

Ordinary Council Minutes Attachments



Following are the attachments to the reports as annexed to the minutes of the Ordinary Council meeting on Monday **6 February 2012**

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5. Revised Instruments of Delegation and Instruments of Appointment and Authorisation	4

Record of Assemblies of Councillors



Assembly details	Councillor Attendees	Officer attendees	Matters discussed	Conflict of Interest disclosures
Hawthorn Town Hall Arts Precinct Steering Committee 12 December 2011	Cr David Bloom Cr Philip Meggs	June Dugina (DSD) Steven White (MP&S) Rick Kwasek (CEP) Julian Summers (PJA) Don Cameron (PJM) Judy Spokes (MAC) Brett Davies (CFC)	1. Update on concepts, interior design and furniture	Nil
Boroondara Citizen and Young Citizen of the Year 15 December 2011	Cr Kreutz (Mayor) Cr David Bloom Cr Dick Menting	David Thompson (MG) Elisha Marriott (GPO)	1. Boroondara Citizen and Young Citizen of the Year	Nil
Statutory Planning Advisory Committee 19 December 2011	Cr Brad Miles Cr Coral Ross	Erin Dicketts (SPO) Felicity Barnewall (SP) Simon Mitchell (MSP)	1. 1 Marong Grove, Balwyn 2. 3 Hillside Parade, Glen Iris	Nil
Statutory Planning Advisory Committee 16 January 2012	Cr Kreutz (Mayor) Cr Brad Miles	Andrew Kerr (SP) Simon Mitchell (MSP)	1. 21 Regent St, Camberwell	Nil

See over for an index of officer titles

Record of Assemblies of Councillors

Index of officer titles

ADO	Access & Diversity Officer
BPO	Boroondara Volunteer Resource Centre Program Officer
CAC	Curator, Arts & Culture
CBA	Coordinator Building Assets
CC	Coordinator Communications
CCFS	Coordinator Cultural Facilities and Services
CCI	Coordinator Corporate Information
CCS	Coordinator Children's Services
CCSP	Coordinator Community Support
CCuS	Coordinator Customer Service
CDO	Community Development Officer
CE	Coordinator Engagement
CEO	Chief Executive Officer
CEP	Coordinator Engineering Projects
CEY	Coordinator Early Years
CFC	Cultural Facilities Coordinator
CFS	Coordinator Family Services
CLDO	Cultural Development Officer
CLF	Coordinator Leisure Facilities
CLS	Coordinator Leisure Services
CMCH	Cluster Coordinator Maternal & Child Health Services
COG	Coordinator Governance
CPP	Coordinator Purchasing and Procurement
CPSP	Community Planning Support Officer
CRPS	Coordinator Revenue & Property Services
CSA	Communications Senior Advisor
CSAO	Customer Service Administration Officer
CSD	Coordinator Strategy and Development
CSDAO	Community Safety Drug and Alcohol Officer
CsoP	Coordinator Social Planning
CSP	Coordinator Statutory Planning
CSS	Coordinator Sport Services
CTD	Coordinator Traffic & Drainage
CVS	Coordinator Volunteer Support & Development
CWM	Coordinator Waste Management
CWO	Coordinator Waste Operations
CYS	Coordinator Youth Services
DCD	Director Community Development
DCDA	Director City Development and Amenity
DCR	Director Corporate Resources (former)
DCS	Director Corporate Services
DEI	Director Environment and Infrastructure
DSD	Director Strategic Development
EC	Environment Coordinator
EFBA	Engagement & Facilitation Business Analyst
EHO	Environment Health Officer
EMCE	Executive Manager Communications & Engagement
FSP	Family Services Planner
GPO	Governance Projects Officer
HRA	Human Resources Advisor
ITPM	Information Technology Program Manager
LA	Landscape Architect
LFDO	Leisure Facilities Development Officer
LLO	Local Laws Officer
MAC	Manager Arts & Culture
MAO	Metro Access Officer
MBD	Manager Business Development
MBS	Manager Building Services (& Municipal Building Surveyor)
MCP	Manager Community Planning
ME&T	Manager Engineering & Traffic
MED	Manager Economic Development
MESL	Manager Environment & Sustainable Living
MfinS	Manager Financial Services
MFS	Manager Family Services
MG	Manager Governance

MHADS	Manager Health Ageing & Disability Services
MHR	Manager Human Resources
MIS	Manager Infrastructure Services
MIT	Manager Information Technology
ML&D	Manager Learning & Development
ML&S	Manager Leisure & Sport
MlegS	Manager Legal Services
MLL	Manager Local Laws
MLS	Manager Library Services & Volunteer Dept
MPCD	Manager People Culture and Development
MP&G	Manager Parks & Gardens
MP&S	Manager Projects & Strategy
MPPM	Major Projects Project Manager
MPR	Manager Public Relations
MSP	Manager Statutory Planning
MSTP	Manager Strategic Planning
OBA	Online Business Analyst
ODC	Organisation Development Coordinator
PAAM	Principal Advisor Asset Management
PALO	Paralegal Officer
PJA	Project Administrator
PJM	Project Manager
PJO	Project Officer
PP	Principal Planner
PSO	Planning Support Officer
RP	Recreation Planner
SAD	Service Administrator
SAPO	Senior Asset Protection Officer
SCADS	Senior Coordinator Ageing and Disability Services
SESO	Senior Environmental Sustainability Officer
SHRA	Social and Health Research Analyst
SLA	Senior Landscape Architect
SLLO	Senior Local Laws Officer
SMA	Senior Management Accountant
SO	Subdivision Officer
SoPL	Social Planning Officer
SP	Statutory Planner
SPA	Senior Project Architect
SPJO	Senior Project Officer
SPO	Senior Planning Officer
SPP	Senior Project Planner
SPPO	Senior Policy and Project Officer
SSCA	Senior Strategic Communications Adviser
SSP	Senior Strategic Planner
STP	Strategic Transport Planner
STPO	Statutory Planning Officer
STRP	Strategic Planner
TE	Transport Engineer
TLC	Team Leader Compliance
TLCSA	Team Leader Customer Service Administration
TLD	Team Leader Disabilities
TLEP	Team Leader Environmental Planning
TLHP	Team Leader Health Protection
TLID	Team Leader Infectious Diseases
TLL	Team Leader Local Laws
TLLD	Team Leader Landscape and Design
TLRM	Team Leader Risk Management
TLSP	Team Leader Strategic Planning
TLTM	Team Leader Transport Management
TLWP	Team Leader Works Permits
TSP	Technical Support Planner
TSTL	Technical Support Team Leader
UD	Urban Designer
WPC	Web and Print Coordinator
YOW	Youth Outreach Worker
YPDO	Youth Planning and Development Officer
aXXX	'a' designates acting

Instrument of Delegation to the Chief Executive Officer

Boroondara City Council

Instrument of Delegation

to

the Chief Executive Officer

Instrument of Delegation

In exercise of the power conferred by section 98(1) of the *Local Government Act 1989 (the Act)* and all other powers enabling it, the Boroondara City Council (**Council**) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on 6 February 2012;
2. the delegation
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2 is subject to any conditions and limitations set out in the Schedule;
 - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.4 remains in force until Council resolves to vary or revoke it.
3. The member of Council staff occupying the position or title of or acting in the position of Chief Executive Officer may delegate to a member of Council staff any of the powers (other than the power of delegation conferred by section 98(3) of the Act or any other powers not capable of sub-delegation) which this Instrument of Delegation delegates to him or her.

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

..... Chief Executive Officer

..... Councillor

..... Date

SCHEDULE

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

Conditions and Limitations

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

4. if the issue, action, act or thing is an issue, action, act or thing which involves
 - 4.1 awarding a contract or approve a purchase or payment exceeding the value of \$500,000, unless the contract, purchase or payment has been previously approved by resolution of Council or a Special Committee;
 - 4.2 awarding a contract or approve a purchase or payment exceeding the value of \$500,000 unless the contract, purchase or payment relates to statutory charges such as superannuation, taxation, MFB levy and insurance charges generally consistent with the approved or amended budget;
 - 4.3 making a local law under Part 5 of the Act;
 - 4.4 approval of the Council Plan under s.125 of the Act;
 - 4.5 adoption of the Strategic Resource Plan under s.126 of the Act;
 - 4.6 preparation or adoption of the Budget or a Revised Budget under Part 6 of the Act;
 - 4.7 adoption of the Auditor's report, Annual Financial Statements, Standard Statements and Performance Statement under Part 6 of the Act;
 - 4.8 noting Declarations of Impartiality by Valuers pursuant to section 13DH(2) of the Valuation of Land Act 1960;
 - 4.9 determining pursuant to s.37 of the Act that an extraordinary vacancy on Council not be filled;
 - 4.10 exempting a member of a special committee who is not a Councillor from submitting a return under s.81 of the Act;
 - 4.11 appointment of councillor or community delegates or representatives to external organisations; or
 - 4.12 the return of the general valuation and any supplementary valuations;
 - 4.13 something inconsistent with, or prohibited by the Table at the foot of this schedule;

5. 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;
6. 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
 - 6.1 policy; or
 - 6.2 strategy
 adopted by Council; or
7. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
8. 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.

TABLE

Type of Expenditure or Item	Expenditure Limit for Individual or Prohibition
Purchase or Sale of Land	Prohibited
Approval of the purchase or hire (other than taxi hire) of vehicles	\$500,000 excluding GST
Building and Capital Works - including repairs and alterations	\$500,000 excluding GST
Purchase or disposal of equipment and other fixed assets	\$500,000 excluding GST
Urgent repairs to buildings and equipment (including replacement of equipment)	\$500,000 excluding GST
Appointment or engagement of legal practitioners or external consultants	\$500,000 excluding GST
Leases or licences of land, buildings, vehicles or equipment	\$500,000 excluding GST
Provision, reduction or withdrawal of credit facilities provided by Council	\$5,000 excluding GST
Write off bad debt	\$20,000
Settlement of any claims and litigation (including WorkCare and WorkCover claims)	\$100,000 excluding GST
Enter into contracts for the acquisition of goods and services	\$500,000 excluding GST in respect of any one contract, unless the contract, purchase or payment has been previously approved by resolution of Council or a Special Committee, or relates to statutory charges such as superannuation, taxation, MFB levy and insurance charges generally consistent with the approved or amended budget.

Type of Expenditure or Item	Expenditure Limit for Individual or Prohibition
<ul style="list-style-type: none"> • Extend the term of any contract which is lawfully capable of having its term extended • Authorise a variation to any contract 	<p>If the contract:</p> <ul style="list-style-type: none"> • has been entered into by the delegate in exercise of a power conferred by this Instrument of Delegation, the aggregate value of the contract (taking into account the value of expenditure for the further term and the value of the variation) must not then exceed \$500,000 excluding GST • has been entered into by Council, and the value of the contract is less than \$100,000, the aggregate value of the contract (taking into account the value of expenditure for the further term and the value of the variation) may not increase by more than twenty percent (20%). • has been entered into by Council, and the value of the contract is between \$100,000 and \$500,000, the aggregate value of the contract (taking into account the value of expenditure for the further term and the value of the variation) may not increase by more than \$50,000. • has been entered into by Council, and the value of the contract is greater than \$500,000, the aggregate value of the contract (taking into account the value of expenditure for the further term and the value of the variation) may not increase by more than or 10% or \$100,000 whichever is lesser.

SCHEDULE 2

ROADS AND RESERVES

1. The power conferred by section 207 of, and clause 3 of Schedule 10 to, the Act to propose that a road or part of a road:
 - 1.1 be discontinued; and
 - 1.2 sold, transferred to the Crown or Council or retained by Council upon the discontinuance taking effect.
2. The function conferred by sections 207, 207A(a) and 223(1)(a) of the Act of giving public notice of such proposal:
3. The power conferred by section 207 of, and clause 3 of Schedule 10 to, the Act to:
 - 3.1 discontinue; and
 - 3.2 sell, transfer to the Crown or Council or retain on behalf of Councila road or part of a road which has been the subject of a proposal under paragraph 1 of this Schedule.
4. The power conferred by section 24A(1) of the Subdivision Act 1988 to lodge at the Titles Office for registration a certified plan to do any of the things mentioned in that sub-section in relation to the whole or part of any drainage or sewerage reserve ("reserve").
5. The power conferred by section 189 of the Act to propose that a reserve be sold.
6. The function conferred by sections 189 and 223 (1) (a) of the Act of giving public notice of such proposal.
7. The power conferred by section 189 of the Act to sell a reserve which has been the subject of a proposal under paragraph 5 of this Schedule.

CONDITIONS AND LIMITATIONS

The powers described in paragraphs 3 and 7 of this Schedule must not be exercised if, after giving public notice of a proposal of the type described in paragraph 1 or 5 of this Schedule (as the case may be), Council receives a submission which:

- (a) is adverse to the proposal; or
- (b) contains comments which are adverse to the proposal.

Boroondara City Council

Instrument of Delegation

to

Members of Council Staff

- Domestic Animals Act 1994
- Environment Protection Act 1970
- Food Act 1984
- Heritage Act 1995
- Planning & Environment Act 1987
- Rail Safety Act 2006
- Residential Tenancies Act 1997
- Road Management Act 2004
- Planning and Environment Regulations 2005
- Planning and Environment (Fees) Regulations 2000
- Road Management (General) Regulations 2005
- Road Management (Works and Infrastructure) Regulations 2005

Instrument of Delegation

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

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

CEO	means	Chief Executive Officer
DCDA	means	Director, City Development & Amenity
DEI	means	Director, Environment & Infrastructure
DCD	means	Director, Community Development
DCS	means	Director, Corporate Services
DSD	means	Director, Strategic Development
CPH	means	Co-ordinator, Public Health
CSP	means	Co-ordinator, Statutory Planning
EHO	means	Environment Health Officer
MAP	means	Manager, Asset Planning
MBS	means	Manager, Building Services
ME&T	means	Manager, Engineering & Traffic
MPC&D	means	Manager People, Culture and Development
MFinS	means	Manager, Financial Services
MHADS	means	Manager, Health, Ageing & Disability Services
MIS	means	Manager, Infrastructure Services
MLL	means	Manager, Local Laws
MP&G	means	Manager, Parks & Gardens
MP&S	means	Manager, Projects and Strategy
MSP	means	Manager, Statutory Planning
MSTP	means	Manager, Strategic Planning
PO	means	Planning Officer
PP	means	Principal Planner
SP	means	Statutory Planner
SPAC	means	Statutory Planning Appeals Coordinator
SPP	means	Senior Project Planner
SSP	means	Senior Statutory Planner
SSTRP	means	Senior Strategic Planner
STP	means	Strategic Planner
TLHS	means	Team Leader, Health Services
TLIS	means	Team Leader, Immunisation Services
TLSP	means	Team Leader Strategic Planning

3. declares that:
 - 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 6 February 2012 and
 - 3.2 the delegation:
 - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 3.2.2 remains in force until varied or revoked;

- 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
- 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
- 3.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategy
 - (c) adopted by Council; or
 - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
 - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.
- 3.4 As a principle of delegation, no delegation has been assigned to a member of Council staff where that delegation has not also been assigned to the Chief Executive Officer, the relevant Director(s) and their line manager, subject to any other specific requirements or statutory provisions to the contrary.

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

..... Chief Executive Officer

..... Councillor

..... Date

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DOMESTIC ANIMALS ACT 1994			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.41A(1)	power to declare a dog to be a menacing dog	CEO, DCDA & MLL	<p>Council may delegate this power to an authorised officer.</p> <p>Officers will ensure Councillors, particularly the Ward Councillor, are kept informed about any exercise of this power. It should be noted that Council's power to declare a dog to be a menacing or dangerous dog is subject to appeal rights to the Victorian Civil and Administrative Tribunal.</p>

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, DCD, MHADS, CPH, TLHS & EHO	
s.53M(4)	duty to advise applicant that application is not to be dealt with	CEO, DCD, MHADS, CPH, TLHS & EHO	
s.53M(5)	duty to approve plans, issue permit or refuse permit	CEO, DCD, MHADS, CPH, TLHS & 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, DCD, MHADS, CPH, TLHS & EHO	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)		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, DCD, MHADS, CPH, TLHS & 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, DCD, MHADS, CPH, TLHS & EHO	If section 19(1) applies
s.19(4)(a)	power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	CEO, DCD, MHADS, CPH, TLHS & EHO	If section 19(1) applies
s.19(4)(b)	duty to notify the Department of the making of the order	CEO, DCD, MHADS, CPH, TLHS, TLIS & EHO	If section 19(1) applies
s.19(4)(c)	duty to notify the registration authority of the making of the order and any appeal and the outcome of the appeal	CEO, DCD, MHADS, CPH, TLHS & EHO	If section 19(1) applies and if council is not the registration authority
s.19(6)(a)	duty to revoke any order under section 19 if satisfied that an order has been complied with	CEO, DCD, MHADS, CPH, TLHS & EHO	If section 19(1) applies
s.19(6)(b)	duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	CEO, DCD, MHADS, CPH, TLHS & EHO	If section 19(1) applies

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19A(4)(b)	function of receiving notice from authorised officer	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.19BA(3)	duty to give notice of the variation or revocation of the order to the general public in the same manner as the original notice	CEO, DCD, MHADS, CPH, TLHS & EHO	must be done by the same person as gave the original notice
s.19CB(4)(b)	power to request copy of records	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.19E(1)(d)	power to request a copy of the food safety program	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.19EA(3)	function of receiving a copy of any significant revision made to the food safety program	CEO, DCD, MHADS, CPH, TLHS & 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, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.19H(5)(a) & (5)(b)	duty to take into account (a) the food safety performance of the food business; and (b) any guidelines issued by the Secretary in determining the frequency and intervals of the assessments and audits	CEO, DCD, MHADS, CPH, TLHS & 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.19I	duty to conduct a food safety assessment as required under section 19H	CEO, DCD, MHADS, CPH, TLHS & EHO	Subject to section 19J where council is the registration authority
s.19IA(2)	duty to give written notice to proprietor if food safety requirements or section 19DC(2) have not been complied with unless subsection (3) applies.	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.19M(4)(a) & (5)	power to conduct a food safety audit and take actions where deficiencies are identified	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.19N	function of receiving information from a food safety auditor	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.19NA(1)	power to request food safety audit reports	CEO, DCD, MHADS, CPH, TLHS & 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, DCD, MHADS, CPH, TLHS & EHO	
s.19U(4)	duty to ensure that information relating to costs of a food safety audit are available for inspection by the public	CEO, DCD, MHADS, CPH, TLHS & EHO	
s.19UA	power to charge fees for conducting a food safety assessment or inspection	CEO, DCD, MHADS, CPH, TLHS & EHO	except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39.

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19UA(4)	duty to consider proprietor's history of compliance in deciding whether to charge the fee	CEO, DCD, MHADS, CPH, TLHS & EHO	
s.19UA(5)	duty to ensure that the method of determining a fee under subsection (3)(a) and the considerations that apply under subsection (4) are available for inspection by the public	CEO, DCD, MHADS, CPH, TLHS & EHO	
s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.19W(3)(a)	power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	CEO, DCD, MHADS, CPH, TLHS & 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, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
	power to register, renew or transfer registration	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council (see section 58A(2))
s.35A(2)	function of receiving notice of operation from the proprietor of a food premises	CEO, DCD, MHADS, CPH, TLHS & 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.37	function of receiving application, information and documents required under section 36 from the proprietor of a food business	CEO, DCD, MHADS, CPH, TLHS& EHO	
s.38(3)	duty to consult with the Secretary about the proposed exemption under section 38(2)	CEO, DCD, MHADS, CPH, TLHS & EHO	
s.38AA(2)	function of being notified of operation	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.38AA(4)	duty to determine whether the food premises are exempt from the requirement of registration	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.38AA(5)	power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.38AB(4)	power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.38A(4)	power to request a copy of a completed food safety program template	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.38A(5) & (6)	function of receiving a food safety audit certificate from a proprietor	CEO, DCD, MHADS, CPH, TLHS& 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.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.38B(1)(c)	duty to inspect premises	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.38D(3)	power to request copies of any audit reports	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.38E(1)(c)	function of assessing the requirement for a food safety program	CEO, DCD, MHADS, CPH, TLHS & 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.38E(2)	power to register the food premises on a conditional basis	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority; not exceeding the prescribed time limit defined under subsection (5).
s.38E(3)(a)	function of receiving certificates	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.38E(4)	duty to register the food premises when conditions are satisfied	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.38F(3)(a)	duty to note the change to the classification of the food premises on the certificate of registration	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.39(2)	duty to inspect within 12 months before renewal of registration	CEO, DCD, MHADS, CPH, TLHS, TLIS & EHO	where council is the registration authority
s.39(3)	duty to inspect within 3 months before renewal of registration if circumstances in section 39(3)(a)-(d) apply	CEO, DCD, MHADS, CPH, TLHS & 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.39A	power to register, renew or transfer food premises despite minor defects	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority only if satisfied of matters in subsections (2)(a)-(c)
s.39A(6)	duty to comply with direction of Secretary.	CEO, DCD, MHADS, CPH, TLHS & EHO	
s.40(1)	duty to issue a certificate of registration in the prescribed form	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	CEO, DCD, MHADS, CPH, TLHS & EHO	
s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.40D(1)	power to suspend or revoke the registration of food premises	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.40D(2)	duty to specify how long a suspension is to last under s.40D(1)	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.40E(4)	duty to comply with direction of Secretary	CEO, DCD, MHADS, CPH, TLHS & EHO	

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.43(1) and (2)	duty to maintain records of the prescribed particulars and orders in force under Part III	CEO, DCD, MHADS, CPH, TLHS & EHO	where council is the registration authority
s.43(3)	duty to make available information held in records, free of charge, on request	CEO, DCD, MHADS, CPH, TLHS & EHO	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, DCD, MHADS, CPH, TLHS& 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, DCD, MHADS, CPH, TLHS& EHO	where council is the registration authority
s.43I	function of receiving a statement of trade of a proprietor of a food business	CEO, DCD, MHADS, CPH, TLHS& EHO	
s.46(5)	power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	CEO, DCD, MHADS, CPH, TLHS, TLIS & EHO	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, DCDA, DEI	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	IMPLEMENTATION GUIDELINES
s.4B	power to prepare an amendment to the Victoria Planning Provisions	CEO, DSD, DCDA, MSTP, STP, TLSP, SPP, PP, MSP, CSP, SPAC, SSP	if authorised by the Minister	In accordance with Council resolution
s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	CEO, DSD, DCDA, MSTP, TLSP, SPP, SSTRP, STP, MSP, CSP, SPAC, SSP		
s.4H	duty to make amendment to Victoria Planning Provisions available	CEO, DSD, DCDA, MSTP, SSTRP, TLSP, SPP, PP, STP, MSP, CSP, SPAC, SSP		
s.4I	duty to keep Victoria Planning Provisions and other documents available	CEO, DSD, DCDA, MSTP, TLSP, SPP, SSTRP, PP, STP, MSP, CSP, SPAC, SSP		
s. 8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	CEO, DSD, DCDA, MSTP, TLSP, PP, MSP, CSP, SPAC		
s.11(3)(b)	duty to submit amendment to planning scheme to Minister for approval if the Minister withdraws authorisation	CEO, DCDA, DSD, MSP, MSTP, TLSP, SPP, MSP, CSP, SPAC		

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	IMPLEMENTATION GUIDELINES
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, DSD, DCDA, MSTP, TLSP, SPP, SSTRP, STP, MSP, CSP, SPAC, PP, SSP		
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, DSD, MSTP & TLSP		In accordance with Council resolution
s.12B(1)	duty to review planning scheme	CEO, DCDA, DSD, MSP, MSTP, TLSP, SPAC, CSP		
s.12B(2)	duty to review planning scheme at direction of Minister	CEO, DCDA, DSD, MSP, MSTP, TLSP, SPAC, CSP		
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	CEO, DCDA, DSD, MSP, MSTP, TLSP, SPAC, CSP		
s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	CEO, DCDA, DSD, MSP, MSTP, TLSP, SPAC, CSP, PP & all Planning Officers		

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	IMPLEMENTATION GUIDELINES
s.17(1)	duty of giving copy amendment to the planning scheme	CEO, DCDA, DSD, MSP, MSTP, TLSP, SPAC, CSP, SPP, all Planning Officers		
s.17(2)	duty of giving copy s.173 agreement	CEO, DCDA, DSD, MSP, MSTP, TLSP, SPP, CSP, PP, SPAC & all Planning Officers		
s.18	duty to make amendment etc. available	CEO, DSD, DCDA, MSTP, TLSP, SPP, SSTRP, PP, STP, MSP, SPAC, CSP, SSP		
s.19	power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under section 19 to a planning scheme	CEO, DSD, DCDA, MSTP, TLSP, MSP, SPAC, CSP		
s.20(1)	power to apply to Minister for exemption from the requirements of section 19	CEO, DSD, DCDA, MSTP, TLSP, MSP, SPAC, CSP		

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	IMPLEMENTATION GUIDELINES
s.21(2)	duty to make submissions available	CEO, DSD, DCDA, MSTP, TLSP, SSTRP, SPP, PP, SP, STP, MSP, SPAC, CSP & SSP		
s.21A(4)	duty to publish notice in accordance with section	CEO, DSD, DCDA, MSTP, TLSP, SSTRP, SPP, MSP, SPAC, CSP & PP		
s.22	duty to consider all submissions	CEO, DSD, DCDA, MSTP, TLSP, SSTRP, SPP, PP, SP, STP, MSP, SPAC, CSP, SSP		
s.23(2)	power to refer submissions to a panel	CEO, DSD, DCDA, MSTP, TLSP, SSTRP, SPP, PP, SP, STP, MSP, SPAC, CSP, SSP		
s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in section 96D)	CEO, DCDA, DSD, MSP, MSTP, TLSP, SPAC, CSP, PP, PO, SSP, SP, SPP, SSTRP, STP		

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	IMPLEMENTATION GUIDELINES
s.26(1)	power to make report available for inspection	CEO, DCDA, DSD, MSP, MSTP, TLSP, SPAC, CSP, SPP, PP		
s.26(2)	duty to keep report of panel available for inspection	CEO, DSD, DCDA, MSTP, TLSP, SPP, SSTRP, PP, STP, MSP, TLSP, SPAC, CSP, SPP, PP, SSP SP		
s.27(2)	power to apply for exemption if panel's report not received	CEO, DSD, DCDA, MSTP, TLSP, SPP, MSP, SPAC, CSP		
s.28	duty to notify the Minister if abandoning an amendment	CEO, DSD, DCDA, MSTP, TLSP, MSP, SPAC & CSP	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, DSD, DCDA, MSTP, TLSP, MSP, SPAC, CSP		
s.30(4)(b)	duty to provide information in writing upon request	CEO, DSD, DCDA, MSTP, TLSP, SPP, MSP, SPAC, CSP, PP		

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	IMPLEMENTATION GUIDELINES
s.31	duty to submit adopted amendment to Minister and, if applicable, details under section 19(1B)	CEO, DSD, DCDA, MSTP, TLSP, SPP, MSP, SPAC, CSP, PP		
s.32(2)	duty to give more notice if required	CEO, DSD, DCDA, MSTP, TLSP, SPP, MSP, SPAC, CSP, PP		
s.33(1)	duty to give more notice of changes to an amendment	CEO, DSD, DCDA, MSTP, TLSP, SPP, MSP, SPAC, CSP, PP		
s.35A(2)	duty to not approve an amendment under section 35B unless the amendment has been certified by the Secretary	CEO, DCDA & DSD		
s.35B(1)	power to approve amendment in form certified under section 35A	CEO, DCDA & DSD		
s.35B(2)	duty to give to Minister notice of approval, copy of approved amendment and other documents	CEO, DCDA & DSD		

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	IMPLEMENTATION GUIDELINES
s.36(2)	duty to give notice of approval of amendment	CEO, DSD, DCDA, MSTP, TLSP, SPP, MSP, SPAC, CSP, PP		
s.38(5)	duty to give notice of revocation of an amendment	CEO, DSD, DCDA, MSTP, TLSP, MSP, SPAC, CSP		
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT	CEO, DCDA, DSD, MSP, MSTP, TLSP, SPP, SPAC, CSP, PP		
s.40(1)	function of lodging copy of approved amendment	CEO, DSD, DCDA, MSTP, TLSP, SPP, MSP, SPAC, CSP, PP		
s.40(1A)	duty to lodge prescribed documents and copy of approved amendment with the relevant authorities	CEO, DSD, DCDA, MSTP, TLSP, SPP, MSP, SPAC, CSP, PP		
s.41	duty to make approved amendment available	CEO, DSD, DCDA, MSTP, TLSP, SSTRP, STP, PP, SPP, MSP, SPAC, CSP, SSP		

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	IMPLEMENTATION GUIDELINES
s.42	duty to make copy of planning scheme available	CEO, DCDA, DSD, MSP, MSTP, TLSP, SPP, SPAC, CSP, PP		
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	CEO, DCDA, DSD, MSP, MSTP, TLSP, SPP, CSP, PP, SPAC		
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	CEO, DCDA, DSD, MSP, MSTP, TLSP, CSP & PP		
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	CEO, DCDA, DSD, MSP & MSTP		
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, DCDA, DSD, DCS, MSP, MSTP, TLSP, CSP & PP		
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	CEO, DCDA, DSD, DCS, MSP & MSTP		

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	IMPLEMENTATION GUIDELINES
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	CEO, DCDA, DSD, DCS, MSP, MSTP, TLSP, CSP & PP		
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	CEO, DCDA, DCS & MSP		
s.46Q(1)	duty to keep proper accounts of levies paid	CEO, DCDA, DCS, MSP & MFinS		
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	CEO, DCDA, DCS & MSP		
s.46Q(2)	duty to apply levy only for a purpose relating to the provision of the works, services and facilities in respect of which the levy was paid etc.	CEO, DCDA, DSD, DCS & MSP,		
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	CEO, DCDA, DSD, DCS & MSP,	only applies when levy is paid to Council as a 'development agency'	

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	IMPLEMENTATION GUIDELINES
s.46Q(4)(c)	duty to pay amount to current owners of land in the area	CEO, DCDA, DSD, DCS & MSP,		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, DCDA, DSD, DCS, MSP & MSTP		must be done in accordance with Part 3
s.46Q(4)(e)	duty to expend that amount on other works etc.	CEO, DCDA & MSP		with the consent of, and in the manner approved by, the Minister
s.46QC	power to recover any amount of levy payable under Part 3B	CEO, DCDA, DCS & MSP		
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	CEO, DCDA		
s.46Y	duty to carry out works in conformity with the approved strategy plan	CEO, DCDA		

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	IMPLEMENTATION GUIDELINES
s.47	power to decide that an application for a planning permit does not comply with that Act	CEO, DCDA , MSP, SPAC & CSP		
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	CEO, DCDA, MSP, SPAC, CSP & PP		
s.49(2)	duty to make register available for inspection	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP		
s.50(4)	duty to amend application	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP		
s.50(5)	power to refuse to amend application	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP		
s.50(6)	duty to make note of amendment to application in register	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP		
s.50A(1)	power to make amendment to application	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP		

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	IMPLEMENTATION GUIDELINES
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP		
s.50A(4)	duty to note amendment to application in register	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP		
s.51	duty to make copy of application available for inspection	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP		
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, DCDA, MSP, SPAC, CSP, SSP, PP & SP		
s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP		
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP		

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	IMPLEMENTATION GUIDELINES
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, DCDA, MSP, SPAC, CSP, SSP, PP & SP		
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, DCDA, MSP, SPAC, CSP, SSP, PP & SP		
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP		
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	CEO, DCDA, MSP, CSP & SSP		
s.52(1A)	power to refuse an application	CEO, DCDA, MSP, CSP & PP		
s.52(3)	power to give any further notice of an application where appropriate	CEO, DCDA, MSP, SSP, PP, SPAC, CSP & SP		

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	IMPLEMENTATION GUIDELINES
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	CEO, DCDA, MSP, SSP, SPAC, CSP, PP & SP		
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	CEO, DCDA, MSP, SSP, SPAC, PP & CSP		
s.54(1)	power to require the applicant to provide more information	CEO, DCDA, MSP, SSP, SPAC, CSP, PP & SP		
s.54(1A)	duty to give notice in writing of information required under section 54(1)	CEO, DCDA, MSP, SSP, SPAC, CSP, PP & SP		
s.54(1B)	duty to specify the lapse date for an application	CEO, DCDA, MSP, SSP, SPAC, CSP, PP & SP		
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	CEO, DCDA, MSP, SSP, SPAC, CSP, PP & SP		
s.54A(4)	duty to give written notice of decision to extend or refuse to extend time und section 54A(3)	CEO, DCDA, MSP, SSP, SPAC, CSP, PP & SP		

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	IMPLEMENTATION GUIDELINES
s.55(1)	duty to give copy application to every referral authority specified in the planning scheme	CEO, DCDA, DSD, MSP, MSTP, TLSP, SSP, SPAC, CSP, PP & SP		
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	CEO, DCDA, MSP, CSP & PP		
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	CEO, DCDA, MSP, CSP, SSP, PP & SP		
s.57(5)	duty to make available for inspection copy of all objections	CEO, DCDA MSP, SPAC CSP, SSP, PP & SP		
s.57A(4)	duty to amend application in accordance with applicant's request, subject to section 57A(5)	CEO, DCDA, MSP, SSP, SPAC, CSP, PP & SP		
s.57A(5)	power to refuse to amend application	CEO, DCDA, MSP, SSP, SPAC, CSP, PP & SP		
s.57A(6)	duty to note amendments to application in register	CEO, DCDA, MSP, SSP, SPAC, CSP, PP & SP		

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	IMPLEMENTATION GUIDELINES
s.57B(1)	duty to determine whether and to whom notice should be given	CEO, DCDA, MSP, SSP, SPAC, CSP, PP & SP		
s.57B(2)	duty to consider certain matters in determining whether notice should be given	CEO, DCDA, MSP, SSP, SPAC, CSP, PP & SP		
s.57C(1)	duty to give copy of amended application to referral authority	CEO, DCDA, MSP, SSP, SPAC, CSP, PP & SP		
s.58	duty to consider every application for a permit except for a development assessment committee application	CEO, DCDA, MSP, SPAC CSP, SSP, PP & SP		
s.60	duty to consider certain matters	CEO, DCDA, MSP, SPAC CSP, SSP, PP & SP		
s60(1A)	power to consider certain matters before deciding on application	CEO, DCDA, MSP, SSP, SPAC, CSP, PP & SP		

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	IMPLEMENTATION GUIDELINES
s.61(1)(a)	power to decide to grant a permit	CEO, DCDA, MSP, CSP SPAC & PP	<p>Where there is no objection delegation may be exercised by officers in accordance with column 3 for the following categories of applications:</p> <p>While there is between 1 and no more than 5 objections received for the following categories of applications decisions may only be made by the:</p> <ul style="list-style-type: none"> • Director City Development and Amenity or • Manager Statutory Planning or • Co-ordinator Statutory Planning in liaison with the Director City Development and Amenity and/or the Manager Statutory Planning <p>the permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006</p>	
		CEO, DCDA, MSP, CSP, SSP, SPAC, PP &	Alterations and additions to attached dwellings/or dwellings on lots less than 500 m ²	Compliance with the ResCode and Residential Urban Character Study
		CEO, DCDA, MSP, CSP, SSP, SPAC, PP &	Alterations and/or additions to buildings or construction of any new building in a heritage or conservation area.	Compliance with the ResCode and Residential Urban Character Study

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	IMPLEMENTATION GUIDELINES
		CEO, DCDA, MSP, PAC, CSP, PP & SSP	New Commercial and industrial development/ use	<p>Compliance with the Boroondara Planning Scheme; Council's Car Parking Code and other relevant Council Policy.</p> <p>Major applications to be referred to Strategic Planning and Economic Development</p>
		CEO, DCDA, MSP, CSP, PP & SPAC	<p>Waiving/reducing car parking requirements</p> <p>Officers may only approve a waiver or reduction in car parking when:</p> <ul style="list-style-type: none"> • There is surplus car parking capacity to accommodate the reduction/waiver sought within existing Council car parks or surrounding commercial precinct. • The proposed use generates a lesser or equivalent car parking requirement than the existing use. <p>The surplus car parking is available not in residential streets and not more than 400m of the subject site.</p>	<p>Compliance with Boroondara Planning Scheme and Council's Car Parking Code.</p> <p>Acceptance of reduced/waived car parking requirements must meet Code objectives and input from Traffic and Transport Unit obtained in accordance with the referral guidelines</p> <p>Referral of applications to Traffic and Transport Unit in accordance with Guidelines</p>
		CEO, DCDA, MSP, CSP, SSP, SPAC, PP &	New Discretionary uses	Compliance with Boroondara Planning Scheme, Council's Discretionary Uses Code

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	IMPLEMENTATION GUIDELINES
		CEO, DCDA, MSP, CSP, SSP, PAC, PP & SP	Advertising Signs	Compliance with Boroondara Planning Scheme and Council's Advertising Signs Policy
		CEO, DCDA, MSP, CSP, SSP SPAC, PP & SO	Subdivisions – where a planning permit has issued for development and there is substantial completion of the building in accordance with the permit	Compliance with Boroondara Planning Scheme and Council policy (Band 5 planners exempted)
		CEO, DCDA, MSP, SPAC, CSP & PP	Subdivisions – where permit has not issued for development	Compliance with Boroondara Planning Scheme and Council policy and require a Section 173 Agreement specifying a building envelope that complies with the ResCode and the Residential Urban Character Study
		CEO, DCDA, MSP, CSP, SPAC, SSP, PP & SP	Building and Works	Compliance with Boroondara Planning Scheme and provided that the development does not result in significant planning implications SPAC, SSP, PP & SP to liaise with CSP, MSP or DCDA
			Where there is no objection delegation may be exercised by officers in accordance with Column 3 for the following categories of applications	
		CEO, DCDA, MSP, CSP SPAC & PP	Creation, removal or variation of Covenant/Restrictions	Compliance with Boroondara Planning Scheme and Council Policy on Covenants

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	IMPLEMENTATION GUIDELINES
		CEO, DCDA, MSP, CSP, PP & SPAC	Multi-dwellings	Compliance with Boroondara Planning Scheme, the ResCode and Residential Urban Character Study
		CEO, DCDA, MSP, PP & CSP	<p>Where an objection has been received to a Multi-dwelling application in a residential zone the Director City Development and Amenity or the Manager Statutory Planning may only make a decision where:</p> <ol style="list-style-type: none"> 1. No more than 12 objections have been received and consultations between applicants and objectors has taken place; 2. The development incorporates a maximum of 5 dwellings; 3. The site area covered by all buildings should not exceed 50% of the site; 4. The hard pavement area (which includes the building footprint of any paths, patios and driveways) accommodates a maximum of 65% of the site; 5. The proposed front building line setback should be a minimum of the average of the setback of existing buildings taken from four properties either side of the site and nine properties opposite the site or 9 metres, whichever is lesser. 6. Visitor car parking is not to be provided in tandem arrangements or in car stackers. 	Compliance with ResCode and Residential Urban Character study

			7. Dwellings should provide a minimum private open space area as follows:								
			<table border="1"> <tr> <th>Vegetation Significance Ranking derived from Residential Urban Character Study</th> <th>Minimum Private Open Space requirements for dwellings</th> </tr> <tr> <td></td> <td>Secluded Private Open Space</td> </tr> <tr> <td>0 - 2*</td> <td>50m²</td> </tr> <tr> <td>3 - 4</td> <td>60m²</td> </tr> </table>	Vegetation Significance Ranking derived from Residential Urban Character Study	Minimum Private Open Space requirements for dwellings		Secluded Private Open Space	0 - 2*	50m ²	3 - 4	60m ²
Vegetation Significance Ranking derived from Residential Urban Character Study	Minimum Private Open Space requirements for dwellings										
	Secluded Private Open Space										
0 - 2*	50m ²										
3 - 4	60m ²										

			<p>8. The Backyard Setbacks are to be applied where a proposed development is adjacent to neighbouring secluded private open space (as defined in the Private Open Space section of this Policy).</p> <p>The Backyard Setbacks are:</p> <ul style="list-style-type: none"> ▪ 2.0 metres from the boundary (when not within 0.15 metres of a boundary) up to a height of 3.6 metres ▪ 2.0 metres from the boundary at 3.6 metres plus 0.6 metres for every metre of height over 3.6 metres <p>9. Where a proposed dwelling is adjacent to the secluded private open space of an adjoining dwelling, a new wall constructed on or within 0.15 metres of a side or rear boundary must be limited to a total length of not more than 7.0 metres (including the garage) on that boundary.</p> <p>For other parts of the development (not adjacent to neighbouring secluded private open space) a new wall constructed on or within 0.15 metres of a side or rear boundary will be considered using the relevant clauses of the Boroondara Planning Scheme, including Clause 55.04-2. These wall length controls must include any wall lengths on the boundary adjacent to the secluded private open space of an adjoining dwelling.</p>	
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			<p>Where objections have been received and there is a minor variation to the above criteria for Multi-dwellings the Manager Statutory Planning may make a decision. Before making a decision the Manager Statutory Planning must consult with and consider the views of:</p> <ul style="list-style-type: none"> • Chairperson of the Urban Planning Special Committee • A nominated Councillor • The Director City Development and Amenity • Co-ordinator Statutory Planning • Council's Urban Designer 	
		CEO, DCDA, MSP, PP & CSP	<p>Where objections have been received for alterations and/or additions to a building or construction of a new building in a heritage or conservation area the Director City Development and Amenity, Manager Statutory Planning and Co-ordinator Statutory Planning may exercise this power where</p> <ul style="list-style-type: none"> • Objections are based on amenity grounds and where heritage issues are only relevant considerations 	<p>Compliance with Boroondara Planning Scheme, relevant Heritage Guidelines and to the satisfaction of Council's Heritage adviser</p> <p>NB: Items that any authorised officer may not be comfortable signing can be referred up to the next authorised officer</p> <p>Upon advice from the VCAT that no appeals have been lodged the permit may be issued by the relevant officer</p>

		<p>CEO, DCDA, MSP, PP & CSP</p>	<p>On-premises Liquor Licence</p> <p>Officers may determine an application for an on premises liquor licence outside the dry area, within a business zone and where objections have been received when:</p> <ul style="list-style-type: none"> • The hours approved are in accordance with those specified on the existing permit for a restaurant, tavern or wine bar; or • In the event the permit does not specify hours of operation the following standard hours are imposed: <p>Monday-Friday 9.00am to 11.00pm</p> <p>Saturday 9.00am to 12.00am</p> <p>Sunday & Public Holidays 11.30am to 11.00pm</p>	
		<p>CEO, DCDA, MSP</p>	<p>Council Owned Land</p> <p>Applications may be determined where no objections are received after consultation with Council's Building and Property Working Group.</p> <p>Where between 1 and no more than 5 objections are received the delegate may make a decision after consultation with Council's</p> <ul style="list-style-type: none"> • Statutory Planning Advisory Committee. • Building and Property Working Group 	

s.61(1)(b)	power to decide to grant a permit with conditions	CEO, DCDA, MSP, CSP, PP, & SPAC	The same conditions and limitations apply as in relation to s.61 (1) (a) the permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006	
s.61(1)(c)	power to refuse the permit		CEO, DCDA, MSP, SPAC & CSP may exercise this power either where objections have or have not been received	
		CEO, DCDA, MSP, CSP, SPAC & PP	Multi-dwellings	Non-compliance with Boroondara Planning Scheme, the ResCode and Residential Urban Character Study
		CEO, DCDA, MSP, CSP, PP, SPAC & SSP	Alterations and additions to attached dwellings/or dwellings on lots less than 500m ²	Non-compliance with the ResCode and Residential Urban Character Study
		CEO, DCDA, MSP, CSP, PP, SPAC & SSP	Alterations and/or additions to buildings or construction of any new buildings in a heritage or conservation area	Non-compliance with the Boroondara Planning Scheme; relevant heritage guidelines and the proposal is not to the satisfaction of Council's Heritage Advisor
		CEO, DCDA, MSP, CSP SPAC & PP	New commercial and industrial development/use	Non-compliance with the Boroondara Planning Scheme; Council's Car parking Code and other relevant policy
		CEO, DCDA, MSP, CSP, PP, SPAC & SSP	Waiving/reducing car parking requirements	Non-compliance with the Boroondara Planning Scheme and Council's Car parking Code
		CEO, DCDA, MSP, CSP SPAC & PP	New Discretionary uses	Non-compliance with Boroondara Planning Scheme and Council's Discretionary Uses Code

		CEO, DCDA, MSP, CSP, SPAC, SSP, PP & SP	Advertising Signs	Non-compliance with Boroondara Planning Scheme and Council's Advertising Signs Policy
		CEO, DCDA, MSP, CSP, SPAC, SSP, PP & SO	Subdivisions – where planning permit has issued for development	Non-compliance with Boroondara Planning Scheme and Council Subdivision policy
		CEO, DCDA, MSP, CSP SPAC & PP	Subdivisions – where permit has not issued for development	Non-compliance with Boroondara Planning Scheme and Council Subdivision policy
		CEO, DCDA, MSP, CSP, SPAC, SSP, PP & SP	Building and Works	Non-compliance with Boroondara Planning Scheme resulting in significant planning implications SSP, PP & SP to liaise with CSP, MSP or DCDA
		CEO, DCDA, MSP, CSP SPAC & PP	Creation, removal or variation of Covenant/Restrictions	Non-compliance with Boroondara Planning Scheme and Council Policy
		CEO, DCDA, MSP, CSP, SPAC, SSP, PP & SP	The power to refuse an application where an applicant has failed to provide additional information as required under section 54(1) of the Planning and Environment Act after 14 days of serving of a reminder letter. The power to refuse an application where an applicant has failed to undertake advertising under section 52 of the Planning and Environment Act after 14 days of serving of a reminder letter	NB: Items that any authorised officer may not be comfortable signing can be referred up to the next authorised officer. Applicants must be notified if refusal is recommended and be advised that, should a request be submitted, refer the application to the Planning and Buildings Approval Committee for determination
		CEO, DCDA, MSP, CSP, SPAC, SSP, PP & SP	The power to refuse an application where an applicant has failed to provide additional information as required under section 54(1) of the Planning and Environment Act after 14 days of serving of a reminder letter. The power to refuse an application where an applicant has failed to undertake advertising under section 52 of the Planning and Environment Act after 14 days of serving of a reminder letter	NB: Items that any authorised officer may not be comfortable signing can be referred up to the next authorised officer. Applicants must be notified if refusal is recommended and be advised that, should a request be submitted, refer the application to the Planning and Buildings Approval Committee for determination

s.61(2)	duty to decide to refuse to grant a permit if referral authority objects to grant of permit	CEO, DCDA, MSP, SPAC, PP & CSP		
s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without Minister's consent	CEO, DCDA, MSP, SPAC, PP & CSP		
s.61(3)(b)	duty to refuse to grant the permit without the Minister's consent	CEO, DCDA, MSP, CSP, SPAC & PP		
s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	CEO, DCDA, MSP, CSP, SPAC & PP		
s.62(1)	duty to include certain conditions in deciding to grant a permit	CEO, DCDA, MSP, SPAC, PP & CSP		
s.62(2)	power to include other conditions	CEO, DCDA, MSP, CSP, PP & SPAC		
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	CEO, DCDA, MSP, CSP, SPAC, & PP		
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	CEO, DCDA, MSP, CSP, PP & SPAC		
s.62(5)(b)	power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement	CEO, DCDA, MSP, CSP, PP & SPAC		
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	CEO, DCDA, MSP, CSP, PP & SPAC		

s.62(6)(a)	duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with section 62(5) or section 46N	CEO, DCDA, MSP, CSP, PP & SPAC		
s.62(6)(b)	duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in section 62(1)(a)	CEO, DCDA, MSP, SPAC, PP & CSP		
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	CEO, DCDA, MSP, CSP, SPAC, SSP, PP & SP		
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	CEO, DCDA, MSP, CSP, SPAC, SSP, PP & SP		
s.64(3)	duty not to issue a permit until after the specified period	CEO, DCDA, MSP, CSP, SSP, SP, SPAC & PP		
s.64(5)	duty to give each objector a copy of an exempt decision	CEO, DCDA, MSP, CSP, SSP, SPAC, PP & SP		
s.65(1)	duty to give notice of refusal to grant permit to applicant and objector	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP		
s.66	duty to give notice under section 64 or section 65 and copy permit to referral authorities	CEO, DCDA, MSP, CSP, SPAC, SSP, PP & SP		
s.69(1)	function of receiving application for extension of time of permit	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP		

s.69(2)	power to extend time	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP	<p>Officers may only make a decision when the following tests are satisfied:</p> <ul style="list-style-type: none"> • whether the time originally allowed was reasonable; • any intervening circumstances which may have rendered it unreasonable to hold an applicant to the originally fixed time; and • any change in policy that would mitigate against the grant of a permit. 	
s.70	duty to make copy permit available for inspection	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP		
s.71(1)	power to correct certain mistakes	CEO, DCDA, MSP, SPAC, PP & CSP		
s.71(2)	duty to note corrections in register	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP		

s.73	power to decide to grant amendment subject to conditions	CEO, DCDA, MSP, SPAC, PP & CSP	<p>Amendments that attract more than 5 objections and relate to an application determined by the Urban Planning Special Committee or a decision following consultation with the Statutory Planning Advisory Committee, must be reported to Urban Planning Special Committee for decision or the Statutory Planning Advisory Committee respectively.</p> <p>Where 1 and no more than 5 objections are received officers may determine any amendment where the request relates to an application determined by officers under delegation.</p> <p>Where 6 and no more than 12 objectors are received the Manager Statutory Planning may determine any amendment where the request relates to an application determined by officers under delegation. Before making a decision, the Manager Statutory Planning must consult with and consider the views of Council's Statutory Planning Advisory Committee.</p>	Meet provisions of Section 73. DCDA, MSP & CSP may exercise this power even if objections have been received
s.74	duty to issue amended permit to applicant if no objectors	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP		
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP		
s.76A	duty to give referral authorities copy of amended permit and copy of notice	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP		
s.76D	duty to comply with direction of Minister to issue amended permit	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP		
s.83	function of being respondent to an appeal	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP		

s.83B	duty to give or publish notice of application for review	CEO, DCDA, MSP, SPAC, PP & CSP		
s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CEO, DCDA, MSP, SPAC, PP & CSP		
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, DCDA, MSP, SPAC, PP & CSP		
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, DCDA, MSP, SPAC, PP & CSP		
s.84(6)	duty to issue permit on receipt of advice within 3 working days	CEO, DCDA, MSP, SPAC, PP & SP		
s.86	duty to issue a permit at order of Tribunal within 3 working days	CEO, DCDA, MSP, SPAC, PP & CSP		
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	CEO, DCDA, MSP, SPAC, PP & CSP		
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	CEO, DCDA, MSP, SPAC, PP & CSP		
s.91(2)	duty to comply with the directions of VCAT	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP		
s.91(2A)	Duty to issue amended permit to owner if Tribunal so directs	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP		

s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	CEO, DCDA, MSP, SPAC, PP & CSP		
s.93(2)	duty to give notice of VCAT order to stop development	CEO, DCDA, MSP, SPAC, PP & CSP		
s.95(3)	function of referring certain applications to the Minister	CEO, DCDA, MSP, SPAC, PP & CSP		
s.95(4)	duty to comply with an order or direction	CEO, DCDA, MSP, SPAC, PP & CSP		
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	CEO, DCDA, DSD, MSP & MSTP		
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, DCDA, DSD, MSP & MSTP		
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	CEO, DCDA, DSD, MSP, MSTP, PP & CSP		

s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	CEO, DCDA, DSD, MSP, MSTP, SPAC, CSP, SSP, PP & SP		
s.96F	duty to consider the panel's report under section 96E	CEO, DCDA, DSD, MSP, MSTP, SPAC, CSP, SSP, PP & SP		
s.96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the Planning and Environment (Planning Schemes) Act 1996)	CEO, DCDA, DSD, MSP, MSTP, SPAC, CSP, SSP, PP & SP		
s.96H(3)	power to give notice in compliance with Minister's direction	CEO, DCDA, DSD, MSP, MSTP, SPAC, CSP, SSP, PP & SP		
s.96J	power to issue permit as directed by the Minister	CEO, DCDA, DSD, MSP, MSTP, SPAC, CSP, SSP, PP & SP		
s.96K	duty to comply with direction of the Minister to give notice of refusal	CEO, DCDA, MSP, SPAC, CSP, SSP, PP & SP		
s.97C	power to request Minister to decide the application	CEO, DCDA, DSD, MSP & MSTP		
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	CEO, DCDA, DSD, MSP & MSTP		

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, DCDA, DSD, MSP & MSTP		
s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	CEO, DCDA, DSD, MSP & MSTP		
s.97L	duty to include Ministerial decisions in a register kept under section 49	CEO, DCDA, DSD, MSP & MSTP		
s.97MCA(2)	function of consulting with advisory committee regarding the areas for which the Development Assessment Committee isto be established	CEO, DCDA, DSD, MSP, MSTP		
s.97MG	duty to provide documents and information to development assessment committee	CEO, DCDA, DSD, MSP & MSTP		
s.97MH	duty to provide assistance to the development assessment committee	CEO, DCDA, DSD, MSP & MSTP		
s.97MJ(2)	duty to ensure that the register of applications specifies whether the development assessment committee has made the decision	CEO, DCDA, DSD, MSP & MSTP		
s.97MK	function of nominating member of the development assessment committee	CEO, DCDA, DSD, MSP & MSTP		
s.97ML(4)	power to nominate alternate members of the development assessment committee	CEO, DCDA, DSD, MSP & MSTP		

s.97O	duty to consider application and issue or refuse to issue certificate of compliance	CEO, DCDA, DSD, MSP & MSTP		
s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	CEO, DCDA, DSD, MSP & MSTP		
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	CEO, DCDA, DSD, MSP & MSTP		
s.97Q(4)	duty to comply with directions of VCAT	CEO, DCDA, DSD, MSP & MSTP		
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	CEO, DCDA, DSD, MSP & MSTP		
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	CEO, DCDA, DSD, MSP & MSTP		
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	CEO, DCDA, DSD, MSP & MSTP		
s.101	function of receiving claim for expenses in conjunction with claim	CEO, DCDA, DSD, MSP & MSTP		
s.103	power to reject a claim for compensation in certain circumstances	CEO, DCDA, DSD, MSP & MSTP		
s.107(1)	function of receiving claim for compensation	CEO, DCDA, DSD, MSP & MSTP		

s.107(3)	power to agree to extend time for making claim	CEO, DCDA, DSD, MSP & MSTP		
s.114(1)	power to apply to the VCAT for an enforcement order	CEO, DCDA, DSD, MSP, MSTP, CSP, PP & SPAC		
s.117(1)(a)	function of making a submission to the VCAT where objections are received	CEO, DCDA, MSP, CSP, PP & SPAC		
s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	CEO, DCDA, MSP, CSP, PP & SPAC		
s.123(1)	power to carry out work required by enforcement order and recover costs	CEO, DCDA, DSD, MSP, MSTP, CSP, PP & SPAC		
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	CEO, DCDA, DSD, MSP & MSTP	Except Crown Land	
s.125	power to apply for an injunction restraining a person from contravening an enforcement order or interim enforcement order	CEO, DCDA, MSP		
s.129	function of recovering penalties	CEO, DCDA & MSP		
s.130(5)	power to allow person served with an infringement notice further time	CEO, DCDA, DSD, MSP & MSTP		
s.149A(1)	power to refer a matter to the VCAT for determination	CEO, DCDA, DSD, MSP & MSTP		

s.156	duty to pay fees and allowances (including a payment to the Crown under subsection (2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under subsection (2B) power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	CEO, DCDA, DSD, MSP & MSTP	where council is the relevant planning authority	
s.171(2)(f)	power to carry out studies and commission reports	CEO, DCDA, DSD, MSP & MSTP		
s.171(2)(g)	power to grant and reserve easements	CEO, DCDA, DSD, MSP & MSTP		
s.173	power to enter into agreement covering matters set out in section 174	CEO, DCDA, DCS, DCD, DEI, DSD, MSP, MSTP, MLL		
---	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	CEO, DCDA, DCS, DCD, DEI, DSD, MSP, MSTP, MLL		

---	power to give consent on behalf of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	CEO, DCDA, DCS, DCD, DEI, DSD, MSP, MSTP, MLL		
s.177(2)	power to end a section 173 agreement with approval of the Minister or the consent of all those bound by any covenant in the agreement	CEO, DCDA, DCS, DCD, DEI, DSD, MSP, MSTP & MLL		
s.178	power to amend a s.173 agreement	CEO, DCDA, DCS, DCD, DEI, DSD, MSP, MSTP & MLL		
s.179(1)	duty to lodge agreement with Minister	CEO, DCDA, DEI, DCS, DCD, DSD, MSP, MLL, MSTP, PP & CSP		
s.179(2)	duty to make available for inspection copy agreement	CEO, DCDA, DCS, DCD, DEI, DSD, MSP, MSTP, MLL, TLSP, CSP, SSP, SP, PP & SPAC		
s.181	power to apply to the Registrar of Titles for registration of the agreement and to deliver a memorial to Registrar-General	CEO, DCDA, DSD, DCS, DCD, DEI, MSP, MSTP & MLL		
s.182	power to enforce an agreement	CEO, DCDA, DSD, DCS, DCD, DEI, MSP, MSTP & MLL		

s.183	duty to tell Registrar of Titles of ending/amendment of agreement	CEO, DCDA, DSD, DCS, DCD, DEI, MSP, MSTP & MLL		
s.198(1)	function to receive application for planning certificate	CEO, DCDA, MSP, CSP, SSP, PP& SP		
s.199(1)	duty to give planning certificate to applicant	CEO, DCDA, MSP, CSP, SSP, PP& SP		
s.201(1)	function of receiving application for declaration of underlying zoning	CEO, DCDA, DSD, MSP, MSTP, CSP, SSP, PP & SP		
s.201(3)	duty to make declaration	CEO, DCDA, DSD, MSP, MSTP, CSP, SSP, PP & SP		
-	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, DCDA, DSD, MSP, MSTP, CSP, TLSP, SPAC, SSP, PP		
	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, DCDA, DSD, MSP, MSTP, CSP, TLSP, SPAC, SSP, PP and SP		
	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, DCDA, DSD, MSP, MSTP, CSP, TLSP, SPAC, SSP, PP and SP		
-	power to give written authorisation in accordance with a provision of a planning scheme	CEO, DCDA, DSD, MSP, MSTP, CSP, TLSP, SPAC, SSP, PP		

s.201UAB(1)	function of providing the Growth Areas Authority with information relating to any land within municipal district	CEO, DCDA, MSP, & CSP		
s.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	CEO, DCDA, MSP, & CSP		

RAIL SAFETY ACT 2006			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.33	duty to comply with a direction of the Safety Director under this section	CEO, DEI, MIS, MP&S, MAP	where council is a utility under section 3
s.33A	duty to comply with a direction of the Safety Director to give effect to arrangements under this section	CEO, DEI, MIS, MP&S, MAP	duty of council as a road authority under the <i>Road Management Act 2004</i>
s.34	duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under section 33(1)	CEO, DEI, MIS, MP&S, MAP	where council is a utility under section 3
s.34C(2)	function of entering into safety interface agreements with rail infrastructure manager	CEO, DEI & ME&T	where council is the relevant road manager
s.34D(1)	function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	CEO, DEI & ME&T	where council is the relevant road manager
s.34D(2)	function of receiving written notice of opinion	CEO, DEI & ME&T	where council is the relevant road manager
s.34D(4)	function of entering into safety interface agreement with infrastructure manager	CEO, DEI & ME&T	where council is the relevant road manager
s.34E(1)(a)	duty to identify and assess risks to safety	CEO, DEI & ME&T	where council is the relevant road manager
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, DEI & ME&T	where council is the relevant road manager

RAIL SAFETY ACT 2006			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.34E(3)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	CEO, DEI & ME&T	where council is the relevant road manager
s.34F(1)(a)	duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)	CEO, DEI & ME&T	where council is the relevant road manager
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, DEI & ME&T	where council is the relevant road manager
s.34F(2)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	CEO, DEI & ME&T	where council is the relevant road manager
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, DEI & ME&T	where council is the relevant road manager
s.34I	function of entering into safety interface agreements	CEO, DEI & ME&T	where council is the relevant road manager
s.34J(2)	function of receiving notice from Safety Director	CEO, DEI & ME&T	where council is the relevant road manager
s.34J(7)	duty to comply with a direction of the Safety Director given under section 34J(5)	CEO, DEI & ME&T	where council is the relevant road manager
s.34K(2)	duty to maintain a register of items set out in subsections (a)-(b)	CEO, DEI & ME&T	where council is the relevant road manager

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, DCD, MHADS, CPH TLHS and EHO	
s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies		where council is the landlord
s.262(1)	power to give tenant a notice to vacate rented premises		where council is the landlord
s.262(3)	power to publish its criteria for eligibility for the provision of housing by council		
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements		[Note: this provision has not commenced yet and is due to commence on 31/3/2012 if not proclaimed earlier
s.522(1)	power to give a compliance notice to a person	CEO, DCDA, MSP & MBS	
s.525(2)	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	CEO, DCDA, MSP & MBS	
s.525(4)	duty to issue identity card to authorised officers	CEO, DCDA, MSP & MBS	
s.526(5)	duty to keep record of entry by authorised officer under section 526	CEO, DCDA, MSP & MBS	
s.526A(3)	function of receiving report of inspection	CEO, DCD, MHADS, CPH TLHS and EHO	[Note: this provision has not commenced yet and is due to commence on 31/3/2012 if not proclaimed earlier
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	CEO, DCDA, MSP & MBS	

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, DEI, MP&S, ME&T, MAP	obtain consent in circumstances specified in section 11(2)
s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	CEO, DEI, MP&S, ME&T, MAP	
s.11(9)(b)	duty to advise Registrar	CEO, DEI, MP&S, MIS, ME&T, MAP	
s.11(10)	duty to inform Secretary to Department of Sustainability and Environment of declaration etc.	CEO, DEI, MP&S, MIS, ME&T, MAP	clause subject to section 11(10A)
s.11(10A)	duty to inform Secretary to Department of Sustainability and Environment or nominated person	CEO, DEI, MAP, ME&T, MP&S,	where council is the coordinating road authority
s.12(2)	power to discontinue road or part of a road	CEO, DEI, MAP, ME&T, MP&S,	were council is the coordinating road authority
s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	CEO, DEI, DCS, MIS, MP&S, ME&T	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, DEI, MAP, ME&T, MP&S,	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, DEI, MAP, ME&T, MP&S,	function of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	CEO, DEI, MAP, ME&T, MP&S,	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(10)	duty to notify of decision made	CEO, DEI, DCS, MP&S, MIS, ME&T, MAP	duty of coordinating road authority where it is the discontinuing body does not apply where an exemption is specified by the regulations or given by the Minister

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.13(1)	power to fix a boundary road by publishing notice in Government Gazette	CEO, DEI, DCS, MP&S, MIS, ME&T, MAP	power of coordinating road authority and obtain consent under section 13(3) and section 13(4) as appropriate
s.14(4)	function of receiving notice from VicRoads	CEO, DEI, ME&T, MAP, MIS	
s.14(7)	power to appeal against decision of VicRoads	CEO, DEI, MP&S, MIS, ME&T, MAP	
s.15(1)	power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	CEO, DEI, MP&S, MIS, ME&T, MAP	
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, DEI, MP&S, MIS, ME&T, MAP	
s.15(2)	duty to include details of arrangement in public roads register	CEO, DEI, MAP	
s.16(7)	power to enter into an arrangement under section 15	CEO, DEI, MP&S, MIS, ME&T, MAP	
s.16(8)	duty to enter details of determination in public roads register	CEO, DEI, MP&S, MIS, ME&T, MAP	
s.17(2)	duty to register public road in public roads register	CEO, DEI, MAP	where council is the coordinating road authority
s.17(3)	power to decide that a road is reasonably required for general public use	CEO, DEI, MP&S, MIS, ME&T, MAP	where council is the coordinating road authority
s.17(3)	duty to register a road reasonably required for general public use in public roads register	CEO, DEI, MP&S, MIS, ME&T, MAP	where council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.17(4)	power to decide that a road is no longer reasonably required for general public use	CEO, DEI, MP&S, MIS, ME&T, MAP	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, DEI, MP&S, MIS, ME&T, MAP	where council is the coordinating road authority
s.18(1)	power to designate ancillary area	CEO, DEI, MAP	where council is the coordinating road authority, and obtain consent in circumstances specified in section 18(2)
s.18(3)	duty to record designation in public roads register	CEO, DEI, MAP	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, DEI, MAP	
s.19(4)	duty to specify details of discontinuance in public roads register	CEO, DEI, MAP	
s.19(5)	duty to ensure public roads register is available for public inspection	CEO, DEI, MAP	
s.21	function of replying to request for information or advice	CEO, DEI, MP&S, MIS, ME&T, MAP,	obtain consent in circumstances specified in section 11(2)
s.22(2)	function of commenting on proposed direction	CEO, DEI, MP&S, MIS, ME&T, MAP,	
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, DEI, DCS, MAP & MBD	
s.22(5)	duty to give effect to a direction under this section.	CEO, DEI, ME&T, MP&S, MIS, MAP	
s.40(1)	duty to inspect, maintain and repair a public road.	CEO, DEI, ME&T, MP&S, MIS,	

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, DEI, ME&T, MP&S, MAP, MIS	
s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	CEO, DEI, MP&S, MIS, ME&T, MAP	
s.42(1)	power to declare a public road as a controlled access road	CEO, DEI, MP&S, MIS, ME&T, MAP	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, DEI, MP&S, MIS, ME&T, MAP, MP&S, MIS	power of coordinating road authority and Schedule 2 also applies
s.42A(3)	duty to consult with VicRoads before road is specified	CEO, DEI, MAP, ME&T	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, DEI, MAP, ME&T	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, DEI, MAP, ME&T	where council is the responsible road authority, infrastructure manager or works manager
s.48M(3)	function of consulting with the Secretary for purposes of developing guidelines under section 48M	CEO, DEI, ME&T	
s.48N	duty to notify the Secretary of the location of the bus stopping point and the action taken by council	CEO, DEI, ME&T, MP&S, MIS	
s.49	power to develop and publish a road management plan	CEO, DEI, MAP	
s.51	power to determine standards by incorporating the standards in a road management plan	CEO, DEI, MAP, MIS, MP&S	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CEO, DEI, MAP	
s.54(2)	duty to give notice of proposal to make a road management plan	CEO, DEI, MAP	
s.54(5)	duty to conduct a review of road management plan at prescribed intervals	CEO, DEI, MAP	
s.54(6)	power to amend road management plan	CEO, DEI, MAP, MIS, MP&S	
s.54(7)	duty to incorporate the amendments into the road management plan	CEO, DEI, MAP	
s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	CEO, DEI, MAP	
s.63(1)	power to consent to conduct of works on road	CEO, DEI, MP&S, MIS, ME&T, MP&G, MAP	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, DEI, MP&S, MIS, ME&T, MP&G, MAP	where council is the infrastructure manager
s.64(1)	duty to comply with clause 13 of Schedule 7	CEO, DEI, MP&S, MIS, ME&T, MP&G, MAP	where council is the infrastructure manager or works manager
s.66(1)	power to consent to structure etc	CEO, DEI, MP&S, MIS, ME&T, MP&G, MAP	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.67(2)	function of receiving the name & address of the person responsible for distributing the sign or bill	CEO, DEI, DCDA, ME&T, MLL	where council is the coordinating road authority
s.67(3)	power to request information	CEO, DEI, MP&S, MIS, ME&T, MAP, MLL	where council is the coordinating road authority
s.68(2)	power to request information	CEO, DEI, DCDA, ME&T, MLL	where council is the coordinating road authority
s.71(3)	power to appoint an authorised officer	CEO, DEI, DCDA, ME&T, MLL	
s.72	duty to issue an identity card to each authorised officer	CEO, DEI, DCDA, ME&T, MLL	
s.85	function of receiving report from authorised officer	CEO, DEI, DCDA, ME&T, MLL	
s.86	duty to keep register re section 85 matters	CEO, DEI, DCDA, ME&T, MAP, MLL	
s.87(1)	function of receiving complaints	CEO, DEI	
s.87(2)	duty to investigate complaint and provide report	CEO, DEI, MP&S, MIS, ME&T, MAP	
s.112(2)	power to recover damages in court	CEO, DEI, MAP, MIS, MP&S	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.116	power to cause or carry out inspection	CEO, DEI, MP&S, MIS, ME&T, MAP	
s.119(2)	function of consulting with VicRoads	CEO, DEI, MAP, ME&T, MP&S, MIS	
s.120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	CEO, DEI, MP&S, MIS, ME&T, MAP	
s.120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	CEO, DEI, MP&S, MIS, ME&T, MAP	
s.121(1)	power to enter into an agreement in respect of works	CEO, DEI, MP&S, MIS, ME&T, MAP	
s.122(1)	power to charge and recover fees	CEO, DEI, ME&T, MIS, MP&S	
s.123(1)	power to charge for any service	CEO, DEI, ME&T, MIS, MP&S, MP&G	
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	CEO, DEI, MP&S, MIS, ME&T	
Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	CEO, DEI, MP&S, MIS, ME&T, MAP	
Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	CEO, DEI, MP&S, MIS, ME&T, MAP	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 2 Clause 4	function of receiving details of proposal from VicRoads	CEO, DEI, MAP, ME&T	
Schedule 2 Clause 5	duty to publish notice of declaration	CEO, DEI, MP&S, MIS, ME&T, MAP	
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, DEI, MP&S, MIS, ME&T, MP&G, MAP	where council is the infrastructure manager or works manager
Schedule 7, Clause 8(1)	duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	CEO, DEI, MP&S, MIS, ME&T, MP&G, MAP	where council is the infrastructure manager or works manager
Schedule 7, Clause 9(1)	duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	CEO, DEI, MP&S, MIS, ME&T, MP&G, MAP	where council is the infrastructure manager or works manager responsible for non-road infrastructure
Schedule 7, Clause 9(2)	duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	CEO, DEI, MP&S, MIS, ME&T, MP&G, MAP	where council is the infrastructure manager or works manager
Schedule 7, Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	CEO, DEI, MP&S, MIS, ME&T, MP&G, MAP	where council is the infrastructure manager or works manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	CEO, DEI, MP&S, MIS, ME&T, MP&G, MAP	where council is the coordinating road authority
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	CEO, DEI, MP&S, MIS, ME&T, MP&G, MAP	where council is the coordinating road authority
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	CEO, DEI, MP&S, MIS, ME&T, MP&G, MAP	where council is the coordinating road authority
Schedule 7 Clause 12(5)	power to recover costs	CEO, DEI, MP&S, MIS, ME&T, MP&G, MAP	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, DEI, MP&S, MIS, ME&T, MP&G, MAP	where council is the works manager
Schedule 7 Clause 13(2)	power to vary notice period	CEO, DEI, MP&S, MIS, ME&T, MAP	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, DEI, MP&S, MIS, ME&T, MP&G, MAP	where council is the infrastructure manager
Schedule 7 Clause 16(1)	power to consent to proposed works	CEO, DEI, MP&S, MIS, ME&T, MAP	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 16(4)	duty to consult	CEO, DEI, ME&T, MIS	where council is the coordinating road authority, responsible authority or infrastructure manager
Schedule 7 Clause 16(5)	power to consent to proposed works	CEO, DEI, ME&T, MIS	where council is the coordinating road authority
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	CEO, DEI, ME&T, MIS	where council is the coordinating road authority
Schedule 7 Clause 16(8)	power to include consents and conditions	CEO, DEI, ME&T, MIS	where council is the coordinating road authority
Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	CEO, DEI, MP&S, MIS, ME&T, MAP	where council is the coordinating road authority
Schedule 7 Clause 18(1)	power to enter into an agreement	CEO, DEI, MP&S, MIS, ME&T, MAP	where council is the coordinating road authority
Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	CEO, DEI, MP&S, MIS, ME&T, MAP	where council is the coordinating road authority
Schedule 7 Clause 19(2) & (3)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	CEO, DEI, MP&S, MIS, ME&T	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, DEI, MP&S, MIS, ME&T, MAP	where council is the coordinating road authority
Schedule 7A Clause 2	power to cause street lights to be installed on roads	CEO, DEI, ME&T	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, DEI, ME&T	where council is the responsible road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7A Clause 3(1)(e)	duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	CEO, DEI, ME&T	where council is the responsible road authority
Schedule 7A Clause (3)(1)(f),	duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with clauses 3(2) and 4	CEO, DEI, ME&T	duty of council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs)

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

PLANNING AND ENVIRONMENT (FEES) INTERIM REGULATIONS 2011			
* These regulations expire on 23 July 2012			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.16	power to waive or rebate fee in prescribed circumstances	CEO, DCDA & MSP	where Council is the responsible authority
r.17	power to waive or rebate fee for amendment to a planning scheme in prescribed circumstances	CEO, DCDA, DSD & MSTP	where Council is the planning authority
r.18	duty if fee waived or rebated to record in writing the matters taken into account and which formed the basis of the decision	CEO, DCDA, DSP, MSP, MSTP, PP & CSP	where Council is the responsible authority or planning authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2005			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.301(1)	duty to conduct reviews of road management plan	CEO, DEI	
r.302(2)	duty to give notice of review of road management plan	CEO, DEI, MAP	
r.302(5)	duty to produce written report of review of road management plan and make report available	CEO, DEI, MAP	
r.303	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	CEO, DEI, MAP, MP&S, ME&T, MIS	
r.306(2)	duty to record on road management plan the substance and date of effect of amendment	CEO, DEI, MAP	
r.501(1)	power to issue permit	CEO, DEI, MAP, MIS, ME&T, MP&S	where council is the coordinating road authority
r.501(4)	power to charge fee for issuing permit under regulation 501(1)	CEO, DEI, MAP, MIS, ME&T, MP&S	where council is the coordinating road authority
r.503(1)	power to give written consent to person to drive on road a vehicle which is likely to cause damage to road	CEO, DEI, ME&T, MP&S, MIS, MAP	where council is the coordinating road authority
r.508(3)	power to make submission to Tribunal	CEO, DEI	where council is the coordinating road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2005			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.509(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	CEO, DEI, MIS, MP&G, ME&T, MAP, MP&S, MLL	where council is the responsible road authority
r.509(2)	power to sell or destroy things removed from road or part of road (after first complying with regulation 509(3))	CEO, DEI, MIS	where council is the responsible road authority
r.509(4)	power to recover in the Magistrates' Court, expenses from person responsible	CEO, DEI	

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

Boroondara City Council

Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

Andrew McIlveen

Para Planner

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Andrew McIlveen

By this instrument of appointment and authorisation Boroondara City Council -

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked;
- (c) must not be exercised in a manner which is inconsistent with Council's corporate position.

This instrument is authorised by a resolution of the **Boroondara City Council** on 6 February 2012.

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

..... Chief Executive Officer

..... Councillor

..... Date

Boroondara City Council

Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

Andrew Kerr

Statutory Planner

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Andrew Kerr

By this instrument of appointment and authorisation Boroondara City Council -

3. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
4. under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked;
- (c) must not be exercised in a manner which is inconsistent with Council's corporate position.

This instrument is authorised by a resolution of the **Boroondara City Council** on 6 February 2012.

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

..... Chief Executive Officer

..... Councillor

..... Date



Boroondara City Council

Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

Jacob Matthews

Statutory Planner

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Jacob Matthews

By this instrument of appointment and authorisation Boroondara City Council -

- 5. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- 6. under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked;
- (c) must not be exercised in a manner which is inconsistent with Council's corporate position.

This instrument is authorised by a resolution of the **Boroondara City Council** on 6 February 2012.

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..... Chief Executive Officer

..... Councillor

..... Date

Boroondara City Council

Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

Fidel Freijah

Student Statutory Planning Officer

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Fidel Freijah

By this instrument of appointment and authorisation Boroondara City Council -

- 7. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- 8. under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked;
- (c) must not be exercised in a manner which is inconsistent with Council's corporate position.

This instrument is authorised by a resolution of the **Boroondara City Council** on 6 February 2012.

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..... Chief Executive Officer

..... Councillor

..... Date

Boroondara City Council

Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

Andrea Sparkes

Para Planner

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Andrea Sparkes

By this instrument of appointment and authorisation Boroondara City Council -

- 9. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- 10. under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked;
- (c) must not be exercised in a manner which is inconsistent with Council's corporate position.

This instrument is authorised by a resolution of the **Boroondara City Council** on 6 February 2012.

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..... Chief Executive Officer

..... Councillor

..... Date



Boroondara City Council

Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

Alexandra Polgar

Para Planner

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Alexandra Polgar

By this instrument of appointment and authorisation Boroondara City Council -

- 11. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- 12. under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked;
- (c) must not be exercised in a manner which is inconsistent with Council's corporate position.

This instrument is authorised by a resolution of the **Boroondara City Council** on 6 February 2012.

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..... Chief Executive Officer

..... Councillor

..... Date



Boroondara City Council

Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

Stephanie Ng

Statutory Planning Officer

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Stephanie Ng

By this instrument of appointment and authorisation Boroondara City Council -

- 13. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- 14. under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked;
- (c) must not be exercised in a manner which is inconsistent with Council's corporate position.

This instrument is authorised by a resolution of the **Boroondara City Council** on 6 February 2012.

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

..... Chief Executive Officer

..... Councillor

..... Date

Boroondara City Council

Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)

Nicholas Pascarl

Statutory Planning Officer

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Nicholas Pascarl

By this instrument of appointment and authorisation Boroondara City Council -

- 15. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- 16. under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked;
- (c) must not be exercised in a manner which is inconsistent with Council's corporate position.

This instrument is authorised by a resolution of the **Boroondara City Council** on 6 February 2012.

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

..... Chief Executive Officer

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..... Date