



Maddocks

S6. Instrument of Delegation – Members of Staff

Murrindindi Shire Council

Instrument of Delegation

to

Members of Council Staff

Instrument of Delegation

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

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

2. records that a reference in the Schedule to:

“CAD” means Coordinator Assets and Development

“CADIS” means Coordinator Aged and Disability

“CADCC” means Coordinators Aged and Disability Community Care

“CCW” means Coordinator Capital Works

“CES” means Coordinator Environmental Services

“CEO” means Chief Executive Officer

“CGP” means Coordinator Governance & Performance

“CHBC” means Coordinator Home Based Childcare

“CHR” means Coordinator Human Resources

“CIT” means Coordinator Information Technology

“CIO” Coordinator Infrastructure Operations - Depots

“CLS” means Coordinator Library Services

“CLL” means Coordinator Local Laws

“CMCH” means Coordinator Maternal & Child Health

“CPR” means Coordinator Procurement & Risk

“CRPM” means Coordinator Roads and Park Maintenance

“CRR” means Coordinator Rates and Revenue

“CSP” means Coordinator Statutory Planning

“CYR” means Coordinator Youth & Recreation

“CWM” means Coordinator Waste Management

“DMERO” means Deputy Municipal Emergency Resource Officer




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“EHO” means Environmental Health Officer

“FA” means Financial Accountant

“GMCCS” means General Manager Corporate & Community Services

“GMIDS” means General Manager Infrastructure and Development Services

“GC” means Grants Coordinator

“MA” means Management Accountant

“MIA” means Manager Infrastructure Assets

“MBS” means Municipal Building Surveyor

“MBUS” means Manager Business Services

“MCC” means Manager Customer & Communications

“MCHN” means Maternal & Child Health Nurse

“MCS” means Manager Community Services & Recovery

“MDS” means Manager Development Services

“MIO” means Manager Infrastructure Operations

“MERO” means Municipal Emergency Resource Officer

“MRM” means Municipal Recovery Manager

“POS” means Senior Planning Officer

“RS” means Records Supervisor

“SPO” means Strategic Planning Officer

“YCTS” means Yea Cemetery Trust Secretary

3. declares that:

3.1 this Instrument of Delegation is authorised by **resolution** of Council passed on **28 October 2015**

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



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SCHEDULE



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CEMETERIES AND CREMATORIA ACT 2003			
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)]			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.8(1)(a)(ii)	power to manage one or more public cemeteries	GMCCS	<ul style="list-style-type: none"> where appointed to manage cemetery by Governor in Council GMIDS is a secondary delegate in the absence of GMCCS
s.12(1)	function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	GMCCS	where council is a Class B cemetery trust GMIDS is a secondary delegate in the absence of GMCCS
s.12(2)	duty to have regard to the matters set out in paragraphs (a)-(c) in exercising its functions	GMCCS	where council is a Class B cemetery trust GMIDS is a secondary delegate in the absence of GMCCS
s.13	duty to do anything necessary or convenient to enable it to carry out its functions	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.14	power to manage multiple public cemeteries as if they are one cemetery	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.15(1) and (2)	power to delegate powers or functions other than those listed	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.15(4)	duty to keep records of delegations	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.17(1)	power to employ any persons necessary	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.17(2)	power to engage any professional, technical or other assistance considered necessary	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s. 17(3)	power to determine the terms and conditions of employment or engagement	GMCCS	subject to the any guidelines or directions of the Secretary GMIDS is a secondary delegate in the absence of GMCCS
s.18(3)	duty to comply with a direction from the Secretary	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.19	power to carry out or permit the carrying out of works	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.20(1)	duty to set aside areas for the interment of human remains	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.20(2)	power to set aside areas for the purposes of managing a public cemetery	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.20(3)	power to set aside areas for those things in paragraphs (a) – (e)	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.21(1)	power to establish and operate a crematorium in a public cemetery	GMCCS	council must not establish or operate a crematorium set aside for particular religious or community groups. GMIDS is a secondary delegate in the absence of GMCCS

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.22	power to establish mausolea facilities	GMCCS	subject to the prior written approval of the Secretary GMIDS is a secondary delegate in the absence of GMCCS
s.24(2)	power to apply to the Secretary for approval to alter the existing distribution of land	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.26(1)	power to make rules for or with respect to the general care, protection and management of a public cemetery	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.36	power to grant licences to enter and use part of the land or building in a public cemetery in accordance with this section	GMCCS	subject to the approval of the Minister GMIDS is a secondary delegate in the absence of GMCCS
s.37	power to grant leases over land in a public cemetery in accordance with this section	GMCCS	subject to the Minister approving the purpose GMIDS is a secondary delegate in the absence of GMCCS
s.39(1)	power to fix fees and charges or a scale of fees and charges for its services in accordance with this section	GMCCS	subject to the approval of the Secretary under section 40 unless exempt under section 40A GMIDS is a secondary delegate in the absence of GMCCS
s.39(3)	power to fix different fees and charges for different cases or classes of cases	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.40	duty to notify Secretary of fees and charges fixed under section 39	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.45	power to invest money	GMCCS	subject to any direction of the Minister This provision does not apply if the management of the public cemetery is a municipal council, not a cemetery trust. In this case, the borrowing & investment powers are governed by the Local Government Act 1989. GMIDS is a secondary delegate in the absence of GMCCS
s.46	power to borrow money to enable it to perform its functions and exercise its powers	GMCCS	subject to the approval and conditions of the Treasurer This provision does not apply if the management of the public cemetery is a municipal council, not a cemetery trust. In this case, the borrowing & investment powers are governed by the Local Government Act 1989. GMIDS is a secondary delegate in the absence of GMCCS
s.47	power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	GMCCS	provided the street was constructed pursuant to the Local Government Act 1989 GMIDS is a secondary delegate in the absence of GMCCS

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.57(1)	duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	GMCCS	applies only to municipal councils, not cemetery trusts report must contain the particulars listed in s.57(2) GMIDS is a secondary delegate in the absence of GMCCS
s.59	duty to keep records for each public cemetery	GMCCS, YCTS	
s.60(1)	duty to make information in records available to the public for historical or research purposes	GMCCS, YCTS	
s.60(2)	power to charge fees for providing information	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.64(4)	duty to comply with a direction from the Secretary under section 64(3)	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.64B(d)	power to permit interments at a reopened cemetery	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.66(1)	power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	GMCCS	the application must include the requirements listed in s.66(2)(a)–(d) GMIDS is a secondary delegate in the absence of GMCCS
s.69	duty to take reasonable steps to notify of conversion to historic cemetery park	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.70(1)	duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.70(2)	duty to make plans of existing place of interment available to the public	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.71(1)	power to remove any memorials or other structures in an area to which an approval to convert applies	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.71(2)	power to dispose of any memorial or other structure removed	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.72(2)	duty to comply with request received under section 72	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.73(1)	power to grant a right of interment	GMCCS, YCTS	
s.73(2)	power to impose conditions on the right of interment	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.75	power to grant the rights of interment set out in subsections (a) and (b)	GMCCS, YCTS	
s.76(3)	duty to allocate a piece of interment if an unallocated right is granted	GMCCS, YCTS	
s.77(4)	power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	GMCCS, YCTS	

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.80(1)	function of receiving notification and payment of transfer of right of interment	GMCCS, YCTS	
s.80(2)	function of recording transfer of right of interment	GMCCS, YCTS	
s.82(2)	duty to pay refund on the surrender of an unexercised right of interment	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.83(2)	duty to pay refund on the surrender of an unexercised right of interment (sole holder)	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.83(3)	power to remove any memorial and grant another right of interment for a surrendered right of interment	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.84(1)	function of receiving notice of surrendering an entitlement to a right of interment	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.85(1)	duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	GMCCS	the notice must be in writing and contain the requirements listed in s.85(2) GMIDS is a secondary delegate in the absence of GMCCS
s.86	power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.86(2)	power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	GMCCS	This provision is not yet in force and will commence on 1 February 2016, if not proclaimed earlier.

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.86(3)(a)	power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	GMCCS	This provision is not yet in force and will commence on 1 February 2016, if not proclaimed earlier.
s.86(3)(b)	power to remove interred cremated human remains and take further action in accordance with s.86(3)(b)	GMCCS	This provision is not yet in force and will commence on 1 February 2016, if not proclaimed earlier.
s.86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains	GMCCS	This provision is not yet in force and will commence on 1 February 2016, if not proclaimed earlier.
s.86(5)	duty to provide notification before taking action under s.86(4)	GMCCS	This provision is not yet in force and will commence on 1 February 2016, if not proclaimed earlier.
s 86A	duty to maintain place of interment and any memorial at place of interment, if action taken under s.86(3)	GMCCS	This provision is not yet in force and will commence on 1 February 2016, if not proclaimed earlier.
s.87(3)	duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.88	function to receive applications to carry out a lift and re-position procedure at a place of interment	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.91(1)	power to cancel a right of interment in accordance with this section	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.91(3)	duty to publish notice of intention to cancel right of interment	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.92	power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.98(1)	function of receiving application to establish or alter a memorial or a place of interment	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.99	power to approve or refuse an application made under section 98, or to cancel an approval	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.99(4)	duty to make a decision on an application under section 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.100(1)	power to require a person to remove memorials or places of interment	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.100(2)	power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with section 100(1)	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.100(3)	power to recover costs of taking action under section 100(2)	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.101	function of receiving applications to establish or alter a building for ceremonies in the cemetery	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.102(1)	power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.102(2) & (3)	power to set terms and conditions in respect of, or to cancel, an approval granted under section 102(1)	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.103(1)	power to require a person to remove a building for ceremonies	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.103(2)	power to remove and dispose of a building for ceremonies or remedy the failure to comply with section 103(1)	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.103(3)	power to recover costs of taking action under section 103(2)	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.106(1)	power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.106(2)	power to require the holder of the right of interment to provide for an examination	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.106(3)	power to open and examine the place of interment if section 106(2) not complied with	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.106(4)	power to repair or – with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under section 106(1) is not complied with	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.107(1)	power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.107(2)	power to repair or take down, remove and dispose any building for ceremonies if notice under section 107(1) is not complied with	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.108	power to recover costs and expenses	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.109(1)(a)	power to open, examine and repair a place of interment	GMCCS	where the holder of right of interment or responsible person cannot be found GMIDS is a secondary delegate in the absence of GMCCS

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.109(1)(b)	power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	GMCCS	where the holder of right of interment or responsible person cannot be found GMIDS is a secondary delegate in the absence of GMCCS
s.109(2)	power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	GMCCS	where the holder of right of interment or responsible person cannot be found GMIDS is a secondary delegate in the absence of GMCCS
s. 110A	power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	GMCCS	This provision is not yet in force and will commence on 1 February 2016, if not proclaimed earlier.
s.110(1)	power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder. with consent of the Secretary	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.110(2)	power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.111	power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.112	power to sell and supply memorials	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.116(4)	duty to notify the Secretary of an interment authorisation granted	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.116(5)	power to require an applicant to produce evidence of the right of interment holder's consent to application	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.118	power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.119	power to set terms and conditions for interment authorisations	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.131	function of receiving an application for cremation authorisation	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.133(1)	duty not to grant a cremation authorisation unless satisfied that requirements of section 133 have been complied with	GMCCS	Subject to subsection (2) GMIDS is a secondary delegate in the absence of GMCCS
s.145	duty to comply with an order made by the Magistrates' Court or a coroner	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.146	power to dispose of bodily remains by a method other than interment or cremation	GMCCS	subject to the approval of the Secretary
s.147	power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.149	duty to cease using method of disposal if approval revoked by the Secretary	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.150 & 152(1)	power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.151	function of receiving applications to inter or cremate body parts	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
s.152(2)	power to impose terms and conditions on authorisation granted under section 150.	GMCCS	GMIDS is a secondary delegate in the absence of GMCCS
Schedule 1 clause 8(3)	power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	GMCCS	where council is a Class B cemetery trust GMIDS is a secondary delegate in the absence of GMCCS
Schedule 1 clause 8(8)	power to regulate own proceedings	GMCCS	where council is a Class B cemetery trust subject to clause 8 GMIDS is a secondary delegate in the absence of GMCCS

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	GMIDS, MIO	Council may delegate this power to an authorised officer

ENVIRONMENT PROTECTION ACT 1970			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.53M(3)	power to require further information	GMIDS, MDS, EHO	
s.53M(4)	duty to advise applicant that application is not to be dealt with	GMIDS, MDS, EHO	
s.53M(5)	duty to approve plans, issue permit or refuse permit	GMIDS, MDS, EHO	refusal must be ratified by council or it is of no effect
s.53M(6)	power to refuse to issue septic tank permit	GMIDS, MDS	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)	GMIDS, MDS	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	MIO, EHO	If section 19(1) applies

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	MIO, 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	MIO, EHO	If section 19(1) applies
s.19(6)(a)	duty to revoke any order under section 19 if satisfied that an order has been complied with	GMIDS, MIO, 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	GMIDS, MIO, EHO	If section 19(1) applies
s.19AA(2)	power to direct, by written order, that a person must take any of the actions described in (a)-(c).	GMIDS, MIO, EHO	where council is the registration authority
s.19AA(4)(c)	power to direct, in an order made under s.19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	GMIDS, MIO, EHO	Note: the power to direct the matters under s.19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s.19AA(7)	duty to revoke order issued under s.19AA and give written notice of revocation, if satisfied that that order has been complied with	GMIDS, MIO, EHO	where council is the registration authority
s.19CB(4)(b)	power to request copy of records	MIO, EHO	where council is the registration authority
s.19E(1)(d)	power to request a copy of the food safety program	MIO, 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.19GB	power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	MIO, 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	MIO, EHO	where council is the registration authority
s.19NA(1)	power to request food safety audit reports	MIO, 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	MIO, EHO	
s.19UA	power to charge fees for conducting a food safety assessment or inspection	MIO, EHO	except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39.
s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	MIO, 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	MIO, 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	MIO, EHO	where council is the registration authority
---	power to register, renew or transfer registration	MIO, EHO	where council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see section 58A(2))

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	MIO, 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)	MIO, EHO	where council is the registration authority
s.38A(4)	power to request a copy of a completed food safety program template	MIO, EHO	where council is the registration authority
s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	MIO, EHO	where council is the registration authority
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	MIO, EHO	where council is the registration authority
s.38B(1)(c)	duty to inspect premises	MIO, EHO	where council is the registration authority
s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	MIO, 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	MIO, EHO	where council is the registration authority
s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	MIO, EHO	where council is the registration authority
s.38D(3)	power to request copies of any audit reports	MIO, EHO	where council is the registration authority
s.38E(2)	power to register the food premises on a conditional basis	MIO, EHO	where council is the registration authority; not exceeding the prescribed time limit defined under subsection (5).

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.38E(4)	duty to register the food premises when conditions are satisfied	MIO, EHO	where council is the registration authority
s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	MIO, EHO	where council is the registration authority
s.39A	power to register, renew or transfer food premises despite minor defects	MIO, EHO	where council is the registration authority only if satisfied of matters in subsections (2)(a)-(c)
s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	MIO, EHO	
s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	MIO, EHO	where council is the registration authority
s.40D(1)	power to suspend or revoke the registration of food premises	MIO, 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	MIO, 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	MIO, EHO	where council is the registration authority
s.46(5)	power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	MIO, 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	GMIDS, MDS	must obtain Executive Director's written consent first.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.4B	power to prepare an amendment to the Victoria Planning Provisions	GMIDS, MDS	if authorised by the Minister
s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	GMIDS, MDS	
s.4H	duty to make amendment to Victoria Planning Provisions available	GMIDS, MDS , CSP, POS	
s.4I	duty to keep Victoria Planning Provisions and other documents available	GMIDS, MDS , CSP, POS	
s.8A(2)	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	GMIDS, MDS	
s. 8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	GMIDS, MDS	
s.8A(5)	function of receiving notice of the Minister's decision	GMIDS, MDS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.8A(7)	power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	GMIDS	GMCCS is a secondary delegate in the absence of GMIDS
s.8B(2)	power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	GMIDS, MDS	
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	GMIDS, MDS	
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>)	GMIDS, MDS	
s.12B(1)	duty to review planning scheme	GMIDS, MDS	
s.12B(2)	duty to review planning scheme at direction of Minister	GMIDS, MDS	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	GMIDS, MDS	
s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	GMIDS, MDS	
s.17(1)	duty of giving copy amendment to the planning scheme	GMIDS, MDS	
s.17(2)	duty of giving copy s.173 agreement	GMIDS, MDS	
s.17(3)	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	GMIDS, MDS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.18	duty to make amendment etc. available	GMIDS, MDS	
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	GMIDS, MDS	
s.19	function of receiving notice of preparation of an amendment to a planning scheme	GMIDS, MDS , CSP, POS	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s.20(1)	power to apply to Minister for exemption from the requirements of section 19	GMIDS, MDS	
s.21(2)	duty to make submissions available	GMIDS, MDS , CSP, POS	
s.21A(4)	duty to publish notice in accordance with section	GMIDS, MDS , CSP, POS	
s.22	duty to consider all submissions	GMIDS, MDS , CSP, POS	
s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	GMIDS, MDS , CSP, POS	
s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	GMIDS, MDS , CSP, POS	
s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in section 96D)	GMIDS, MDS , CSP, POS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.26(1)	power to make report available for inspection	GMIDS, MDS, CSP, POS	
s.26(2)	duty to keep report of panel available for inspection	GMIDS, MDS, CSP	
s.27(2)	power to apply for exemption if panel's report not received	GMIDS, MDS	
s.28	duty to notify the Minister if abandoning an amendment	GMIDS, MDS	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	GMIDS, MDS	
s.30(4)(b)	duty to provide information in writing upon request	GMIDS, MDS	
s.32(2)	duty to give more notice if required	GMIDS, MDS	
s.33(1)	duty to give more notice of changes to an amendment	GMIDS, MDS	
s.36(2)	duty to give notice of approval of amendment	GMIDS, MDS	
s.38(5)	duty to give notice of revocation of an amendment	GMIDS, MDS	
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT	GMIDS, MDS	
s.40(1)	function of lodging copy of approved amendment	GMIDS, MDS	
s.41	duty to make approved amendment available	GMIDS, MDS, CSP, POS	
s.42	duty to make copy of planning scheme available	GMIDS, MDS, CSP, POS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46AS(ac)	power to request the Growth Areas Authority to provide advice on any matter relating to land in Victoria or an objective of planning in Victoria	GMIDS, MDS	
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	GMIDS, MDS , CSP, POS	
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	GMIDS, MDS , CSP, POS	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	GMIDS, MDS , CSP, POS	
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	GMIDS, MDS , CSP, POS	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	GMIDS, MDS , CSP, POS	
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	GMIDS, MDS , CSP, POS	
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	GMIDS, MDS ,	
s.46Q(1)	duty to keep proper accounts of levies paid	GMIDS, MDS , CSP, POS	
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	GMIDS, MDS , CSP, POS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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.	GMIDS, MDS, CSP, POS	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	GMIDS, MDS	only applies when levy is paid to Council as a 'development agency'
s.46Q(4)(c)	duty to pay amount to current owners of land in the area	GMIDS, MDS, CSP, POS	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	GMIDS, MDS	must be done in accordance with Part 3
s.46Q(4)(e)	duty to expend that amount on other works etc.	GMIDS, MDS	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	GMIDS, MDS, CSP, POS	
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	GMIDS, MDS, CSP, POS	
s.46Y	duty to carry out works in conformity with the approved strategy plan	GMIDS, MDS, CSP, POS	
s.47	power to decide that an application for a planning permit does not comply with that Act	GMIDS, MDS, CSP, POS	
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	GMIDS, MDS, CSP, POS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.49(2)	duty to make register available for inspection	GMIDS, MDS , CSP, POS	
s.50(4)	duty to amend application	GMIDS, MDS , CSP, POS	
s.50(5)	power to refuse to amend application	GMIDS, MDS , CSP, POS	
s.50(6)	duty to make note of amendment to application in register	GMIDS, MDS , CSP, POS	
s.50A(1)	power to make amendment to application	GMIDS, MDS , CSP, POS	
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	GMIDS, MDS , CSP, POS	
s.50A(4)	duty to note amendment to application in register	, GMIDS, MDS , CSP, POS	
s.51	duty to make copy of application available for inspection	GMIDS, MDS , CSP, POS	
s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	GMIDS, MDS , CSP, POS	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	GMIDS, MDS , CSP, POS , SPO	
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	GMIDS, MDS , CSP, POS , SPO	
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	GMIDS, MDS , CSP, POS , SPO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	GMIDS, MDS, CSP, POS, SPO	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	GMIDS, MDS, CSP, POS, SPO	
s.52(3)	power to give any further notice of an application where appropriate	GMIDS, MDS, CSP, POS, SPO	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	GMIDS, MDS, CSP, POS, SPO	
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	GMIDS, MDS, CSP, POS, SPO	
s.54(1)	power to require the applicant to provide more information	GMIDS, MDS, CSP, POS, SPO	
s.54(1A)	duty to give notice in writing of information required under section 54(1)	, GMIDS, MDS, CSP, POS, SPO	
s.54(1B)	duty to specify the lapse date for an application	GMIDS, MDS, CSP, POS, SPO	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	GMIDS, MDS, CSP, POS, SPO	
s.54A(4)	duty to give written notice of decision to extend or refuse to extend time und section 54A(3)	GMIDS, MDS, CSP, POS, SPO	
s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	GMIDS, MDS, CSP, POS, SPO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	GMIDS, MDS, CSP, POS	
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	GMIDS, MDS, CSP, POS, SPO	
s.57(5)	duty to make available for inspection copy of all objections	GMIDS, MDS, CSP, POS	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to section 57A(5)	GMIDS, MDS, CSP, POS, SPO	
s.57A(5)	power to refuse to amend application	GMIDS, MDS, CSP, POS	Subject to Council ratification
s.57A(6)	duty to note amendments to application in register	GMIDS, MDS, CSP, POS, SPO	
s.57B(1)	duty to determine whether and to whom notice should be given	GMIDS, MDS, CSP, POS, SPO	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	GMIDS, MDS, CSP, POS, SPO	
s.57C(1)	duty to give copy of amended application to referral authority	GMIDS, MDS, CSP, POS, SPO	
s.58	duty to consider every application for a permit	GMIDS, MDS, CSP, POS	
s.58A	power to request advice from the Planning Application Committee	GMIDS, MDS	
s.60	duty to consider certain matters	GMIDS, MDS, CSP, POS, SPO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s60(1A)	power to consider certain matters before deciding on application	GMIDS, MDS, CSP, POS	
s.61(1)	power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	GMIDS, MDS, CSP, POS	the permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i> The power to refuse a permit application or to determine an application for which objections have been lodged is not delegated.
s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	GMIDS, MDS, CSP, POS	
s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without Minister's consent	GMIDS, MDS, CSP, POS	
s.61(3)(b)	duty to refuse to grant the permit without the Minister's consent	GMIDS, MDS, CSP, POS	
s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	GMIDS, MDS, CSP, POS, SPO	
s.62(1)	duty to include certain conditions in deciding to grant a permit	GMIDS, MDS, CSP, POS, SPO	
s.62(2)	power to include other conditions	GMIDS, MDS, CSP, POS, SPO	
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	GMIDS, MDS, CSP, POS, SPO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	GMIDS, MDS, CSP, POS	
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	GMIDS, MDS, CSP, POS, SPO	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	GMIDS, MDS, CSP, POS, SPO	
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	GMIDS, MDS, CSP, POS	
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)	GMIDS, MDS, CSP, POS	
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	GMIDS, MDS, CSP, POS, SPO	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	GMIDS, MDS, CSP, POS, SPO	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(3)	duty not to issue a permit until after the specified period	GMIDS, MDS, CSP, POS, SPO	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(5)	duty to give each objector a copy of an exempt decision	GMIDS, MDS, CSP, POS	this provision applies also to a decision to grant an amendment to a permit - see section 75

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.64A	duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	GMIDS, MDS, CSP, POS, SPO	this provision applies also to a decision to grant an amendment to a permit - see section 75A
s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	GMIDS, MDS, CSP, POS, SPO	
s.66(1)	duty to give notice under section 64 or section 65 and copy permit to relevant determining referral authorities	GMIDS, MDS, CSP, POS, SPO	
s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	GMIDS, MDS, CSP, POS, SPO	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s.66(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	GMIDS, MDS, CSP, POS, SPO	if the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	GMIDS, MDS, CSP, POS, SPO	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.69(1)	function of receiving application for extension of time of permit	GMIDS, MDS, CSP, POS, SPO	
s.69(1A)	function of receiving application for extension of time to complete development	GMIDS, MDS, CSP, POS, SPO	
s.69(2)	power to extend time	GMIDS, MDS, CSP, POS	
s.70	duty to make copy permit available for inspection	GMIDS, MDS, CSP, POS, SPO	
s.71(1)	power to correct certain mistakes	GMIDS, MDS, CSP, POS	
s.71(2)	duty to note corrections in register	GMIDS, MDS, CSP, POS	
s.73	power to decide to grant amendment subject to conditions	GMIDS, MDS, CSP, POS	
s.74	duty to issue amended permit to applicant if no objectors	GMIDS, MDS, CSP, POS	
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	GMIDS, MDS, CSP, POS	
s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	GMIDS, MDS, CSP, POS, SPO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	GMIDS, MDS , CSP, POS , SPO	if the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	GMIDS, MDS , CSP, POS , SPO	if the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under section 64 or 76	GMIDS, MDS , CSP, POS , SPO	if the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s.76D	duty to comply with direction of Minister to issue amended permit	GMIDS, MDS , CSP, POS	
s.83	function of being respondent to an appeal	GMIDS, MDS , CSP, POS	
s.83B	duty to give or publish notice of application for review	GMIDS, MDS , CSP, POS	
s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	GMIDS, MDS , CSP, POS	
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	GMIDS, MDS , CSP, POS	
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	GMIDS, MDS , CSP, POS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.84(6)	duty to issue permit on receipt of advice within 3 working days	GMIDS, MDS, CSP, POS	
s.86	duty to issue a permit at order of Tribunal within 3 working days	GMIDS, MDS, CSP, POS	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	GMIDS, MDS, CSP, POS	
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	GMIDS, MDS, CSP, POS	
s.91(2)	duty to comply with the directions of VCAT	GMIDS, MDS, CSP, POS	
s.91(2A)	duty to issue amended permit to owner if Tribunal so directs	GMIDS, MDS, CSP, POS	
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	GMIDS, MDS, CSP, POS	
s.93(2)	duty to give notice of VCAT order to stop development	GMIDS, MDS, CSP, POS	
s.95(3)	function of referring certain applications to the Minister	GMIDS, MDS, CSP, POS	
s.95(4)	duty to comply with an order or direction	GMIDS, MDS, CSP, POS	
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	GMIDS, MDS, CSP, POS	
s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	GMIDS, MDS, CSP, POS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	GMIDS, MDS, CSP, POS	
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	GMIDS, MDS, CSP, POS	
s.96F	duty to consider the panel's report under section 96E	GMIDS, MDS, CSP, POS	
s.96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	GMIDS, MDS, CSP, POS	
s.96H(3)	power to give notice in compliance with Minister's direction	GMIDS, MDS, CSP, POS	
s.96J	power to issue permit as directed by the Minister	GMIDS, MDS, CSP, POS	
s.96K	duty to comply with direction of the Minister to give notice of refusal	GMIDS, MDS, CSP, POS	
s. 96Z	duty to keep levy certificates given to it under ss. 47 or 96A for no less than 5 years from receipt of the certificate	GMIDS, MDS, CSP, POS	
s.97C	power to request Minister to decide the application	GMIDS, MDS, CSP, POS	
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	GMIDS, MDS, CSP, POS	
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	GMIDS, MDS, CSP, POS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	GMIDS, MDS , CSP, POS	
s.97L	duty to include Ministerial decisions in a register kept under section 49	GMIDS, MDS , CSP, POS	
s.97MH	duty to provide information or assistance to the Planning Application Committee	GMIDS, MDS , CSP, POS	
s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	GMIDS, MDS	
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	GMIDS, MDS , CSP, POS	
s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	GMIDS, MDS , CSP, POS	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	GMIDS, MDS , CSP, POS	
s.97Q(4)	duty to comply with directions of VCAT	GMIDS, MDS , CSP, POS	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	GMIDS, MDS , CSP, POS	
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	GMIDS, MDS	
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	GMIDS, MDS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.101	function of receiving claim for expenses in conjunction with claim	GMIDS, MDS	
s.103	power to reject a claim for compensation in certain circumstances	GMIDS, MDS	
s.107(1)	function of receiving claim for compensation	GMIDS, MDS	
s.107(3)	power to agree to extend time for making claim	GMIDS, MDS	
s.114(1)	power to apply to the VCAT for an enforcement order	GMIDS, MDS	
s.117(1)(a)	function of making a submission to the VCAT where objections are received	GMIDS, MDS	
s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	GMIDS, MDS	
s.123(1)	power to carry out work required by enforcement order and recover costs	GMIDS, MDS	
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	GMIDS, MDS	except Crown Land
s.129	function of recovering penalties	GMIDS, MDS	
s.130(5)	power to allow person served with an infringement notice further time	GMIDS, MDS	
s.149A(1)	power to refer a matter to the VCAT for determination	GMIDS, MDS	
s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	GMIDS, MDS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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)	GMIDS, MDS	where council is the relevant planning authority
s.171(2)(f)	power to carry out studies and commission reports	GMIDS, MDS	
s.171(2)(g)	power to grant and reserve easements	GMIDS, MDS	
s.173	power to enter into agreement covering matters set out in section 174	GMIDS	GMCCS is a secondary delegate in the absence of GMIDS
---	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	GMIDS, MDS	
---	power to give consent on behalf of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	GMIDS, MDS	
s.177(2)	power to end a section 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	GMIDS	GMCCS is a secondary delegate in the absence of GMIDS
s.178	power to amend a s.173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	GMIDS	GMCCS is a secondary delegate in the absence of GMIDS

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178A(1)	function of receiving application to amend or end an agreement	GMIDS, MDS	
s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	GMIDS, MDS	
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	GMIDS, MDS	
s.178A(5)	power to propose to amend or end an agreement	GMIDS, MDS	
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	GMIDS, MDS	
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	GMIDS, MDS	
s.178C(2)	duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	GMIDS, MDS	
s.178C(4)	function of determining how to give notice under s.178C(2)	GMIDS, MDS	
s.178E(1)	duty not to make decision until after 14 days after notice has been given	GMIDS, MDS	
s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	GMIDS, MDS	If no objections are made under s.178D Must consider matters in s.178B
s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	GMIDS, MDS	If no objections are made under s.178D Must consider matters in s.178B

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(2)(c)	power to refuse to amend or end the agreement	GMIDS, MDS	If no objections are made under s.178D Must consider matters in s.178B
s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	GMIDS, MDS	After considering objections, submissions and matters in s.178B
s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	GMIDS, MDS	After considering objections, submissions and matters in s.178B
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	GMIDS, MDS	After considering objections, submissions and matters in s.178B
s.178E(3)(d)	power to refuse to amend or end the agreement	GMIDS, MDS	After considering objections, submissions and matters in s.148B
s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	GMIDS, MDS, CSP, POS	
s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	GMIDS, MDS, CSP, POS	
s.178F(4)	duty not to proceed to amend or end an agreement under s.178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	GMIDS, MDS, CSP, POS	
s.178G	duty to sign amended agreement and give copy to each other party to the agreement	GMIDS, MDS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178H	power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	GMIDS, MDS	
s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	GMIDS, MDS	
s.179(2)	duty to make available for inspection copy agreement	GMIDS, MDS	
s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	GMIDS, MDS	
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	GMIDS, MDS , CSP, POS	
s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	GMIDS, MDS , CSP, POS	
s.182	power to enforce an agreement	GMIDS, MDS	
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	GMIDS, MDS , CSP, POS	
s.184F(1)	power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	GMIDS, MDS	
s.184F(2)	duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	GMIDS, MDS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.184F(3)	duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	GMIDS, MDS	
s.184F(5)	function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	GMIDS, MDS	
s.184G(2)	duty to comply with a direction of the Tribunal	▪ GMIDS, MDS	
s.184G(3)	duty to give notice as directed by the Tribunal	▪ GMIDS, MDS	
s.198(1)	function to receive application for planning certificate	▪ GMIDS, MDS, CSP, POS, SPO	
s.199(1)	duty to give planning certificate to applicant	▪ GMIDS, MDS, CSP, POS, SPO	
s.201(1)	function of receiving application for declaration of underlying zoning	▪ GMIDS, MDS, CSP, POS, SPO	
s.201(3)	duty to make declaration	▪ GMIDS, MDS, CSP	
-	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	▪ GMIDS, MDS, CSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	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	<ul style="list-style-type: none"> ▪ GMIDS, MDS, CSP 	
	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	<ul style="list-style-type: none"> ▪ GMIDS, MDS, CSP ▪ GMIDS, MIA, CAD 	As it relates to Engineering Plans relating to developments.
-	power to give written authorisation in accordance with a provision of a planning scheme	<ul style="list-style-type: none"> ▪ GMIDS, MDS, CSP, POS 	
s.201UAB(1)	function of providing the Growth Areas Authority with information relating to any land within municipal district	<ul style="list-style-type: none"> ▪ GMIDS, MDS, CSP 	
s.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	<ul style="list-style-type: none"> ▪ GMIDS, MDS, CSP, POS 	

RAIL SAFETY (LOCAL OPERATIONS) ACT 2006			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.33	duty to comply with a direction of the Safety Director under this section	GMIDS, MIA	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	GMIDS, MIA	duty of council as a road authority under the <i>Road Management Act 2004</i>

RAIL SAFETY (LOCAL OPERATIONS) ACT 2006			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
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)	GMIDS, MIA	where council is a utility under section 3
s.34C(2)	function of entering into safety interface agreements with rail infrastructure manager	GMIDS, MIA	where council is the relevant road authority
s.34D(1)	function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	GMIDS, MIA	where council is the relevant road authority
s.34D(2)	function of receiving written notice of opinion	GMIDS, MIA	where council is the relevant road authority
s.34D(4)	function of entering into safety interface agreement with infrastructure manager	GMIDS, MIA	where council is the relevant road authority
s.34E(1)(a)	duty to identify and assess risks to safety	GMIDS, MIA	where council is the relevant road authority
s.34E(1)(b)	duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c)	GMIDS, MIA	where council is the relevant road authority
s.34E(3)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	GMIDS, MIA	where council is the relevant road authority
s.34F(1)(a)	duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)	GMIDS, MIA	where council is the relevant road authority
s.34F(1)(b)	duty to determine measures to manage any risks identified and assessed, if written notice has been received under section 34D(2)(a)	GMIDS, MIA	where council is the relevant road authority

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

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.142D	function of receiving notice regarding an unregistered rooming house	GMIDS, MIO,EHO	
s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal district	GMIDS, MIO,EHO	
s. 142G(2)	power to enter certain information in the Rooming House Register	GMIDS, MIO,EHO	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.142l(2)	power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	GMIDS, MIO, EHO	
s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	GMIDS, MIO, EHO	where council is the landlord
s.262(1)	power to give tenant a notice to vacate rented premises	GMIDS, MIO, EHO	where council is the landlord
s.262(3)	power to publish its criteria for eligibility for the provision of housing by council	GMIDS, MIO, EHO	
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	GMIDS, MIO, EHO	
s.522(1)	power to give a compliance notice to a person	GMIDS, MIO, EHO	
s.525(2)	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	GMIDS, MIO, EHO	
s.525(4)	duty to issue identity card to authorised officers	GMIDS, MIO, EHO	
s.526(5)	duty to keep record of entry by authorised officer under section 526	GMIDS, MIO, EHO	
s.526A(3)	function of receiving report of inspection	GMIDS, MIO, EHO	
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	GMIDS, MIO, EHO	

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	GMIDS, MIA	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	GMCCS, GMIDS, MIA, CSP	
s.11(9)(b)	duty to advise Registrar	GMIDS, MIA, CSP, CAD	
s.11(10)	duty to inform Secretary to Department of Sustainability and Environment of declaration etc.	GMIDS, MIA, CAD	clause subject to section 11(10A)
s.11(10A)	duty to inform Secretary to Department of Sustainability and Environment or nominated person	GMIDS, MIA, CAD	where council is the coordinating road authority
s.12(2)	power to discontinue road or part of a road	GMIDS, MIA, MDS	where council is the coordinating road authority
s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	GMIDS, MIA, MDS	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	GMIDS, MIA, MDS	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	GMIDS, MIA, MDS	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	GMIDS, GMCCS, MIA, MDS, CAD,	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.12(10)	duty to notify of decision made	GMIDS, MDS , MIA, CAD	duty of coordinating road authority where it is the discontinuing body does not apply where an exemption is specified by the regulations or given by the Minister
s.13(1)	power to fix a boundary of a road by publishing notice in Government Gazette	GMIDS, MDS , MIA	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	GMIDS, MIA	
s.14(7)	power to appeal against decision of VicRoads	GMIDS	GMCCS is a secondary delegate in the absence of GMIDS
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	GMIDS	GMCCS is a secondary delegate in the absence of GMIDS
s.15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	GMIDS	GMCCS is a secondary delegate in the absence of GMIDS
s.15(2)	duty to include details of arrangement in public roads register	GMIDS, MIA	
s.16(7)	power to enter into an arrangement under section 15	GMIDS, MIA	
s.16(8)	duty to enter details of determination in public roads register	GMIDS, MIA	
s.17(2)	duty to register public road in public roads register	GMIDS, MIA	where council is the coordinating road authority
s.17(3)	power to decide that a road is reasonably required for general public use	GMIDS, MIA	where council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.17(3)	duty to register a road reasonably required for general public use in public roads register	GMIDS, MIA	where council is the coordinating road authority
s.17(4)	power to decide that a road is no longer reasonably required for general public use	GMIDS, MIA	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	GMIDS, MIA	where council is the coordinating road authority
s.18(1)	power to designate ancillary area	GMIDS, MIA	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	GMIDS, MIA, CAD	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	GMIDS, MIA, CAD	
s.19(4)	duty to specify details of discontinuance in public roads register	▪ GMIDS, MIA, CAD	
s.19(5)	duty to ensure public roads register is available for public inspection	▪ GMIDS, MIA, CAD	
s.21	function of replying to request for information or advice	GMIDS, GMCCS, MIA	obtain consent in circumstances specified in section 11(2)
s.22(2)	function of commenting on proposed direction	GMIDS, GMCCS, MIA	
s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.	GMIDS, GMCCS, MIA	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.22(5)	duty to give effect to a direction under this section.	GMIDS, GMCCS, MIA	
s.40(1)	duty to inspect, maintain and repair a public road.	GMIDS, MIA, MIO, CRPM	
s.40(5)	power to inspect, maintain and repair a road which is not a public road	GMIDS, MIA, MIO	
s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	GMIDS, MIA, MIO	
s.42(1)	power to declare a public road as a controlled access road	GMIDS	power of coordinating road authority and Schedule 2 also applies GMCCS is a secondary delegate in the absence of GMIDS
s.42(2)	power to amend or revoke declaration by notice published in Government Gazette	GMIDS	power of coordinating road authority and Schedule 2 also applies GMCCS is a secondary delegate in the absence of GMIDS
s.42A(3)	duty to consult with VicRoads before road is specified	GMIDS, MIA	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	GMIDS, MIA	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)	GMIDS, MIA	where council is the responsible road authority, infrastructure manager or works manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.48M(3)	function of consulting with the Secretary for purposes of developing guidelines under section 48M	GMIDS, MIA	
s.48N	duty to notify the Secretary of the location of the bus stopping point and the action taken by council	GMIDS, MIA	
s.49	power to develop and publish a road management plan	GMIDS, MIA	
s.51	power to determine standards by incorporating the standards in a road management plan	GMIDS, MIA	
s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	GMIDS, MIA	
s.54(2)	duty to give notice of proposal to make a road management plan	GMIDS, MIA	
s.54(5)	duty to conduct a review of road management plan at prescribed intervals	GMIDS, MIA	
s.54(6)	power to amend road management plan	GMIDS, MIA	
s.54(7)	duty to incorporate the amendments into the road management plan	GMIDS, MIA, CAD	
s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	GMIDS, MIA, CAD	
s.63(1)	power to consent to conduct of works on road	GMIDS, MIA, CAD	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	,GMIDS, MIA, CAD	where council is the infrastructure manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.64(1)	duty to comply with clause 13 of Schedule 7	,GMIDS, MIA	where council is the infrastructure manager or works manager
s.66(1)	power to consent to structure etc	GMIDS, MIA, CAD	where council is the coordinating road authority
s.67(2)	function of receiving the name & address of the person responsible for distributing the sign or bill	GMIDS, MIA, CAD	where council is the coordinating road authority
s.67(3)	power to request information	,GMIDS, MIA, CAD	where council is the coordinating road authority
s.68(2)	power to request information	,GMIDS, MIA, CAD	where council is the coordinating road authority
s.71(3)	power to appoint an authorised officer	,GMIDS	GMCCS is a secondary delegate in the absence of GMIDS
s.72	duty to issue an identity card to each authorised officer	GMIDS	GMCCS is a secondary delegate in the absence of GMIDS
s.85	function of receiving report from authorised officer	GMIDS, MIA	
s.86	duty to keep register re section 85 matters	GMIDS, MIA	
s.87(1)	function of receiving complaints	GMIDS, MIA	
s.87(2)	duty to investigate complaint and provide report	GMIDS, MIA	
s.112(2)	power to recover damages in court	GMIDS	GMCCS is a secondary delegate in the absence of GMIDS
s.116	power to cause or carry out inspection	GMIDS, MIO, MIA, CAD, CRPM	
s.119(2)	function of consulting with VicRoads	GMIDS, MIA, MIO	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	GMIDS, MIA, MIO	
s.120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	GMIDS, MIA, MIO	
s.121(1)	power to enter into an agreement in respect of works	GMIDS, MIA	
s.122(1)	power to charge and recover fees	GMIDS, MIA	
s.123(1)	power to charge for any service	GMIDS, MIA	
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	GMIDS, MIA	
Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	GMIDS, MIA	
Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	GMIDS, MIA	
Schedule 2 Clause 4	function of receiving details of proposal from VicRoads	GMIDS, MIA	
Schedule 2 Clause 5	duty to publish notice of declaration	GMIDS, MIA	
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	GMIDS, MIA, MIO	where council is the infrastructure manager or works manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7, Clause 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	GMIDS, MIA, MIO	where council is the infrastructure manager or works manager
Schedule 7, Clause 9(1)	duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	GMIDS, MIA, MIO	where council is the infrastructure manager or works manager responsible for non-road infrastructure
Schedule 7, Clause 9(2)	duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	GMIDS, MIA, MIO	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	GMIDS, MIA, MIO	where council is the infrastructure manager or works manager
Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	GMIDS, MIA, CAD	where council is the coordinating road authority
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	GMIDS, MIA	where council is the coordinating road authority
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	GMIDS, MIA, CAD	where council is the coordinating road authority
Schedule 7 Clause 12(5)	power to recover costs	GMIDS, MIA	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 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2)	GMIDS, MIA, CAD	where council is the works manager
Schedule 7 Clause 13(2)	power to vary notice period	GMIDS, MIA	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)	GMIDS, MIA	where council is the infrastructure manager
Schedule 7 Clause 16(1)	power to consent to proposed works	GMIDS, MIA,	where council is the coordinating road authority
Schedule 7 Clause 16(4)	duty to consult	GMIDS, MIA, CAD	where council is the coordinating road authority, responsible authority or infrastructure manager
Schedule 7 Clause 16(5)	power to consent to proposed works	GMIDS, MIA	where council is the coordinating road authority
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	GMIDS, MIA	where council is the coordinating road authority
Schedule 7 Clause 16(8)	power to include consents and conditions	GMIDS, MIA	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	GMIDS, MIA	where council is the coordinating road authority
Schedule 7 Clause 18(1)	power to enter into an agreement	GMIDS, MIA	where council is the coordinating road authority
Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	GMIDS, MIA, CAD	where council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 19(2) & (3)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	GMIDS, MIA	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	GMIDS, MIA	where council is the coordinating road authority
Schedule 7A Clause 2	power to cause street lights to be installed on roads	GMIDS, MIA	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	GMIDS, MIA	where council is the responsible road authority
Schedule 7A Clause 3(1)(e)	duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	GMIDS, MIA	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	GMIDS, MIA	duty of council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs)

PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r. 6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment	GMIDS, MDS	where Council is not the planning authority and the

	to a planning scheme		amendment affects land within its municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	GMIDS, MDS	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	GMIDS, MDS, CSP, POS	where Council is the responsible authority
r.25(b))	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	GMIDS, MDS, CSP, POS	where Council is not the responsible authority but the relevant land is within Council's municipal district
r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	GMIDS, MDS	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.

PLANNING AND ENVIRONMENT (FEES) INTERIM REGULATIONS 2014			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.16	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	GMIDS, MDS	
r.17	power to waive or rebate a fee relating to an amendment of a planning scheme	GMIDS, MDS	

r.18	duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r.16 or 17	GMIDS, MDS	
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RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.7	function of entering into a written agreement with a caravan park owner	GMIDS, MDS, EHO	
r.11	function of receiving application for registration	GMIDS, MDS, EHO	
r.13(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	GMIDS, MDS	
r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	GMIDS, MDS	
r.13(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	GMIDS, MDS	
r.13(4) & (5)	duty to issue certificate of registration	GMIDS, MDS	
r.15(1)	function of receiving notice of transfer of ownership	GMIDS, MDS, EHO	
r.15(3)	power to determine where notice of transfer is displayed	GMIDS, MDS, EHO	
r.16(1)	duty to transfer registration to new caravan park owner	GMIDS, MDS	
r.16(2)	duty to issue a certificate of transfer of registration	GMIDS, MDS	
r.17(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	GMIDS, MDS	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.18	duty to keep register of caravan parks	GMIDS, MDS, EHO	
r.19(4)	power to determine where the emergency contact person's details are displayed	GMIDS, MDS, EHO	
r.19(6)	power to determine where certain information is displayed	GMIDS, MDS, EHO	
r.22A(1)	duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	GMIDS, MDS, EHO	
r.22A(2)	duty to consult with relevant emergency services agencies	GMIDS, MDS, EHO	
r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	GMIDS, MDS, EHO	
r.24	power to determine places in which caravan park owner must display copy of public emergency warnings	GMIDS, MDS, EHO	
r.25(3)	duty to consult with relevant floodplain management authority	GMIDS, MDS	
r.26	duty to have regard to any report of the relevant fire authority	GMIDS, MDS	
r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	GMIDS, MDS	
r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	GMIDS, MDS, EHO	
r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	GMIDS, MDS	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.40(4)	function of receiving installation certificate	GMIDS, MDS, EHO	
r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	GMIDS, MDS	
Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	GMIDS, MDS, EHO	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2005			
Note: these regulations are due to expire on 20 March 2016			
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	GMIDS, MIA, MIO	
r.302(2)	duty to give notice of review of road management plan	GMIDS, MIA, MIO	
r.302(5)	duty to produce written report of review of road management plan and make report available	GMIDS, MIA, MIO	
r.303	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	GMIDS, MIA, MIO	
r.306(2)	duty to record on road management plan the substance and date of effect of amendment	GMIDS, MIA, MIO	
r.501(1)	power to issue permit	GMIDS, MIA,	where council is the coordinating road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2005			
Note: these regulations are due to expire on 20 March 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.501(4)	power to charge fee for issuing permit under regulation 501(1)	GMIDS, MIA, CAD	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	GMIDS, MIA	where council is the coordinating road authority
r.508(3)	power to make submission to Tribunal	GMIDS, MIA	where council is the coordinating road authority
r.509(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	GMIDS, MIA, MIO, CRPM	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))	GMIDS	where council is the responsible road authority GMCCS is a secondary delegate in the absence of GMIDS
r.509(4)	power to recover in the Magistrates' Court, expenses from person responsible	GMIDS, GMCCS, MIA, MIO,	

S11. Instrument of Appointment and Authorisation

Murrindindi Shire Council

Instrument of Appointment and Authorisation

Instrument of Appointment and Authorisation

In this instrument "officer" means -

- “CLL” means Coordinator Local Laws – Andrew Daly
- “CSP” means Coordinator Statutory Planning – Karen Girvan
- “DMERO” means Deputy Municipal Emergency Resource Officers – John Canny
- “EHO” means Environmental Health Officer – Natalie Stewart
- “GMCCS” means General Manager Corporate & Community Services – Michael Chesworth
- “GMIDS” means General Manager Infrastructure and Development Services – Elaine Wyatt
- “LLO” means Local Laws Officer – Casey Southurst
- “MBS” means Municipal Building Surveyor – Robert Skinner
- “MDS” means Manager Development Services – Shivaun Brown
- “MERO” means Municipal Emergency Resource Officer – Mark Leitinger
- “MIA” means Manager Infrastructure Assets – John Canny
- “MIO” means Manager Infrastructure Operations – Mark Leitinger
- “VAL” means Valuation Contractor – Marcus Hann, Oliver Boyd

By this instrument of appointment and authorisation Murrindindi Shire Council -

PART A

1. under section 224 of *the Local Government Act 1989* - appoints the officers to be authorised officers for the administration and enforcement of -

the <i>Building Act 1993</i>	[MDS, MBS, EHO]
the <i>Country Fire Authority Act 1958</i>	[EHO, MDS, CLL, LLO]
the <i>Domestic Animals Act 1994</i>	[MDS, CLL, LLO, EHO]
the <i>Emergency Management Act 1986</i>	[MERO, DMERO]
the <i>Environment Protection Act 1970</i>	[EHO, MDS, CLL, LLO]
the <i>Fire Services Property Levy Act 2012</i>	[GMCCS]
the <i>Food Act 1984</i>	[MDS, EHO]
the <i>Graffiti Prevention Act 2007</i>	[MIA, MIO, MDS]
the <i>Housing Act 1983</i>	[MBS, MDS, EHO]
the <i>Impounding of Livestock Act 1994</i>	[MDS, CLL, LLO]
the <i>Local Government Act 1989</i>	[MDS, EHO, CLL, LLO]
the <i>Public Health and Wellbeing Act 2008</i> ¹	[MDS, EHO]
Part 14 of the <i>Residential Tenancies Act 1997</i>	[MDS, EHO]
the <i>Road Management Act 2004</i>	[GMIDS]
the <i>Road Safety Act 1986</i>	[GMIDS, MDS, CLL, LLO]
the <i>Sex Work Act 1994</i>	[MDS, CSP]
the <i>Shop Trading Reform Act 1996</i>	[EHO, MDS, CLL, LLO]

¹ Council only to appoint a person suitably qualified or trained under section 31(2).



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the *Summary Offences Act* 1966 [EHO, MDS, CLL, LLO]
 the *Tobacco Act* 1987² [MDS, EHO]
 the *Valuation of Land Act* 1960 [VAL]

the regulations made under each of those Acts
 the local laws made under the *Local Government Act* 1989
 and any other Act, regulation or local law which relates to the functions and powers of the Council;

PART B

2. under section 3 of the *Building Act* 1993 (**Building Act**), appoints the officer to be Municipal Building Surveyor for the purposes of the *Building Act* 1993. [MBS]

AND/OR

3. under section 228(2) of the *Building Act* 1993 authorises the officer##s to exercise the powers of ##[an#] authorised person##s under Division 2 of Part 13 of the *Building Act* 1993. [MBS, MDS, EHO]

4. under section 96A(1)(a) of the *Country Fire Authority Act* 1958 – appoints the officer to be the fire prevention officer. [CLL]

AND

5. under section 96A(1)(b) of the *Country Fire Authority Act* 1958 – appoints the officers to be assistant fire prevention officers. [MDS, LLO]

6. under section 72 of the *Domestic Animals Act* 1994 - appoints the officers to be authorised officers for the purposes of the *Domestic Animals Act* 1994. [MDS, CLL, LLO]

7. under section 21 of the *Emergency Management Act* 1986 – appoints the officer to be Municipal Emergency Resource Officer [MERO, DMERO]

8. under section 4(1) of the *Environment Protection Act* 1970 - appoints the officers to be litter enforcement officers for the purposes of the *Environment Protection Act* 1970. [EHO, MDS, CLL, LLO]

AND

9. under section 48A of the *Environment Protection Act* 1970 – appoints the officers to be authorised officers for the purposes of section 48A.

² This Act provides for the CEO of a council to nominate a person to be an inspector for the purposes of the Act and the Secretary may then appoint them to be an inspector (see section 36). An environmental health officer appointed under the *Public Health and Wellbeing Act* 2008 is also regarded as an inspector under this Act.



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[EHO, MDS, CLL, LLO]

-
10. under section 23 of the *Fire Services Property Levy Act 2012* – appoints the officers to be authorised officers for the purposes of the *Fire Services Property Levy Act 2012*³ .
[VAL]
-
11. for the purposes of 20 of the *Food Act 1984* = appoints the officers to be authorised officers for the purposes of the *Food Act 1984*⁴⁵
[MDS, EHO]
-
12. under section 19(1) of the *Graffiti Prevention Act 2007* – appoints the officers to be authorised persons for the purposes of carrying out Council's functions under section 18⁶
[MIA, MIO, MDS, CLL]
-
13. under section 71(1) of the *Housing Act 1983* – appoints the officer to be an authorised person for the purposes of entering a house or building and conducting an inspection under section 71.
[MBS, MDS, EHO]
-
14. under section 190 of the *Land Act 1958* – authorises the officers for the purposes of section 190 of that Act.⁷
[MIA, MIO, MDS, CLL]
-
15. under section 29 of the *Public Health and Wellbeing Act 2008*, - appoints the officer to be the Environmental Health Officer⁸ for the purposes of enforcing the *Public Health and Wellbeing Act 2008* and the *Food Act 1984*.
[MDS, EHO]
- AND/OR
16. under section 147(1)(b)(i) of the *Public Health and Wellbeing Act 2008*, - authorises the officer to issue immunisation status certificates under section 148 of the *Public Health and Wellbeing Act 2008*.
[MDS, EHO]
17. under section 525(2) of the *Residential Tenancies Act 1997* - appoints the officer to exercise the powers set out in section 526 of that Act.
[MDS, EHO]
-

³ Persons appointed or authorised officers under the *Local Government Act 1989* are taken to be authorised officers for the purposes of the *Fire Services Property Levy Act 2012* (except in Part 4 of that Act)

⁴ Council must be satisfied that the person appointed is suitably qualified or trained to be an authorised officer.

⁵ Environmental Health Officers appointed under section 29 of the *Public Health and Wellbeing Act 2008* are regarded as an authorised officer for the purposes of the *Food Act 1984*.

⁶ Authorised person must agree in writing to exercise functions and powers of an authorised person under Part 4 of the *Graffiti Prevention Act 2007* and in accordance with any performance criteria determined by Council (see s.19(2)).

⁷ Authorisation requires the consent of the Minister (see section 190 of the *Land Act 1958*).

⁸ Council must be sure that the EHO is suitably trained or qualified under section 31(2) of the *Public Health and Wellbeing Act 2008*.



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18. under section 71(3) of the *Road Management Act 2004* – appoints the officers to be authorised officers for the purposes of the *Road Management Act 2004*.
[GMIDS, MIA]
-
19. under section 59(1)(a)(ii) of the *Road Safety Act 1986* – authorises the officers to exercise the powers under section 59(1)(a) of that Act.
[GMIDS, MDS, CLL, LLO]
- AND/OR
20. under section 59(1)(d) of the *Road Safety Act 1986* – authorises the officers to exercise the powers under section 59(1)(d) of that Act.
[GMIDS, MDS, CLL, LLO]
- AND/OR
21. under section 87(1A) of the *Road Safety Act 1986* – authorises the officers to exercise the power in section 87(1A) of that Act.⁹
[GMIDS, MDS, CLL, LLO]
- AND/OR
22. under section 87(1B)(c) of the *Road Safety Act 1986* – authorises the officers to exercise the power in section 87(1B)(c).
[GMIDS, MDS, CLL, LLO]
- AND/OR
23. under regulation 84(c)(ii) of the *Road Safety (General) Regulations 2009* – authorises the officers for the purposes of filing a charge or an offence under section 90E of the *Road Safety Act 1986* or under a regulation under that Act.
[GMIDS, MDS, CLL, LLO]
-
24. under section 3(1) of the *Sex Work Act 1994* - appoints the officer to be an authorised officer of the responsible authority for the purposes of enforcing Parts 4 and 5 of that Act.
[MDS, CSP]
-

⁹ Council must ensure that a person appointed under section 87 is competent, of good repute and character and has agreed in writing to exercise the functions conferred on an authorised person (see section 87(1C))



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25. under section 13DA(1) of the *Valuation of Land Act* 1960 – appoints the persons who are not members of Council's staff for the purposes of section 13DA of that Act.¹⁰

[VAL]

AND

26. under section 13J of the *Valuation of Land Act* 1960 – appoints the persons for the purposes of section 13J of that Act.¹¹

[VAL]

PART C

27. under -

section 232 of the *Local Government Act* 1989¹²
 section 527 of the *Residential Tenancies Act* 1997
 section 77(2)(b) of the *Road Safety Act* 1986¹³
 section 77(4) of the *Road Safety Act* 1986 [only where Council is a Committee of Management under the *Crown Land (Reserves) Act* 1978]
 sections 48A(9)(c) and 59(3) of the *Environment Protection Act* 1970
 section 241 of the *Building Act* 1993
 section 92 of the *Domestic Animals Act* 1994¹⁴
 section 96 of the *Road Management Act* 2004
 section 33A of the *Impounding of Livestock Act* 1994
 section 10(4) of the *Graffiti Prevention Act* 2007
 section 219 of the *Public Health and Wellbeing Act* 2008
 section 45AC of the *Food Act* 1984

authorises the officers generally to institute proceedings and represent Council in proceedings for offences against the Acts, regulations and local laws described in this instrument.

¹⁰ Council must ensure that the person appointed holds the qualifications or experience specified from time to time by the Minister by notice published in the Government Gazette.

¹¹ Council must ensure that the person appointed holds the qualifications or experience specified from time to time by the Minister by notice published in the Government Gazette.

¹² A person authorised under section 232 of the *Local Government Act* 1989 is also authorised to bring proceedings under the *Fire Services Property Levy Act* 2012 (see section 22 *Fire Services Property Levy Act* 2012).

¹³ A person authorised under sections 77(2)(b) and/or 77(4) of the *Road Safety Act* 1986 is also an authorised officer for the purposes of rules 203 and 307 of the *Road Safety Road Rules* 2009.

¹⁴ Council may only appoint an authorised officer who is also appointed under section 72 of the Act.



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It is declared that this Instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This Instrument is authorised by a resolution of the Murrindindi Shire Council

DATED this day of 2015

THE COMMON SEAL OF THE MURRINDINDI)
 SHIRE COUNCIL was hereunto affixed in the)
 presence of:)

Chief Executive Officer

Councillor



|||||
Maddocks

S11A. Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Murrindindi Shire Council

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

