enforcement order or an interim enforcement order.	DPSF, MPB, MDP, MSP, EODC	Section 123 of the Victorian Civil and Administrative Tribunal Act 1998 applies on an application to the Tribunal.
s129	Function of recovering penalties	MPB, EODC, BPCO	
s130(5)	Power to allow person served with an infringement notice further time	MPB, EOPS, EODC	
s149A(1)	Power to refer a matter to the VCAT for determination	DPSF, MPB, MDP, MSP, EOPS, EODC	
s149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s 173 agreement	DPSF, MPB, MDP, MSP, EODC	
s 149B	Power to apply to the Tribunal for a declaration.	DPSF, MPB, MDP, MSP, EODC, EOPS, EOSP	
s156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B) power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	DPSF, MDP, MSP, EOSP, PMSP	Where Council is the relevant planning authority
s171(2)(f)	Power to carry out studies and commission reports	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	
s171(2)(g)	Power to grant and reserve easements	DPSF, MPB, MSP, EOPS	
s172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	Where Council is a development agency specified in an approved infrastructure contributions plan
s172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	Where Council is a collecting agency specified in an approved infrastructure contributions plan



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	Where Council is the development agency specified in an approved infrastructure contributions plan
s173(1)	Power to enter into agreement covering matters set out in s 174	DPSF, MPB, MDP, MSP, EOPS	
s173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	DPSF, MPB, MDP, MSP, EOPS	Where Council is the relevant responsible authority
---	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, PPO, SPO, TLPO, VCAT	
---	Power to give consent on behalf of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	DPSF, MPB, MDP, MSP, EOPS and EOSP, PMSP	
s177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DPSF, MPB, MDP, MSP, EOPS	
s178	Power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with division 2 of part 9	DPSF, MPB, MDP, MSP, EOPS	
s178A(1)	Function of receiving application to amend or end an agreement	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s178A(5)	Power to propose to amend or end an agreement	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, SSUB	
s178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s178B(2)	Duty to consider certain matters when considering proposal to end an agreement	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s178C(4)	Function of determining how to give notice under s 178C(2)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s178E(1)	Duty not to make decision until after 14 days after notice has been given	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	DPSF, MPB, MDP, MSP, EOPS	<p>If no objections are made under s 178D</p> <p>Must consider matters in s 178B</p> <p>Must not be exercised if any of the following conditions apply:</p> <p>C - Call in by relevant ward Councillor</p>
s178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DPSF, MPB, MDP, MSP, EOPS	<p>If no objections are made under s 178D</p> <p>Must consider matters in s 178B</p> <p>Must not be exercised if any of the following conditions apply:</p> <p>C - Call in by relevant ward Councillor</p>

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s178E(2)(c)	Power to refuse to amend or end the agreement	DPSF, MPB, MDP, MSP, EOPS	If no objections are made under s 178D  Must consider matters in s 178B  Must not be exercised if any of the following conditions apply: C - Call in by relevant ward Councillor
s178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	DPSF, MPB, MDP, MSP, EOPS	After considering objections, submissions and matters in s 178B  Must not be exercised if any of the following conditions apply: A - Objections C - Call in by relevant ward Councillor
s178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DPSF, MPB, MDP, MSP, EOPS	After considering objections, submissions and matters in s 178B  Must not be exercised if any of the following conditions apply: A - Objections C - Call in by relevant ward Councillor
s178E(3)(c)	Power to amend or end the agreement in a manner that is substantively different from the proposal	DPSF, MPB, MDP, MSP, EOPS	After considering objections, submissions and matters in s 178B  Must not be exercised if any of the following conditions apply: A - Objections C - Call in by relevant ward Councillor
s178E(3)(d)	Power to refuse to amend or end the agreement	DPSF, MPB, MDP, MSP, EOPS	After considering objections, submissions and matters in s 178B  Must not be exercised if any of the following conditions apply: A - Objections C - Call in by relevant ward Councillor
s178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s178G	Duty to sign amended agreement and give copy to each other party to the agreement	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP,	
s178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, TLPO, VCAT	
s178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s179(2)	Duty to make a copy of each agreement available in accordance with the public availability requirements	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s181	Duty to apply to the Registrar of Titles to record the agreement and	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	The DPSF, MPB, MDP or MSP may appoint a consultant or legal representative to act on behalf of Council.
s181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	The DPSF, MPB, MDP or MSP may appoint a consultant or legal representative to act on behalf of Council.
s181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	The DPSF, MPB, MDP or MSP may appoint a consultant or legal representative to act on behalf of Council.
s182	Power to enforce an agreement	DPSF, MPB, MDP, MSP, EODC, EOPS, EOSP, PMSP	
s183	Duty to tell Registrar of Titles of ending/amendment of agreement	DPSF, MPB, MDP, MSP, EODC, PPO, VCAT, PO, SSUB, SUB, EOPS, EOSP, PMSP, BSO	The DPSF, MPB, MDP or MSP may appoint a consultant or legal representative to act on behalf of Council.
s184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	DPSF, MPB, MDP, MSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s184G(2)	Duty to comply with a direction of the Tribunal	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s184G(3)	Duty to give notice as directed by the Tribunal	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s198(1)	Function to receive application for planning certificate	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s199(1)	Duty to give planning certificate to applicant	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s201(1)	Function of receiving application for declaration of underlying zoning	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	
s201(3)	Duty to make declaration	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO,	

**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	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, PPO, SPO, EODC, TLPO	
	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	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, PPO, SPO, TLPO	<p>The decision must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>Must not be exercised if any of the following conditions apply:</p> <p>C – Call in by relevant ward Councillor</p> <p>The above conditions do not apply in circumstances described in the following conditions:</p> <p>F – Call out by relevant ward Councillor</p> <p>E – Summer recess and emergency delegations.</p>
	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	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP, PPO, SPO, TLPO, PO	
-	Power to give written authorisation in accordance with a provision of a planning scheme	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB	
s201UAB(1)	Function of providing the Victorian Planning Authority with information relating to any land within municipal district	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s201UAB(2)	Duty to provide the Victorian Planning Authority with information requested under s 201UAB(1) as soon as possible	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PPO, VCAT, PO, SSUB, SUB, BSO	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
s522(1)	Power to give a compliance notice to a person	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
s525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
s525(4)	Duty to issue identity card to authorised officers	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
s526(5)	Duty to keep record of entry by authorised officer under s 526	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
s526A(3)	Function of receiving report of inspection	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
s527	Power to authorise a person to institute proceedings (either generally or in a particular case)	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s11(1)	Power to declare a road by publishing a notice in the Government Gazette	DBEI, DCS	Obtain consent in circumstances specified in s 11(2)
s11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	EOGRC, MIO, MOPI	
s11(9)(b)	Duty to advise Registrar	EOGRC, MIO, MOPI	
s11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	EOGRC, MIO, MOPI	Subject to s 11(10A)
s11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	MIO, EOSTT	Where Council is the coordinating road authority
s12(2)	Power to discontinue road or part of a road	MIO, EOSTT	Where Council is the coordinating road authority  Delegation relates to publishing notice in Government Gazette; power of coordinating road authority to discontinue road is not delegated.
s12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	MIO, EOSTT	Power of coordinating road authority where it is the discontinuing body  Unless s 12(11) applies
s12(5)	Duty to consider written submissions received within 28 days of notice	Not delegated	Duty of coordinating road authority where it is the discontinuing body  Unless s 12(11) applies
s12(6)	Function of hearing a person in support of their written submission	Not delegated	Function of coordinating road authority where it is the discontinuing body  Unless s 12(11) applies
s12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	MIO, EOSTT	Duty of coordinating road authority where it is the discontinuing body  Unless s 12(11) applies
s12(10)	Duty to notify of decision made	MIO, EOSTT	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



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	MIO	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s14(4)	Function of receiving notice from the Head, Transport for Victoria	DBEI	
s14(7)	Power to appeal against decision of the Head, Transport for Victoria	DBEI, MIO	
s15(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	DBEI	
s15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	DBEI, MIO	
s15(2)	Duty to include details of arrangement in public roads register	MIO	
s16(7)	Power to enter into an arrangement under s 15	DBEI	
s16(8)	Duty to enter details of determination in public roads register	MIO	
s17(2)	Duty to register public road in public roads register	MIO	Where Council is the coordinating road authority
s17(3)	Power to decide that a road is reasonably required for general public use	MIO	Where Council is the coordinating road authority
s17(3)	Duty to register a road reasonably required for general public use in public roads register	MIO	Where Council is the coordinating road authority
s17(4)	Power to decide that a road is no longer reasonably required for general public use	MIO	Where Council is the coordinating road authority
s17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	MIO	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
s18(1)	Power to designate ancillary area	MIO	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s18(3)	Duty to record designation in public roads register	MIO	Where Council is the coordinating road authority
s19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	MIO	
s19(4)	Duty to specify details of discontinuance in public roads register	MIO	
s19(5)	Duty to ensure public roads register is available for public inspection	MIO	
s21	Function of replying to request for information or advice	MIO	Obtain consent in circumstances specified in s 11(2)
s22(2)	Function of commenting on proposed direction	DBEI	
s22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report	DBEI	
s22(5)	Duty to give effect to a direction under this section.	DBEI	
s40(1)	Duty to inspect, maintain and repair a public road	DBEI	
s40(5)	Power to inspect, maintain and repair a road which is not a public road	DBEI	
s41(1)	Power to determine the standard of construction, inspection, maintenance and repair	DBEI	
s42(1)	Power to declare a public road as a controlled access road	DBEI	Power of coordinating road authority and sch 2 also applies
s42(2)	Power to amend or revoke declaration by notice published in Government Gazette	DBEI, MIO	Power of coordinating road authority and sch 2 also applies
s42A(3)	Duty to consult with the Head, Transport for Victoria and Minister for Local Government before road is specified	DBEI, MIO	Where Council is the coordinating road authority  If road is a municipal road or part thereof

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	DBEI	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
s48EA	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)	MIO	Where Council is the responsible road authority, infrastructure manager or works manager
s48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	MIO	
s49	Power to develop and publish a road management plan	MIO	
s51	Power to determine standards by incorporating the standards in a road management plan	MIO	
s53(2)	Power to cause notice to be published in Government Gazette of amendment etc. Of document in road management plan	MIO	
s54(2)	Duty to give notice of proposal to make a road management plan	MIO	
s54(5)	Duty to conduct a review of road management plan at prescribed intervals	MIO	
s54(6)	Power to amend road management plan	MIO	
s54(7)	Duty to incorporate the amendments into the road management plan	MIO	
s55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	MIO	
s63(1)	Power to consent to conduct of works on road	MIO	Where Council is the coordinating road authority
s63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	MIO	Where Council is the infrastructure manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s64(1)	Duty to comply with cl 13 of sch 7	MIO	Where Council is the infrastructure manager or works manager
s66(1)	Power to consent to structure etc	MIO	Where Council is the coordinating road authority
s67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	MIO	Where Council is the coordinating road authority
s67(3)	Power to request information	MIO	Where Council is the coordinating road authority
s68(2)	Power to request information	MIO	Where Council is the coordinating road authority
s71(3)	Power to appoint an authorised officer	DBEI	
s72	Duty to issue an identity card to each authorised officer	DBEI, MIO	
s85	Function of receiving report from authorised officer	MIO	
s86	Duty to keep register re s 85 matters	MIO	
s87(1)	Function of receiving complaints	MIO	
s87(2)	Duty to investigate complaint and provide report	MIO	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	MIO, MPB, MCW	
s112(2)	Power to recover damages in court	DBEI	
s116	Power to cause or carry out inspection	MIO	
s119(2)	Function of consulting with the Head, Transport for Victoria	DBEI, MIO	
s120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	MIO	
s120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	MIO	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s121(1)	Power to enter into an agreement in respect of works	MIO	
s122(1)	Power to charge and recover fees	MIO	
s123(1)	Power to charge for any service	DBEI, MIO	
Schedule 2 Clause 2(1)	Power to make a decision in respect of controlled access roads	DBEI	
Schedule 2 Clause 3(1)	Duty to make policy about controlled access roads	DBEI	
Schedule 2 Clause 3(2)	Power to amend, revoke or substitute policy about controlled access roads	MIO	
Schedule 2 Clause 4	Function of receiving details of proposal from the Head, Transport for Victoria	MIO	
Schedule 2 Clause 5	Duty to publish notice of declaration	MIO	
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	MIO	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	MIO	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	MIO	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	MIO	Where Council is the infrastructure manager or works manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7, Clause 10(2)	Where sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	MIO	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	MIO	Where Council is the coordinating road authority
Schedule 7 Clause 12(3)	Power to take measures to ensure reinstatement works are completed	MIO	Where Council is the coordinating road authority
Schedule 7 Clause 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	MIO	Where Council is the coordinating road authority
Schedule 7 Clause 12(5)	Power to recover costs	MIO	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 sch 7, cl 13(2)	MIO	Where Council is the works manager
Schedule 7 Clause 13(2)	Power to vary notice period	MIO	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 sch 7, cl 13(1)	MIO	Where Council is the infrastructure manager
Schedule 7 Clause 16(1)	Power to consent to proposed works	MIO	Where Council is the coordinating road authority
Schedule 7 Clause 16(4)	Duty to consult	MIO	Where Council is the coordinating road authority, responsible authority or infrastructure manager
Schedule 7 Clause 16(5)	Power to consent to proposed works	MIO	Where Council is the coordinating road authority
Schedule 7 Clause 16(6)	Power to set reasonable conditions on consent	MIO	Where Council is the coordinating road authority
Schedule 7 Clause 16(8)	Power to include consents and conditions	MIO	Where Council is the coordinating road authority
Schedule 7 Clause 17(2)	Power to refuse to give consent and duty to give reasons for refusal	MIO	Where Council is the coordinating road authority
Schedule 7 Clause 18(1)	Power to enter into an agreement	DBEI, MIO	Where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 19(1)	Power to give notice requiring rectification of works	MIO	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	MIO	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	MIO	Where Council is the coordinating road authority
Schedule 7A Clause 2	Power to cause street lights to be installed on roads	MIO	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	MIO	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	MIO	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 cls 3(2) and 4	MIO	Duty of Council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs)

PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r6	Function of receiving notice, under s 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	Where Council is not the planning authority, and the amendment affects land within its municipal district; or  Where the amendment will amend the planning scheme to designate Council as an acquiring authority.

PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r21	Power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under s 54 of the Act	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	
r25(a)	Duty to make copy of matter considered under s 60(1A)(g) in accordance with the public availability requirements	MDP, MSP, EOSP, PMSP	Where Council is the responsible authority
r25(b)	Function of receiving a copy of any document considered under s 60(1A)(g) by the responsible authority and duty to make the document available in accordance with the public availability requirements	MDP, MSP, EOSP, PMSP	Where Council is not the responsible authority, but the relevant land is within Council's municipal district
r42	Function of receiving notice under s 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	MDP, MSP, EOSP, PMSP	Where Council is not the planning authority, and the amendment affects land within Council's municipal district; or  Where the amendment will amend the planning scheme to designate Council as an acquiring authority.

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r19	Power to waive or rebate a fee relating to an amendment of a planning scheme	DPSF, MDP, MSP, EOSP, PMSP	
r20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DPSF, MDP, MSP, EOPS	
r21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r 19 or 20	DPSF, MPB, MDP, MSP, EOPS, EOSP, PMSP	



**RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r7	Power to enter into a written agreement with a caravan park owner	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r10	Function of receiving application for registration	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO, BOPS	
r 11	Function of receiving application for renewal of registration	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO, BOPS	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 12(4) & (5)	Duty to issue certificate of registration	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 14(1)	Function of receiving notice of transfer of ownership	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 14(3)	Power to determine where notice of transfer is displayed	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 15(1)	Duty to transfer registration to new caravan park owner	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 15(2)	Duty to issue a certificate of transfer of registration	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 15(3)	Power to determine where certificate of transfer of registration is displayed	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	

**RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 17	Duty to keep register of caravan parks	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 18(4)	Power to determine where the emergency contact person's details are displayed	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 18(6)	Power to determine where certain information is displayed	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 22(2)	Duty to consult with relevant emergency services agencies	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 25(3)	Duty to consult with relevant floodplain management authority	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 26	Duty to have regard to any report of the relevant fire authority	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	

**RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 41(4)	Function of receiving installation certificate	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	DCOM, MCW, EOSC, EHO, EPHL, SCPL, CSCO	
Schedule 3 clause 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	DSED, MCW, EOSC, EHO, EPHL, SCPL, CSCO	

**ROAD MANAGEMENT (GENERAL) REGULATIONS 2016**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r8(1)	Duty to conduct reviews of road management plan	MIO	
r9(2)	Duty to produce written report of review of road management plan and make report available	MIO	
r9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	MIO	Where Council is the coordinating road authority
r10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	MIO	
r13(1)	Duty to publish notice of amendments to road management plan	MIO	Where Council is the coordinating road authority
r13(3)	Duty to record on road management plan the substance and date of effect of amendment	MIO	
r16(3)	Power to issue permit	MIO	Where Council is the coordinating road authority
r18(1)	Power to give written consent to person to drive on road a vehicle which is likely to cause damage to road	MIO	Where Council is the coordinating road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r23(2)	Power to make submission to Tribunal	DBEI	Where Council is the coordinating road authority
r23(4)	Power to charge a fee for application under s 66(1) Road Management Act	MIO	Where Council is the coordinating road authority
r25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	MIO	Where Council is the responsible road authority
r25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with r 25(3))	MIO	Where Council is the responsible road authority
r25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	MIO	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r15	Power to exempt a person from requirement under cl 13(1) of sch 7 to the Act to give notice as to the completion of those works	MIO	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r22(2)	Power to waive whole or part of fee in certain circumstances	MIO	Where Council is the coordinating road authority

## **PLANNING AND ENVIRONMENT ACT 1987**

### **Conditions that apply to specific delegations in Schedule**

#### **Interpretation of conditions A to E**

*For the purposes of these conditions:*

- use and development definitions are as defined in the Yarra Ranges Planning Scheme.
- 'application' means a planning permit application, planning permit amendment application, or secondary consent application.
- 'objection' means a submission or petition objecting to the approval of an application. Each signature on a petition is counted as an objection.
- 'relevant Ward Councillor' means the Councillor representing the ward in which all or part of the subject land is located.
- 'Mayor' includes the Deputy Mayor if the Mayor is the relevant Ward Councillor or absent on official leave.

#### **A - Objections**

The application has received more than 10 objections. *Multi-signatory objection and/or petition to be counted as multiple objections*

#### **B - Major development**

The application is to develop land where the estimated value of development is greater than five (5) million dollars.

An amendment to an existing planning permit where the estimated value of development proposed by the amendment application is greater than five million dollars.

**An application or an amendment to an existing planning permit made under Schedule 1 to the Comprehensive Development Zone (former Lilydale Quarry) is excluded from this definition.**

#### **C - Call in by relevant Ward Councillor**

Applies to any application or other matter (where the conditions or limitations specified in the instrument provide a call in provision), nominated by the relevant Ward Councillor by written notice.

The notice must include a statement of reasons for the call-in. The notice must be signed by the relevant Ward Councillor, seconded by at least one other Councillor and signed by the Mayor and submitted to the Manager Planning and Building before a decision is made under delegated authority.

The Mayor shall also have authority to call in any application for any Ward by written notice with the signature of the Deputy Mayor and a third Councillor (where possible the ward Councillor). The Manager Planning and Building (or delegate) must attach the original notice to the application file and record in the Council report that the application has been called in for a decision by Council.

#### **D- To decide a planning application when a beneficiary of a covenant objects**

The power to determine any planning application when a beneficiary of a covenant objects to the covenant being removed or varied to be delegated to the Manager of Planning and Building or the Executive Officer of Planning Services.

Before determining any application under this condition, the Director Planning and Sustainable Futures or Manager Planning and Building must consult with the relevant Ward Councillor about the recommendation. The relevant Ward Councillor may call in the application in accordance with Condition C.

#### **E- Call out by relevant Ward Councillor**

The power to determine any application or other matter normally determined by Council under Conditions A and B may be delegated to the Manager Planning and Building by written notice. The notice must include a statement of reasons for the call-out.

The notice must be signed by the relevant Ward Councillor, seconded by the Mayor and signed by a third Councillor and submitted to the Manager Planning and Building before a report on the application is included on the Council Agenda. The Manager Planning and Building (or delegate) must attach the original notice to the application file and record in the delegate report that the application has been called out for a decision by Manager Planning and Building.

#### **F - Summer recess and emergency delegations**

The power to determine any application normally determined by Council under Conditions A and B is delegated to the Director Planning and Sustainable Futures and the Manager Planning and Building during the following periods:

- between the final Council meeting of the calendar year and the first Council meeting of the following calendar year.
- during the activation of the Municipal Emergency Coordination Centre, business continuity plan or crisis management plan.