

**GOLDEN PLAINS SHIRE COUNCIL
INSTRUMENT OF DELEGATION TO MEMBERS OF COUNCIL STAFF**

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

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

2 record that references in the Schedule are as follows:

BI	Building Inspector
CEO	Chief Executive Officer
DAA	Director Assets and Amenity
DCS	Director Corporate Services
DM	Development Manager
EHO	Environmental Health Officer
ESTL	Environment Services Team Leader
IO	Investigations Officer
MBS	Municipal Building Surveyor
N/A	Not applicable
PSO	Planning Support Officer
PTL	Planning Team Leader
SEHO	Senior Environmental Health Officer
SP	Strategic Planner
TP	Town Planner
WM	Works Manager

3 declares that:

3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 26 September 2017 and

3.2 the delegation:

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

3.2.2 remains in force until varied or revoked;

3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3 and the Schedule; and

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

- 3.3 the delegate must not determine the issue, take the action or do the act or thing:
- 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council: or
 - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategyadopted by Council; or
 - 3.3.3 if the determining of the issues, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
 - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

DATED 26 September 2017

**THE COMMON SEAL of GOLDEN
PLAINS SHIRE COUNCIL was hereunto
affixed on the 26th day of September 2017 in the presence of**

_____ **Mayor**

_____ **Witness**

Golden Plains Shire Council

Instrument of Delegation

to

Members of Council Staff

26 September 2017

SCHEDULE

INDEX

CEMETERIES AND CREMATORIA ACT 2003	7
DOMESTIC ANIMALS ACT 1994	19
ENVIRONMENT PROTECTION ACT 1970	20
FOOD ACT 1984	21
HERITAGE ACT 1995	26
PLANNING AND ENVIRONMENT ACT 1987	27
RAIL SAFETY ACT 2006	52
RESIDENTIAL TENANCIES ACT 1997	54
ROAD MANAGEMENT ACT 2004	56
PLANNING AND ENVIRONMENT REGULATIONS 2005	70
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 1999	72
ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2005	77

CEMETERIES AND CREMATORIA ACT 2003			
The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.8(1)(a)(ii)	power to manage one or more public cemeteries	N/A	
s.12(1)	function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act.	N/A	where Council is a Class B cemetery trust
s.12(2)	duty to have regard to the matters set out in paragraphs (a)-(c) in exercising its functions	N/A	where Council is a Class B cemetery trust
s.12A(1)	function to do the activities set out in paragraphs (a) – (n)	N/A	where Council is a Class A cemetery trust
s.12A(2)	duty to have regard to matters set out in paragraphs (a)-(e) in exercising its functions	N/A	where Council is a Class A cemetery trust
s.13	duty to do anything necessary or convenient to enable it to carry out its functions	N/A	
s.14	power to manage multiple public cemeteries as if they are one cemetery	N/A	
s.15(1) and (2)	power to delegate powers or functions other than those listed	N/A	
s.15(4)	duty to keep records of delegations	N/A	
s.17(1)	power to employ any persons necessary	N/A	
s.17(2)	power to engage any professional, technical or other	N/A	

CEMETERIES AND CREMATORIA ACT 2003			
The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	assistance considered necessary		
s. 17(3)	power to determine the terms and conditions of employment or engagement	N/A	subject to any guidelines or directions of the Secretary
s.18(3)	duty to comply with a direction from the Secretary	N/A	
s.18B(1) & (2)	duty to establish governance committees within 12 months of becoming a Class A cemetery trust and power to establish other governance committees from time to time	N/A	where Council is a Class A cemetery trust
s.18C	power to determine the membership of the governance committee	N/A	where Council is a Class A cemetery trust
s.18D	power to determine procedure of governance committee	N/A	where Council is a Class A cemetery trust
s.18D(1)(a)	duty to appoint community advisory committee for the purpose of liaising with communities	N/A	where Council is a Class A cemetery trust
s.18D(1)(b)	power to appoint any additional community advisory committees	N/A	where Council is a Class A cemetery trust
s.18D(2)	duty to establish a community advisory committee under section 18D(1)(a) within 12 months of becoming a Class A cemetery trust.	N/A	where Council is a Class A cemetery trust
s.18D(3)	duty to include a report on the activities of the community advisory committees in its report of operations under Part 7	N/A	where Council is a Class A cemetery trust

CEMETERIES AND CREMATORIA ACT 2003			
The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	of the <i>Financial Management Act 1994</i>		
s.18F(2)	duty to give preference to a person who is not a funeral director of a stonemason (or a similar position) when appointing a person to a community advisory committee	N/A	where Council is a Class A cemetery trust
s.18H(1)	duty to hold an annual meeting before 30 December in each calendar year, in accordance with section	N/A	where Council is a Class A cemetery trust
s.18I	duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting	N/A	where Council is a Class A cemetery trust
s.18J	duty to provide leadership, assistance and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in section 18J(2))	N/A	where Council is a Class A cemetery trust
s.18L(1)	duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust	N/A	where Council is a Class A cemetery trust
s.18N(1)	duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)	N/A	where Council is a Class A cemetery trust
s.18N(3)	duty to give a copy of the proposed annual plan to the Secretary on or before 30 September each year for the Secretary's approval	N/A	where Council is a Class A cemetery trust

CEMETERIES AND CREMATORIA ACT 2003			
The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.18N(5)	duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months	N/A	where Council is a Class A cemetery trust
s.18N(7)	duty to ensure that an approved annual plan is available to members of the public on request	N/A	where Council is a Class A cemetery trust
s.18O(1)	duty to prepare a strategic plan and submit the plan to the Secretary for approval	N/A	where Council is a Class A cemetery trust
s.18O(4)	duty to advise the Secretary if the trust wishes to exercise its functions in a manner inconsistent with its approved strategic plan	N/A	where Council is a Class A cemetery trust
s.18O(5)	duty to ensure that an approved strategic plan is available to members of the public on request	N/A	where Council is a Class A cemetery trust
s.18Q(1)	duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year.	N/A	where Council is a Class A cemetery trust
s.19	power to carry out or permit the carrying out of works	N/A	
s.20(1)	duty to set aside areas for the interment of human remains	N/A	
s.20(2)	power to set aside areas for the purposes of managing a public cemetery	N/A	

CEMETERIES AND CREMATORIA ACT 2003			
The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.20(3)	power to set aside areas for those things in paragraphs (a) – (e)	N/A	
s.24(2)	power to apply to the Secretary for approval to alter the existing distribution of land	N/A	
s.36	power to grant licences to enter and use part of the land or building in a public cemetery in accordance with this section	N/A	subject to the approval of the Minister
s.37	power to grant leases over land in a public cemetery in accordance with this section	N/A	subject to the Minister approving the purpose
s.40	duty to notify Secretary of fees and charges fixed under section 39	N/A	
s.47	power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	N/A	provided the street was constructed pursuant to the Local Government Act 1989
s.57(1)	duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	N/A	report must contain the particulars listed in s.57(2)
s.59	duty to keep records for each public cemetery	N/A	
s.60(1)	duty to make information in records available to the public for historical or research purposes	N/A	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.60(2)	power to charge fees for providing information	N/A	
s.64(4)	duty to comply with a direction from the Secretary under section 64(3)	N/A	
s.64B(d)	power to permit interments at a reopened cemetery	N/A	
s.66(1)	power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	N/A	the application must include the requirements listed in s.66(2)(a)–(d)
s.69	duty to take reasonable steps to notify of conversion to historic cemetery park	N/A	
s.70(1)	duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	N/A	
s.70(2)	duty to make plans of existing place of interment available to the public	N/A	
s.71(1)	power to remove any memorials or other structures in an area to which an approval to convert applies	N/A	
s.71(2)	power to dispose of any memorial or other structure removed	N/A	
s.72(2)	duty to comply with request received under section 72	N/A	

CEMETERIES AND CREMATORIA ACT 2003			
The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.73(1)	power to grant a right of interment	N/A	
s.73(2)	power to impose conditions on the right of interment	N/A	
s.75	power to grant the rights of interment set out in subsections (a) and (b)	N/A	
s.76(3)	duty to allocate a piece of interment if an unallocated right is granted	N/A	
s.77(4)	power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	N/A	
s.80(1)	function of receiving notification and payment of transfer of right of interment	N/A	
s.80(2)	function of recording transfer of right of interment	N/A	
s.82(2)	duty to pay refund on the surrender of an unexercised right of interment	N/A	
s.83(2)	duty to pay refund on the surrender of an unexercised right of interment (sole holder)	N/A	
s.83(3)	power to remove any memorial and grant another right of interment for a surrendered right of interment	N/A	

CEMETERIES AND CREMATORIA ACT 2003			
The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.84(1)	function of receiving notice of surrendering an entitlement to a right of interment	N/A	
s.85(1)	duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	N/A	the notice must be in writing and contain the requirements listed in s.85(2)
s.85(2)(b)	duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	N/A	does not apply where right of internment relates to remains of a deceased veteran.
85(2)(c)	power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or; remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location.	N/A	may only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment
s.86	power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	N/A	
s.86(2)	power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	N/A	
s.86(3)(a)	power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to	N/A	

CEMETERIES AND CREMATORIA ACT 2003			
The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	a perpetual right of interment		
s.86(3)(b)	power to remove interred cremated human remains and take further action in accordance with s.86(3)(b)	N/A	
s.86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains	N/A	
s.86(5)	duty to provide notification before taking action under s.86(4)	N/A	
s 86A	duty to maintain place of interment and any memorial at place of interment, if action taken under s.86(3)	N/A	
s.87(3)	duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	N/A	
s.88	function to receive applications to carry out a lift and re-position procedure at a place of interment	N/A	
s.91(1)	power to cancel a right of interment in accordance with this section	N/A	
s.91(3)	duty to publish notice of intention to cancel right of interment	N/A	
s.92	power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	N/A	

CEMETERIES AND CREMATORIA ACT 2003			
The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.98(1)	function of receiving application to establish or alter a memorial or a place of interment	N/A	
s.99	power to approve or refuse an application made under section 98, or to cancel an approval	N/A	
s.99(4)	duty to make a decision on an application under section 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	N/A	
s.100(1)	power to require a person to remove memorials or places of interment	N/A	
s.100(2)	power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with section 100(1)	N/A	
s.100(3)	power to recover costs of taking action under section 100(2)	N/A	
s.101	function of receiving applications to establish or alter a building for ceremonies in the cemetery	N/A	
s.102(1)	power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	N/A	
s.102(2) & (3)	power to set terms and conditions in respect of, or to cancel, an approval granted under section 102(1)	N/A	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.103(1)	power to require a person to remove a building for ceremonies	N/A	
s.103(2)	power to remove and dispose of a building for ceremonies or remedy the failure to comply with section 103(1)	N/A	
s.103(3)	power to recover costs of taking action under section 103(2)	N/A	
s.106(1)	power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	N/A	
s.106(2)	power to require the holder of the right of interment to provide for an examination	N/A	
s.106(3)	power to open and examine the place of interment if section 106(2) not complied with	N/A	
s.106(4)	power to repair or – with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under section 106(1) is not complied with	N/A	
s.107(1)	power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	N/A	
s.107(2)	power to repair or take down, remove and dispose any building for ceremonies if notice under section 107(1) is not	N/A	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	complied with		
s.108	power to recover costs and expenses	N/A	
s.109(1)(a)	power to open, examine and repair a place of interment	N/A	where the holder of right of interment or responsible person cannot be found
s.109(1)(b)	power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	N/A	where the holder of right of interment or responsible person cannot be found
s.109(2)	power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	N/A	where the holder of right of interment or responsible person cannot be found
s.110(1)	power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder. with consent of the Secretary	N/A	
s.110(2)	power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	N/A	
s. 110A	power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	N/A	
s.111	power to enter into agreement with a holder of the right of	N/A	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	interment to maintain a memorial or place of interment		
s.112	power to sell and supply memorials	N/A	
s.116(4)	duty to notify the Secretary of an interment authorisation granted	N/A	
s.116(5)	power to require an applicant to produce evidence of the right of interment holder's consent to application	N/A	
s.118	power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	N/A	
s.119	power to set terms and conditions for interment authorisations	N/A	
s.131	function of receiving an application for cremation authorisation	N/A	
s.133(1)	duty not to grant a cremation authorisation unless satisfied that requirements of section 133 have been complied with	N/A	Subject to subsection (2)
s.145	duty to comply with an order made by the Magistrates' Court or a coroner	N/A	
s.146	power to dispose of bodily remains by a method other than interment or cremation	N/A	subject to the approval of the Secretary

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.147	power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	N/A	
s.149	duty to cease using method of disposal if approval revoked by the Secretary	N/A	
s.150 & 152(1)	power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	N/A	
s.151	function of receiving applications to inter or cremate body parts	N/A	
s.152(2)	power to impose terms and conditions on authorisation granted under section 150.	N/A	
Schedule 1 clause 8(3)	power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	N/A	
Schedule 1 clause 8(8)	power to regulate own proceedings	N/A	subject to clause 8
Schedule 1A clause 8(3)	power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	N/A	where Council is a Class A cemetery trust
Schedule 1A clause 8(8)	power to regulate own proceedings	N/A	where Council is a Class A cemetery trust

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			subject to clause 8

DOMESTIC ANIMALS ACT 1994			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.41A(1)	power to declare a dog to be a menacing dog	CEO; DAA; DM; ESTL; IO	Council may delegate this power to an authorised officer

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

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	CEO; DAA; DM; SEHO; EHO	if section 19(1) applies
s.19(2)(b)	power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	CEO; DAA; DM; SEHO; EHO	if section 19(1) applies
s.19(3)	power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	CEO; DAA; DM; SEHO; EHO	If section 19(1) applies Only in relation to temporary food premises or mobile food premises
s.19(4)(a)	power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	CEO; DAA; DM; SEHO; EHO	if section 19(1) applies
s.19(6)(a)	duty to revoke any order under section 19 where the subject of the order has been attended to	CEO; DAA; DM; SEHO; EHO	
s.19(6)(b)	duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	CEO; DAA; DM; SEHO; EHO	if section 19(1) applies
s.19AA(2)	power to direct by written order, that a person must take any of the actions described in (a)-(c)	CEO; DAA; DM; SEHO; EHO	where Council is the registration authority
s.19AA(4)(c)	power to direct in an order made under s.19AA(s) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	CEO; DAA; DM; SEHO; EHO	Note: the power to direct the matters under s.19AA(4)(a) and (b) not capable of delegations and so such directions must be made by a Council resolution

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19AA(7)	duty to revoke order issued under s.19AA and give written notice of revocation, if satisfied that that order has been complied with	CEO; DAA; DM; SEHO; EHO	where Council is the registration authority
s.19CB(4)(b)	power to request copy of records	CEO; DAA; DM; SEHO; EHO	where Council is the registration authority
s.19E(1)(d)	power to request a copy of the food safety program	CEO; DAA; DM; SEHO; EHO	where Council is the registration authority
s.19GB	power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	CEO; DAA; DM; SEHO; EHO	
s.19M(4)(a) & (5)	power to conduct a food safety audit and take actions where deficiencies are identified	CEO; DAA; DM; SEHO; EHO	where Council is the registration authority
s.19NA(1)	power to request food safety audit reports	CEO; DAA; DM; SEHO; EHO	where Council is the registration authority
s.19U(3)	power to waive and vary the costs of a food safety audit if there are special circumstances	CEO; DAA; DM	
s.19UA	power to charge fees for conducting a food safety assessment or inspection	CEO; DAA; DM; SEHO; EHO	except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39.
s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	CEO; DAA; DM; SEHO; 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.19W(3)(a)	power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	CEO; DAA; DM; SEHO; EHO	where Council is the registration authority
s.19W(3)(b)	power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	CEO; DAA; DM; SEHO; EHO	where Council is the registration authority
---	power to register, renew or transfer registration	CEO; DAA; DM; SEHO; EHO	where Council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council (see section 58A(2)) In this case CEO has delegation.
s.38AA(5)	power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	CEO; DAA; DM; SEHO; EHOQ	where Council is the registration authority
s.38AB(4)	power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)	CEO; DAA; DM; SEHO; EHO	where Council is the registration authority
s.38A(4)	power to request a copy of a completed food safety program template	CEO; DAA; DM; SEHO; EHO	where Council is the registration authority
s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	CEO; DAA; DM; SEHO; EHO	where Council is the registration authority
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	CEO; DAA; DM; SEHO; EHO	where Council is the registration authority
s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	CEO; DAA; DM;	where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		SEHO; EHO	
s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	CEO; DAA; DM; SEHO; EHO	where Council is the registration authority
s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	CEO; DAA; DM; SEHO; EHO	where Council is the registration authority
s.38D(3)	power to request copies of any audit reports	CEO; DAA; DM; SEHO; EHO	where Council is the registration authority
s.38E(2)	power to register the food premises on a conditional basis	CEO; DAA; DM; SEHO; EHO	where Council is the registration authority; not exceeding the prescribed time limit defined under subsection (5).
s.38E(4)	duty to register the food premises when conditions are satisfied	CEO; DAA; DM; SEHO; EHO	where Council is the registration authority
s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	CEO; DAA; DM; SEHO; EHO	where Council is the registration authority
s.39A	power to register, renew or transfer food premises despite minor defects	CEO; DAA; DM; SEHO; EHO	where Council is the registration authority only if satisfied of matters in subsections (2)(a)-(c)
s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	CEO; DAA; DM; SEHO; EHO	

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	CEO; DAA; DM; SEHO; EHO	where Council is the registration authority
s.40D(1)	power to suspend or revoke the registration of food premises	CEO	where Council is the registration authority
s.43F(6)	duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	CEO; DAA; DM; SEHO; EHO	where Council is the registration authority
s.43F(7)	power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	CEO; DAA; DM; SEHO; EHO	where Council is the registration authority
s.46(5)	power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	CEO; DAA; DM; SEHO	where Council is the registration authority

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

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.4B	power to prepare an amendment to the Victorian Planning Provisions	CEO	if authorised by the Minister
s.4G	function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.4H	duty to make amendment to Victorian Planning Provisions available	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.4I	duty to keep Victorian Planning Provisions and other documents available	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.8A(2)	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	CEO; DAA; DM; PTL; SP; TP	
s.8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	CEO; DAA; DM; PTL; SP; TP	
s.8A(5)	function of receiving notice of the Minister's decision	CEO; DAA; DM; PTL	
s.8A(7)	power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	CEO; DAA; DM; PTL; SP; TP	
s.8B(2)	power to supply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	CEO; DAA; DM; PTL; SP; TP	
s.12(3)	power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	CEO; DAA; DM; PTL; SP; TP; IO	SP; TP with direction of DAA; DM; PTL

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 12A (1)	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under section 19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	CEO; DAA; DM; PTL; SP; TP	
s.12B(1)	duty to review planning scheme	CEO; DAA; DM; PTL; SP; TP	
s.12B(2)	duty to review planning scheme at direction of Minister	CEO; DAA; DM; PTL; SP; TP	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	CEO; DAA; DM; PTL; SP; TP	
s.14	carry out duties of the Responsible Authority	CEO; DAA; DM PTL; SP; TP	
s.17(1)	duty of giving copy amendment to the planning scheme	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.17(2)	duty of giving copy s.173 agreement	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.17(3)	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	CEO; DA;; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.18	duty to make amendment etc. available	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.19	power to give notice, to decide not to give notice, to publish notice of amendment t a planning scheme and to exercise any other power under s 19 to a planning	CEO; DAA; DM; PTL; SP; TP	SP; TP under direction of DM & PTL

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	scheme		
s.19	function of receiving notice of preparation of an amendment to a planning scheme	CEO; DAA; DM; PTL; 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.
s.20(1)	power to apply to Minister for exemption from the requirements of s 19	CEO; DAA; DM; PTL; SP; TP	SP; TP under direction of DAA; DM; PTL
s.21 (2)	duty to make submissions available	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.21A(4)	duty to publish notice in accordance with section	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.22	duty to consider all submissions	CEO; DAA; DM; PTL; SP; TP	
s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	CEO; DAA; DM; PTL; SP	
s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	CEO; DAA; DM; PTL; SP; TP	
s.24	function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	CEO; DAA; DM; PTL; SP; TP	
s.26(1)	power to make report available for inspection	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.26(2)	duty to keep report of panel available for inspection	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.27 (2)	power to apply for exemption if panel's report not received	CEO; DAA; DM; PTL	
s.28	duty to notify the Minister if abandoning an amendment	CEO; DAA; DM; PTL	Note: the power to make a decision to abandon an amendment cannot be delegated
s.30(4)(a)	duty to say if amendment has lapsed	CEO; DAA; DM; PTL; SP; TP	
s.30(4)(b)	duty to provide information in writing upon request	CEO; DAA; DM; PTL; SP; TP	
s.32(2)	duty to give more notice if required	CEO; DAA; DM; PTL; SP; TP	
s.33(1)	duty to give more notice of changes to an amendment	CEO; DAA; DM; PTL; SP; TP	
s.36(2)	duty to give notice of approval of amendment	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction from PTL & SP; TP
s.38(5)	duty to give notice of revocation of an amendment	CEO; DAA; DM; PTL; SP; TP	
s.39	function of being a party to a proceeding commenced under s.39 and duty to comply with determination by VCAT	CEO; DAA; DM; PTL; SP; TP	
s.40(1)	function of lodging copy of approved amendment	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of PTL & SP; TP
s.41	duty to make approved amendment available	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of PTL & SP; TP

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.42	duty to make copy of planning scheme available	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of PTL & SP; TP
s.46AS(ac)	power to request the Victorian Planning Growth Areas Authority to provide advice on any matter relating to land in Victoria or an objective of planning in Victoria	CEO; DAA; DM; PTL	
s.46GF	duty to comply with directions issued by the Minister	CEO; DAA; DM	
s.46GG	duty to include a condition in a permit relating to matters set out in s.46GG(c) and (d)	CEO; DAA; DM; PTL; TP	
s.46GH(1)	power to require the payment of an amount of infrastructure levy to be secured to Council's satisfaction	CEO; DAA; DM; PTL; TP	where council is a collecting agency
s.46GH(2)	power to accept the provision of land, works, services or facilities in part or full satisfaction of the amount of infrastructure levy payable	CEO; DAA; DM; PTL; TP	where council is a collecting agency
s.46GH(3)	duty to obtain the agreement of the relevant development agency or agencies specified in the approved infrastructure contributions plan before accepting the provision of land, works, services or facilities by the applicant	CEO; DAA; DM; PTL; TP	where council is a collecting agency
s.46GI(1)	duty to keep proper accounts of any amount of infrastructure levy paid to it as a collecting agency or a development agency under part 2 of the <i>Planning and Environment Act 1987</i>	CEO; DAA; DM; PTL	must be done in accordance <i>with Local Government Act 1989</i> .
s.46GI(2)	duty to forward to a development agency any part of an infrastructure levy paid to council which is imposed for plan preparation costs incurred by development agency or for carrying out of works, services or facilities on	CEO; DAA; DM	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	behalf of the development agency		
s.46GI(3)	duty to apply levy amount only in accordance with s.46GI(3) (a) and (b)	CEO; DAA	
s46GI(4)	power to refund any amount of infrastructure levy paid to it as a development agency under Part 2 of the <i>Planning and Environment Act 1987</i> if satisfied that the development is not to proceed	CEO; DAA; DM	
s.46GI(5)	duty to take action described in s.46GI(5)(c) – (e) where s.46GI(5)(a) and (b) applies.	CEO; DAA; DM	
s.46GL	power to recover any amount of infrastructure levy as a debt due to Council	CEO; DAA; DM	where council is a collecting agency
s.46GM	duty to prepare report and give a report to the Minister	CEO; DAA; DM	where council is a collecting agency or development agency
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction from DM; PTL; SP; TP
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	CEO; DAA; DM; PTL; SP; TP	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	CEO; DAA; DM; PTL; SP; TP	SP; TP with direction from CEO; DAA; DM; PTL
s.46O(1)(a) & (2)(a)	power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	CEO; DAA; DM; PTL; SP; TP; PSO. MBS; BI	SP; TP under direction from CEO; DAA; DM; PTL PSO under direction of DM; PTL; SP; TP

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	CEO; DAA; DM; PTL; SP; TP	
s.46P(1)	power to require payment of amount of levy under s.46N or s.46O to be satisfactorily secured	CEO; DAA; DM; PTL; SP; TP	
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	CEO; DAA; DM; PTL; SP; TP	
s.46Q(1)	duty to keep proper accounts of levies paid	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction from DM; PTL; SP; TP
s.46Q(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	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction from DM; PTL; SP; TP
s.46Q(2)	duty to apply levy only for a purpose relating to the provision of plan preparation costs or works, services and facilities in respect of which the levy was paid etc.	CEO; DAA; DM; PTL; SP; TP	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	CEO; DAA; DM; PTL; SP; TP	only applies when levy is paid to Council as a 'development agency'
s.46Q(4)(c)	duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the council or for the provision by the council of works, services of facilities in an area under s.46Q(4)(a)	CEO; DAA; DM; PTL	must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	CEO; DAA; DM;; PTL; SP; TP	must be done in accordance with Part 3
s46Q(4)(e)	duty to expend that amount on other works etc.	CEO; DAA; DM;	with the consent of, and in the manner approved by,

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		PTL	the Minister
s.46QC	power to recover any amount of levy payable under Part 3B	CEO; DAA; DM; PTL; SP; TP	
s.46QD	duty to prepare report and give a report to the Minister	CEO; DAA; DM; PTL	where council is a collecting agency or development agency
s.46V(3)	duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	N/A	
s.46Y	duty to carry out works in conformity with the approved strategy plan	CEO; DAA; DM; PTL; SP; TP	
s.47	power to decide that an application for a planning permit does not comply with that Act	CEO; DAA; DM; PTL; SP; TP	
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	CEO; DAA; DM; LP; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.49(2)	duty to make register available for inspection	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.50(4)	duty to amend application	CEO; DAA; DM; PTL; SP; TP; PSO	PSO to undertake administrative procedures
s.50(5)	power to refuse to amend application	CEO; DAA; DM; PTL; SP; TP	
s.50(6)	duty to make note of amendment to application in register	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of PTL; SP; TP
s.50A(1)	power to make amendment to application	CEO; DAA; DM;	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		PTL; SP; TP	
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.50A(4)	duty to note amendment to application in register	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.51	duty to make copy of application available for inspection	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.52(1)(a)	duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	CEO; DAA; DM; PTL; SP; TP; PSO	PSO to undertaker administrative requirements. SP; TP to consult with PTL or DM
s.52(1)(b)	duty to give notice of the application to other municipal Councils where appropriate	CEO; DAA; DM; PTL; SP; TP; PSO	PSO to undertaker administrative requirements. SP; TP to consult with PTL or DM
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	CEO; DAA; DM; PTL; SP; TP; PSO	PSO to undertaker administrative requirements. SP; TP to consult with PTL or DM
s.52(1)(ca)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	CEO; DAA; DM; PTL; SP; TP; PSO	PSO to undertaker administrative requirements. SP; TP to consult with PTL or DM
s.52(1)(cb)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	CEO; DAA; DM; PTL; SP; TP; PSO	PSO to undertaker administrative requirements. SP; TP to consult with PTL or DM
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	CEO; DAA; DM; PTL; SP; TP; PSO	PSO to undertaker administrative requirements. SP; TP to consult with PTL or DM
s.52(1AA)	duty to give notice of an application to remove or vary a	CEO; DAA; DM;	PSO to undertaker administrative requirements. SP;

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	registered restrictive covenant	PTL; SP; TP; PSO	TP to consult with PTL or DM
s.52(3)	power to give any further notice of an application where appropriate	CEO; DAA; DM; PTL; SP; TP	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	CEO; DAA; DM; PTL; SP; TP; PSO	PSO to undertake administrative requirements. SP; TP to consult with PTL; DM
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	CEO; DAA; DM; PTL; SP; TP; PSO	PSO to undertake administrative requirements. SP; TP to consult with PTL; DM
s.54(1)	power to require the applicant to provide more information	CEO; DAA; DM; PTL; SP; TP	
s.54(1A)	duty to give notice in writing of information required under s.54(1)	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.54(1B)	duty to specify the lapse date for an application	CEO; DAA; DM; PTL; SP; TP	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	CEO; DAA; DM; PTL; SP; TP	SP; TP after consultation with DM; PTL
s.54A(4)	duty to give written notice of decision to extend or refuse to extend time und s.54A(3)	CEO; DAA; DM; PTL; SP; TP	
s.55(1)	duty to give copy application, together with the prescribed information to every referral authority specified in the planning scheme	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	CEO; DAA; DM; PTL; SP; TP	SP; TP in consultation with DM; DAA; PTL
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.57(5)	duty to make available for inspection copy of all objections	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.57A(4)	duty to amend application in accordance with applicant's request, subject to s.57A(5)	CEO; DAA; DM; PTL; SP; TP; PSO	PSO to undertake administrative requirements
s.57A(5)	power to refuse to amend application	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.57A(6)	duty to note amendments to application in register	CEO; DAA; DM; PTL; SP; TP	
s.57B(1)	duty to determine whether and to whom notice should be given	CEO; DAA; DM; PTL; SP; TP	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	CEO; DAA; DM; PTL; SP; TP	
s.57C(1)	duty to give copy of amended application to referral authority	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL
s.58	duty to consider every application for a permit	CEO; DAA; DM; PTL; SP; TP	
s.58A	power to request advice from the Planning Application Committee	CEO; DAA; DM; PTL; SP; TP	
s.60	duty to consider certain matters	CEO; DAA; DM; PTL; SP; TP	
s60(1A)	duty to consider certain matters.	CEO; DAA; DM; PTL; SP; TP	
s.60(1B)	duty to consider number of objectors in considering whether use or development may have significant social effect	CEO; DAA; DM; PTL	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(1)	power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	CEO; DAA; DM; PTL; SP; TP	SP; TP under direction from PTL; DM; DAA; COUNCIL the permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>
s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	not delegated	
s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	not delegated	
s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without Minister's consent	N/A	
s.61(3)(b)	duty to refuse to grant the permit without the Minister's consent	not delegated	
s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	not delegated	
s.62(1)	duty to include certain conditions in deciding to grant a permit	CEO; DAA; DM; PTL; SP; TP	SP; TP under direction of PTL; DM; DAA
s.62(2)	power to include other conditions	CEO; DAA; DM; PTL; SP; TP	
s.62(4)	duty to ensure conditions are consistent with subsections (a), (b) and (c)	CEO; DAA; DM; PTL; SP; TP	
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	CEO; DAA; DM; PTL; SP; TP	
s.62(5)(b)	power to include a permit condition that specified works	CEO; DAA; DM;	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	be provided on or to the land or paid for in accordance with section 173 agreement	PTL; SP; TP	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	CEO; DAA; DM; PTL; SP; TP	
s.62(6)(a)	duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with .62(5) or s.46N	CEO; DAA; DM; PTL; SP; TP	
s.62(6)(b)	duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s.62(1)(a)	CEO; DAA; DM; PTL	
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	CEO; DAA; DM; PTL; SP; TP	SP; TP with consultation with PTL; DM
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	not delegated	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(3)	duty not to issue a permit until after the specified period	not delegated	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(5)	duty to give each objector a copy of an exempt decision	not delegated	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64A	duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	not delegated	this provision applies also to a decision to grant an amendment to a permit – see section
s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	not delegated	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.66(1)	duty to give notice under s.64 or s.65 and copy permit to relevant determining referral authorities	CEO; DAA; DM; PTL; SP; TP;	
s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	CEO; DAA; DM; PTL; SP; TP	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
s.66(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	CEO; DAA; DM; PTL; SP; TP	if the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s.66(6)	duty to give a recommendation referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	CEO; DAA; DM; PTL; SP; TP	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s.69(1)	function of receiving application for extension of time of permit	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.69(1A)	function of receiving application for extension of time to complete development	CEO; DAA; DM; PTL; SP; TP; PSO	
s.69(2)	power to extend time	CEO; DAA; DM; PTL; SP; TP	
s.70	duty to make copy permit available for inspection	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.71(1)	power to correct certain mistakes	CEO; DAA; DM; PTL; SP; TP	
s.71(2)	duty to note corrections in register	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.73	power to decide to grant amendment subject to conditions	CEO; DAA; DM; PTL; SP; TP	in consultation with DM; PTL
s.74	duty to issue amended permit to applicant if no objectors	CEO; DAA; DM; PTL; SP; TP	in consultation with DM; PTL
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	COUNCIL – refusal	DM; PTL; SP; TP to undertake requirements
s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	CEO; DAA; DM; PTL; TP	if the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	CEO; DAA; DM; PTL; TP	if the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice under section 64 or 76	CEO; DAA; DM; PTL; TP	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
s.76D	duty to comply with direction of Minister to issue amended permit	CEO; DAA; DM;; PTL; SP; TP	
s.83	function of being respondent to an appeal	CEO; DAA; DM; PTL; SP; TP	
s.83B	duty to give or publish notice of application for review	CEO; DAA; DM;;	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		PTL; SP; TP	
s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CEO; DAA	
s.84(2)	duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	CEO; DAA; DM; PTL; SP; TP	
s.84(3)	duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	CEO; DAA; DM; PTL; SP; TP	
s.84(6)	duty to issue permit on receipt of advice within 3 working days	CEO; DAA; DM; PTL; SP; TP	
s.86	duty to issue a permit at order of Tribunal within 3 working days	CEO; DAA; DM; PTL; SP; TP; PSO	PSO to undertake administrative requirements
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	CEO; DAA; DM; PTL	
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	CEO; DAA; DM; PTL; SP; TP	
s.91(2)	duty to comply with the directions of the VCAT	CEO; DAA; DM; PTL; SP; TP	
s.91(2A)	duty to issue amended permit to owner if Tribunal so directs	CEO; DAA; DM; PTL; SP; TP	
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	CEO; DAA; DM; PTL; SP; TP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.93(2)	duty to give notice of VCAT order to stop development	CEO; DAA; DM; PTL; SP; TP; IO	SP; TP in consultation with DM; PTL
s.95(3)	function of referring certain applications to the Minister	CEO; DAA; DM; PTL; SP; TP	
s.95(4)	duty to comply with an order or direction	CEO; DAA; DM; PTL; SP; TP	
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	CEO; DAA; DM; PTL; SP; TP	
s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	CEO; DAA	
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	CEO; DAA; DM; PTL	
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s.96C	CEO; DAA; DM; PTL; SP; TP	SP; TP in consultation with DM; PTL
s.96F	duty to consider the panel's report under section 96E	CEO; DAA; DM; PTL; SP; TP	
s.96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s.23 of the Planning and Environment (Planning Schemes) Act 1996)	CEO; DAA; DM; PTL; SP; TP	under direction of Council
s.96H(3)	power to give notice in compliance with Minister's direction	CEO; DAA; DM; PTL; SP; TP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.96J	power to issue permit as directed by the Minister	CEO; DAA; DM; PTL; SP; TP	
s.96K	duty to comply with direction of the Minister to give notice of refusal	CEO; DAA; DM; PTL; SP; TP	
s.96Z	duty to keep levy certificates given to it under ss.47 or 96A for no less than 5 years from receipt of the certificate	CEO; DAA; DM; PTL; SP; TP	
s.97C	power to request Minister to decide the application	DM; PTL; SP; TP	under direction of Council
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	CEO; DAA; DM; PTL; SP; TP	
s.97G(3)	function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of PTL: SP; TP
s.97G(6)	duty to make a copy of permits issued under s.97F available for inspection	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of PTL: SP; TP
s.97L	duty to include Ministerial decisions in a register kept under s.49	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of PTL: SP; TP
s.97MH	duty to provide information or assistance to the Planning Application Committee	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	CEO; DAA; DM	
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	CEO; DAA; DM; PTL; SP; TP	
s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a	CEO; DAA; DM;	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	certificate	PTL; SP; TP	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	CEO; DAA; DM; PTL; SP; TP; IO	
s.97Q(4)	duty to comply with directions of VCAT	CEO; DAA; DM; PTL; SP; TP	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	CEO; DAA; DM; PTL; SP; TP	
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	CEO; DAA; DM; PTL	
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	CEO; DAA; DM; PTL	
s.101	function of receiving claim for expenses in conjunction with claim	CEO; DAA; DM; PTL	
s.103	power to reject a claim for compensation in certain circumstances	CEO; DAA; DM; PTL	
s.107(1)	function of receiving claim for compensation	CEO; DAA; DM; PTL	
s.107(3)	power to agree to extend time for making claim	CEO; DAA; DM; PTL	
s.114(1)	power to apply to the VCAT for an enforcement order	CEO; DAA; DM; PTL; SP; TP; IO	
s.117(1)(a)	function of making a submission to the VCAT where objections are received	CEO; DAA; DM; PTL	
s.120(1)	power to apply for an interim enforcement order where	CEO; DAA; DM;	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	s.114 application has been made	PTL; SP; TP; IO	
s.123(1)	power to carry out work required by enforcement order and recover costs	CEO; DAA; DM; PTL; SP; TP; IO	
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under s.123(1)	CEO; DAA; DM; IO	except Crown Land
s.129	function of recovering penalties	CEO; DAA; DM; PTL; SP; TP; PSO; IO	PSO under direction of DM; PTL; SP; TP
s.130(5)	power to allow person served with an infringement notice further time	CEO; DAA; DM; PTL	
s.149A(1)	power to refer a matter to the VCAT for determination	CEO; DAA; DM; PTL; SP; TP	SP; TP under direction from PTL; DM; DAA
s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	CEO; DAA; DM; PTL; SP; TP	
s.156	duty to pay fees and allowances (including a payment to the Crown under subsection (2A)), power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	CEO; DAA; DM;; PTL; SP; TP	where Council is the relevant planning authority
s.171(2)(f)	power to carry out studies and commission reports	CEO; DAA; DM; PTL; SP; TP	
s.171(2)(g)	power to grant and reserve easements	CEO; DAA; DM; PTL; SP; TP	
s.173	power to enter into agreement covering matters set out in s.174	CEO; DAA; DM; PTL; SP; TP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
---	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	CEO; DAA; DM; PTL; SP; TP	
---	power to give consent on behalf of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	CEO; DAA; DM; PTL; SP; TP	
s.177(2)	power to end a section 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CEO; DAA; DM; PTL; SP; TP	
s.178	power to amend a s.173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CEO; DAA; DM; PTL; SP; TP	SP; TP under direction of PTL; DM; DAA
s.178A(1)	function of receiving application to amend or end an agreement	CEO; DAA; DM; PTL	
s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	CEO; DAA; DM; PTL; SP; TP	
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CEO; DAA; DM; PTL; SP; TP	
s.178A(5)	power to propose to amend or end an agreement	CEO; DAA; DM; PTL	
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	CEO; DAA; DM; PTL; SP; TP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	CEO; DAA; DM; PTL; SP; TP	
s.178C(2)	duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	CEO; DAA; DM; PTL; SP; TP	
s.178C(4)	function of determining how to give notice under s.178C(2)	CEO; DAA; DM; PTL; SP; TP	
s.178E(1)	duty not to make decision until after 14 days after notice has been given	CEO; DAA; DM; PTL; SP; TP	
s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	CEO; DAA; DM; PTL	if no objections are made under s.178D. Must consider matters in s.178B
s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	CEO; DAA; DM; PTL	if no objections are made under s.178D. Must consider matters in s.178B
s.178E(2)(c)	power to refuse to amend or end the agreement	CEO; DAA; DM; PTL	if no objections are made under s.178D. Must consider matters in s.178B
s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	CEO; DAA; DM; PTL	after considering objections, submissions and matters in s.178B
s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	CEO; DAA; DM; PTL	after considering objections, submissions and matters in s.178B
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	CEO; DAA; DM; PTL	after considering objections, submissions and matters in s.178B
s.178E(3)(d)	power to refuse to amend or end the agreement	CEO; DAA; DM;	after considering objections, submissions and matters

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		PTL	in s.178B
s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	CEO; DAA; DM; PTL	
s.178F(2)	duty to give notice of its decision under a 178E(2)(x) or (3)(d)	CEO; DAA; DM; PTL	
s.178F(4)	duty not to proceed to amend or end an agreement under s.178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	CEO; DAA; DM; PTL	
s.178G	duty to sign amended agreement and give copy to each other party to the agreement	CEO; DAA; DM; PTL	
s.178H	power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	CEO; DAA; DM; PTL	
s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CEO; DAA; CM; PTL; SP; TP	
s.179(2)	duty to make available for inspection copy agreement	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	CEO; DAA; DM; PTL; SP; TP	
s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to	CEO; DAA; DM; PTL; SP; TP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	record the agreement		
s.182	power to enforce an agreement	CEO; DAA; DM; PTL; SP; TP	
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of PTL; SP; TP; DM
s.184F(1)	power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	CEO; DAA; DM; PTL; SP; TP	
s.184F(2)	duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	CEO; DAA; DM; PTL	
s.184F(3)	duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	CEO; DAA; DM; PTL	
s.184F(5)	function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	CEO; DAA; DM; PTL; SP; TP	
s.184G(2)	duty to comply with a direction of the Tribunal	CEO; DAA; DM; PTL; SP; TP	
s.184G(3)	duty to give notice as directed by the Tribunal	CEO; DAA; DM; PTL; SP; TP	
s.198(1)	function to receive application for planning certificate	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.199(1)	duty to give planning certificate to applicant	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP
s.201(1)	function of receiving application for declaration of	CEO; DAA; DM; PTL; SP; TP; PSO	PSO under direction of DM; PTL; SP; TP

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	underlying zoning		
s.201(3)	duty to make declaration	CEO; DAA; DM; PTL; SP; TP	
-	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	CEO; DAA; DM; PTL	
-	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	CEO; DAA; DM; PTL	
-	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	CEO; DAA; DM; PTL	
-	power to give written authorisation in accordance with a provision of a planning scheme	CEO; DAA; DM; PTL	
s.201UAB(1)	function of providing the Victorian Planning Growth Areas Authority with information relating to any land within municipal district	CEO; DAA; DM; PTL	
s.201UAB(2)	duty to provide the Victorian Planning Growth Areas Authority with information requested under subsection (1) as soon as possible	CEO; DAA; DM; PTL	
s.224 (8)	to provide information requested by Victorian Planning Growth Areas Authority under s.201UAB(1) not yet provided to Victorian Planning Authority	CEO; DAA; DM; PTL	

RAIL SAFETY (LOCAL OPERATIONS) ACT 2006			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.33	duty to comply with a direction of the Safety Director under this section	CEO; DAA; WM	duty of Council as a utility under s3
s.33A	duty to comply with a direction of the Safety Director to give effect to arrangement under this section	CEO; DAA; WM	duty of Council as a road authority under the <i>Road Management Act 2004</i>
s.34	duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under s33(1)	CEO; DAA; WM	duty of Council as a utility under s3
s.34C(2)	function of entering into safety interface agreements with rail infrastructure manager	CEO; DAA; WM	where Council is the relevant road authority
s.34D(1)	function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	CEO; DAA; WM	where Council is the relevant road authority
s.34D(2)	function of receiving written notice of opinion	CEO; DAA; WM	where Council is the relevant road authority
s.34D(4)	function of entering into safety interface agreement with infrastructure manager	CEO; DAA; WM	where Council is the relevant road authority
s.34E(1)(a)	duty to identify and assess risks to safety	CEO; DAA; WM	where Council is the relevant road authority
s.34E(1)(b)	duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c)	CEO; DAA; WM	where Council is the relevant road authority
s.34E(3)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	CEO; DAA; WM	where Council is the relevant road authority

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

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.142D	function of receiving notice regarding an unregistered rooming house	CEO; DAA; DM; SEHO; EHO; MBS	
s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal district	CEO; DAA; DM; SEHO; EHO; MBS	
s.142G(2)	power to enter certain information in the Rooming House Register	CEO; DAA; DM; SEHO; EHO; MBS	
s.142I(2)	power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	CEO; DAA; DM; SEHO; EHO; MBS	
s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	CEO; DAA; DM; SEHO; MBS	where Council is the landlord
s.262(1)	power to give tenant a notice to vacate rented premises	CEO; DAA; DM; SEHO; MBS	where Council is the landlord
s.262(3)	power to publish its criteria for eligibility for the provision of housing by Council	CEO; DAA; DM; SEHO; MBS	
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	CEO; DAA; DM; SEHO; EHO; MBS	
s.522(1)	power to give a compliance notice to a person	CEO; DAA; DM; SEHO; EHO; MBS	
s.525(2)	power to authorise an officer to exercise powers in s.526 (either generally or in a particular case)	CEO; DAA; DM	
s.525(4)	duty to issue identity card to authorised officers	CEO	
s.526(5)	duty to keep record of entry by authorised officer under	CEO; DAA; DM;	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	section 526	SEHO; EHO; MBS	
s.526A(3)	function of receiving report of inspection	CEO; DAA; DM	
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	CEO; DAA; DM	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.11(1)	power to declare a road by publishing a notice in the Government Gazette	CEO; DCS; FM	obtain consent in circumstances specified in s11(2)
s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	CEO; DCS; FM	
s.11(9)(b)	duty to advise Registrar	CEO; DCS; FM	
s.11(10)	duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	CEO; DCS; FM	clause subject to s11(10A)
s.11(10A)	duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	CEO; DAA; WM	where Council is the coordinating road authority
s.12(2)	power to discontinue road or part of a road	CEO; DAA; WM	where Council is the coordinating road authority
s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	CEO; DCS; FM	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(5)	duty to consider written submissions received within 28 days of notice	CEO; DAA; WM	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(6)	function of hearing a person in support of their written submission	CEO; DAA; WM	function of co-ordinating road authority where it is the discontinuing body unless subsection 911) applies
s.12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	CEO; DAA; WM	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.12(10)	duty to notify of decision made	CEO; DCS; FM	duty of coordinating road authority where it is the discontinuing body does not apply where an exemption is specified by the regulations or given by the Minister
s.13(1)	power to fix a boundary of a road by publishing notice in Government Gazette	CEO; DCS; FM	power of coordinating road authority and obtain consent under s13(3) and s13(4) as appropriate
s.14(4)	function of receiving notice from VicRoads	CEO; DAA; WM	
s.14(7)	power to appeal against decision of VicRoads	CEO	
s.15(1)	power to enter into arrangement with another road authority or a utility 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	CEO; DAA; WM	
s.15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	CEO; DAA; WM	
s.15(2)	duty to include details of arrangement in public roads register	CEO; DAA; WM	
s.16(7)	power to enter into an arrangement under s15	CEO; DAA; WM	
s.16(8)	duty to enter details of determination in public roads register	CEO; DAA; WM	
s.17(2)	duty to register public road in public roads register	CEO; DAA; WM	where Council is the coordinating road authority
s.17(3)	power to decide that a road is reasonably required for general public use	CEO; DAA; WM	where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.17(3)	duty to register a road reasonably required for general public use in public roads register	CEO; DAA; WM	where Council is the coordinating road authority
s.17(4)	power to decide that a road is no longer reasonably required for general public use	CEO; DAA; WM	where Council is the coordinating road authority
s.17(4)	duty to remove road no longer reasonably required for general public use from public roads register	CEO; DAA; WM	where Council is the coordinating road authority
s.18(1)	power to designate ancillary area	CEO; DAA; WM	where Council is the coordinating road authority, and obtain consent in circumstances specified in s18(2)
s.18(3)	duty to record designation in public roads register	CEO; DAA; WM	where Council is the coordinating road authority
s.19(1)	duty to keep register of public roads in respect of which it is the coordinating road authority	CEO; DAA; WM	
s.19(4)	duty to specify details of discontinuance in public roads register	CEO; DAA; WM	
s.19(5)	duty to ensure public roads register is available for public inspection	CEO; DAA; WM	
s.21	function of replying to request for information or advice	CEO; DAA; WM	obtain consent in circumstances specified in s11(2)
s.22(2)	function of commenting on proposed direction	CEO; DAA; WM	
s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.	CEO; DCS, FM	
s.22(5)	duty to give effect to a direction under this section.	CEO; DAA; WM	
s.40(1)	duty to inspect, maintain and repair a public road.	CEO; DAA; WM	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.40(5)	power to inspect, maintain and repair a road which is not a public road	CEO; DAA; WM	
s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	CEO; DAA; WM	
s.42(1)	power to declare a public road as a controlled access road	CEO; DAA; WM	power of coordinating road authority and Schedule 2 also applies
s.42(2)	power to amend or revoke declaration by notice published in Government Gazette	CEO; DAA; WM	power of coordinating road authority and Schedule 2 also applies
s.42A(3)	duty to consult with VICRoads before road is specified	CEO; DAA; WM	where Council is the coordinating road authority if road is a municipal road or part thereof
s.42A(4)	power to approve Minister's decision to specify a road as a specified freight road	CEO; DAA; WM	where Council is the coordinating road authority if road is a municipal road or part thereof and where road is to be specified a freight road
s.48EA	duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	CEO; DAA; WM	where Council is the coordinating road authority, infrastructure manager or works manager
s.48M(3)	function of consulting with the relevant authority for purposes of developing guidelines under section 48M	CEO; DAA; WM	
s.49	power to develop and publish a road management plan	CEO; DAA	
s.51	power to determine standards by incorporating the standard in a road management plan	CEO; DAA	
s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CEO; DAA; WM	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.54(2)	duty to give notice of proposal to make a road management plan	CEO; DAA; WM	
s.54(5)	duty to conduct a review of road management plan at prescribed intervals	CEO; DAA	
s.54(6)	power to amend road management plan	CEO; DAA	
s.54(7)	duty to incorporate the amendments into the road management plan	CEO; DAA	
s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	CEO; DAA; WM	
s.63(1)	power to consent to conduct of works on road	CEO; DAA; WM	where Council is the coordinating road authority
s.63(2)(e)	power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	CEO; DAA; WM	where Council is the coordinating road authority
s.64(1)	duty to comply with clause 13 of Schedule 7	CEO; DAA; WM	where Council is the coordinating road authority or works manager
s.66(1)	power to consent to structure etc	CEO; DAA; WM	where Council is the coordinating road authority
s.67(2)	function of receiving the name and address of the person responsible for distributing the sign of bill	CEO; DAA; WM	where Council is the coordinating road authority
s.67(3)	power to request information	CEO; DAA; WM	where Council is the coordinating road authority
s.68(2)	power to request information	CEO; DAA; WM	where Council is the coordinating road authority
s.71(3)	power to appoint an authorised officer	CEO	
s.72	duty to issue an identity card to each authorised officer	CEO	
s.85	function of receiving report from authorised officer	CEO	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.86	duty to keep register re s85 matters	CEO; DAA; WM	
s.87(1)	function of receiving complaints	CEO	
s.87(2)	duty to investigate complaint and provide report	CEO; DAA; WM	
s.112(2)	power to recover damages in court	CEO; DAA	
s.116	power to cause or carry out inspection	CEO; DAA; WM	
s.119(2)	function of consulting with VicRoads	CEO; DAA	
s.120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	CEO; DAA; WM	
s.120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	CEO; DAA; WM	
s.121(1)	power to enter into an agreement in respect of works	CEO; DAA; WM	
s.122(1)	power to charge and recover fees	CEO	
s.123(1)	power to charge for any services	CEO; DAA	
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	CEO; DAA	
Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	CEO; DAA	
Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	CEO; DAA	
Schedule 2 Clause 4	function of receiving details of proposal from VicRoads	CEO; DAA	
Schedule 2	duty to publish notice of declaration	CEO; DAA	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Clause 5			
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	CEO; DAA; WM	where Council is the coordinating road authority 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	CEO; DAA; WM	where Council is the coordinating road authority 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	CEO; DAA; WM	where Council is the coordinating road authority 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	CEO; DAA; WM	where Council is the coordinating road authority or works manager
Schedule 7, Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	CEO; DAA; WM	where Council is the coordinating road authority or works manager
Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	CEO; DAA; WM	where Council is the coordinating road authority
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	CEO; DAA; WM	where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	CEO; DAA; WM	where Council is the coordinating road authority
Schedule 7 Clause 12(5)	power to recover costs	CEO; DAA; WM	where Council is the coordinating road authority
Schedule 7, Clause 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2)	CEO; DAA; WM	where Council is the works manager
Schedule 7 Clause 13(2)	power to vary notice period	CEO; DAA; WM	where Council is the coordinating road authority
Schedule 7, Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1)	CEO; DAA; WM	where Council is the infrastructure manager
Schedule 7 Clause 16(1)	power to consent to proposed works	CEO; DAA; WM	where Council is the coordinating road authority
Schedule 7 Clause 16(4)	duty to consult	CEO; DAA; WM	where Council is the coordinating road authority, responsible authority or infrastructure manager
Schedule 7 Clause 16(5)	power to consent to proposed works	CEO; DAA; WM	where Council is the coordinating road authority
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	CEO; DAA; WM	where Council is the coordinating road authority
Schedule 7 Clause 16(8)	power to include consents and conditions	CEO; DAA; WM	where Council is the coordinating road authority
Schedule 7 Clause 17(2)	power to refuse to give consent	CEO; DAA; WM	where Council is the coordinating road authority
Schedule 7 Clause 18(1)	power to enter into an agreement	CEO; DAA; WM	where Council is the coordinating road authority
Schedule 7	power to give notice requiring rectification of works	CEO; DAA; WM	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
Clause 19(1)			
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	CEO; DAA; WM	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	CEO; DAA; WM	where Council is the coordinating road authority
Schedule 7A Clause 2	power to cause street lights to be installed on roads	CEO; DAA; WM	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	CEO; DAA; WM	where Council is the coordinating 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	CEO; DAA; WM	where Council is the coordinating road authority
Schedule 7A Clause (3)(1)(f)	duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with clauses 3(2) and 4	CEO; DAA; WM	duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal Council (re: operating costs)

CEMETERIES AND CREMATORIA REGULATIONS 2015

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.24	duty to ensure that cemetery complies with depth of burial requirements	N/A	
r.25	duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	N/A	
r.27	power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	N/A	
r.28(1)	power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	N/A	
r.28(2)	duty to ensure any fittings removed of are disposed in an appropriate manner	N/A	
r.29	power to dispose of any metal substance or non-human substance recovered from a cremator	N/A	
r.30(2)	power to release cremated human remains to certain persons	N/A	subject to any order of a court

CEMETERIES AND CREMATORIA REGULATIONS 2015

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.31(1)	duty to make cremated human remains available for collection within 2 working days after the cremation	N/A	
r.31(2)	duty to hold cremated human remains for at least 12 months from the date of cremation	N/A	
r.31(3)	power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	N/A	
r.31(4)	duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	N/A	
r.32	duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	N/A	
r.33(1)	duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	N/A	
r.33(2)	duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	N/A	
r.34	duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs (a)-(b)	N/A	

CEMETERIES AND CREMATORIA REGULATIONS 2015

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.36	duty to provide statement that alternative vendors or supplier of monuments exist	N/A	
r. 40	power to approve a person to play sport within a public cemetery	N/A	
r. 41(1)	power to approve fishing and bathing within a public cemetery	N/A	
r. 42(1)	power to approve hunting within a public cemetery	N/A	
r. 43	power to approve camping within a public cemetery	N/A	
r. 45(1)	power to approve the removal of plants within a public cemetery	N/A	
r.46	power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	N/A	
r. 47(3)	power to approve the use of fire in a public cemetery	N/A	
r.48(2)	power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	N/A	

Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules

CEMETERIES AND CREMATORIA REGULATIONS 2015

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 2, clause 4	power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of Schedule 2	N/A	see note above regarding model rules
Schedule 2, clause 5(1)	duty to display the hours during which pedestrian access is available to the cemetery	N/A	see note above regarding model rules
Schedule 2, clause 5(2)	duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	N/A	see note above regarding model rules
Schedule 2, clause 6(1)	power to give directions regarding the manner in which a funeral is to be conducted	N/A	see note above regarding model rules
Schedule 2, clause 7(1)	power to give directions regarding the dressing of places of interment and memorials	N/A	see note above regarding model rules
Schedule 2, clause 8	power to approve certain mementos on a memorial	N/A	see note above regarding model rules
Schedule 2, clause 11(1)	power to remove objects from a memorial or place of interment	N/A	see note above regarding model rules
Schedule 2, clause 11(2)	duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	N/A	see note above regarding model rules

CEMETERIES AND CREMATORIA REGULATIONS 2015

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 2, clause 12	power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	N/A	see note above regarding model rules
Schedule 2, clause 14	power to approve an animal to enter into or remain in a cemetery	N/A	see note above regarding model rules
Schedule 2, clause 16(1)	power to approve construction and building within a cemetery	N/A	see note above regarding model rules
Schedule 2, clause 17(1)	power to approve action to disturb or demolish property of the cemetery trust	N/A	see note above regarding model rules
Schedule 2, clause 18(1)	power to approve digging or planting within a cemetery	N/A	see note above regarding model rules

PLANNING AND ENVIRONMENT REGULATIONS 2015

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	CEO; DAA; DM; PTL; SP; TP	where Council is not the planning authority and the amendment affects land within its municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	CEO; DAA; DM; PTL; SP; TP; IO	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	CEO; DAA; DM; PTL,	where Council is the responsible authority
r.25(b)	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	CEO; DAA; DM; PTL	where Council is not the responsible authority but the relevant land is within Council's municipal district
r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	CEO; DAA; DM; PTL; 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.

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.19	power to waive or rebate a fee relating to an amendment of a planning scheme	CEO; DAA; DM	
r.20	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	CEO; DAA; DM	
r.21	duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r.19 or 20	CEO; DAA; DM	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 1999			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.7	function of entering into a written agreement with a caravan park owner	CEO; DAA; DM	
r. 11	function of receiving applications for registration	CEO; DAA; DM	
r.13(1)	duty to grant registration if satisfied that the caravan park complies with these regulations	CEO; DAA; DM	
r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	CEO; DAA; DM	
r.13(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEO; DAA; DM	
r.13(4) & (5)	duty to issue a certificate of registration	CEO; DAA; DM	
r.15(1)	function of receiving notice of transfer of ownership	CEO; DAA; DM	
r.15(3)	power to determine where notice of transfer is displayed	CEO; DAA; DM	
r.16(1)	duty to transfer registration to new caravan park owner	CEO; DAA; DM	
r.16(2)	duty to issue certificate of transfer of registration	CEO; DAA; DM	
r.17(1)	power to determine registration fee to accompany applications for registration or applications for renewal of registration	CEO; DAA; DM	
r.18	duty to keep register of caravan parks	CEO; DAA; DM	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 1999

PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.19(4)	power to determine where the emergency contact person's details are displayed	CEO; DAA; DM	
r.19(6)	power to determine where certain information is displayed	CEO; DAA; DM	
r.22A(1)	duty to notify caravan park owner of the relevant emergency service agencies for the caravan park, on the request of the caravan park owner	CEO; DAA; DM	
r.22A(2)	duty to consult with relevant emergency services agencies	CEO; DAA; DM	
r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	CEO; DAA; DM	
r.24	power to determine places in which caravan park owner must display copy of public emergency warnings	CEO; DAA; DM	
r.25(3)	duty to consult with relevant floodplain management authority	CEO; DAA; DM	
r.26	duty to have regard to any report of the relevant fire authority	CEO; DAA; DM	
r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	CEO; DAA; DM	
r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	CEO; DAA; DM	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 1999

PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	CEO; DAA; DM	
r.40(4)	function of receiving installation certificates	CEO; DAA; DM	
r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	CEO; DAA; DM	
Schedule 3 Clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	CEO; DAA; WM	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016

PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.8(1)	duty to conduct reviews of road management plan	CEO; DAA; WM	
r.9(2)	duty to produce written report of review of road management plan and make report available	CEO; DAA; WM	
r.9(3)	duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	CEO; DAA; WM	where Council is the coordinating road authority
r.10	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	CEO; DAA; WM	
r.13(1)	duty to publish notice of amendments to road management plan	CEO; DAA; WM	where Council is the coordinating road authority
r.13(3)	duty to record on road management plan the substance and date of effect of amendment	CEO; DAA; WM	
r.16(3)	power to issue permit	CEO; DAA; WM	where Council is the coordinating road authority
r.18(1)	power to give written consent re damage to road	CEO; DAA; WM	where Council is the coordinating road authority
r.23(2)	power to make submission to Tribunal	CEO; DAA	where Council is the coordinating road authority
r.23(4)	power to charge a fee for application under section 66(1) Road Management Act	CEO; DAA	where Council is the coordinating road authority
r.25(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	CEO; DAA; WM	where Council is the coordinating road authority
r.25(2)	power to sell or dispose of things removed from road or part of road (after first complying with r.25(3))	CEO; DAA; WM	where Council is the coordinating road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.25(5)	power to recover in the Magistrates' Court, expenses from person responsible	CEO; DAA; WM	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015

PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.15	power to exempt a person from requirement under clause 13(1) of Schedule 7 of the Act to give notice as to the completion of those works	CEO; DAA; WM	where Council is the coordinating road authority and where consent given under section 63(1) of the Act
r.22(2)	power to waive whole or part of fee in certain circumstances	CEO; DAA; WM	where Council is the coordinating road authority