



Moreland
City Council

Instrument of Delegation

Council

to

Members of Council Staff

June 2021

Instrument of Delegation

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

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

Title	Position
AMC	Asset Management Coordinator
BS	Building Surveyor
CCIAS	Coordinator Continuous Improvement Administrative Support
CDCLO	City Development Customer Liaison Officer
CDSO	City Development Support Officer
CEO	Chief Executive Officer
CFO	Chief Financial Officer
DBT	Director Business Transformation
DCF	Director City Futures
DCI	Director City Infrastructure
DCPO	Development Contributions Planning Officer
DEP	Director Engagement and Partnerships
EHO	Environmental Health Officer
ESC	Engineering Services Coordinator
GMCD	Group Manager City Development
MAC	Manager Amenity and Compliance
MCC	Manager City Change
MCS&D	Manager City Strategy and Design
MCWP&D	Manager Capital Works, Planning and Delivery
MFPO	Municipal Fire Prevention Officer
MGS	Manager Governance and Strategy
MOS&SC	Manager Open Space and Street Cleansing
MPP	Manager Property and Place
MRF&W	Manager Roads, Fleet and Waste
Not Applicable	N/A
Not Delegated	ND
PC	Planning Coordinator
PEC	Planning Enforcement Coordinator
PEO	Planning Enforcement Officer

Title	Position
PPEO	Principal Planning Enforcement Officer
PRC	Property Coordinator
PUP	Principal Urban Planner
PSP	Principal Strategic Planner
SBS	Senior Building Surveyor
SCDSO	Senior City Development Support Officer
SPEO	Senior Planning Enforcement Officer
SO	Subdivision Officer
SSDO	Senior Subdivisions Officer
SSO	Service Support Officer
SSP	Senior Strategic Planner
STO	Sustainable Transport Officer
StUP	Student Urban Planner
SUP	Senior Urban Planner
TLBS	Team Leader Building Services
TLCDAS	Team Leader City Development Administrative Support
TLDE	Team Leader Development Engineering
TLEH	Team Leader Environmental Health
UMBSEH	Unit Manager Building Services and Environmental Health
UMEH	Unit Manager Environmental Health
UMF	Unit Manager Finance
UMR	Unit Manager Roads
UMSC	Unit Manager Street Cleansing
UMSP	Unit Manager Strategic Planning
UMT	Unit Manager Transport
UMUP	Unit Manager Urban Planning
UP	Urban Planner
UPFT	Urban Planner Fast Track
WO	Works Officer

3. declares that:

3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 14 April 2021; and

3.2 the delegation:

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

3.2.2 Revokes the delegation issued by Council 15 June 2020;

3.2.3 remains in force until varied or revoked;

- 3.2.4 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
- 3.2.5 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
- 3.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
 - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - a) policy; or
 - b) strategyadopted by Council;
 - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
 - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

This Instrument is authorised by a resolution of Moreland City Council on 14 April 2021.

SCHEDULE

Delegation Sources

- Domestic Animals Act 1994
- Environment Protection Act 1970
- Food Act 1984
- Heritage Act 2017
- Local Government Act 1989
- Planning and Environment (Fees) Regulations 2016
- Planning and Environment Act 1987
- Planning and Environment Regulations 2015
- Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020
- Residential Tenancies Act 1997
- Road Management (General) Regulations 2016
- Road Management (Works and Infrastructure) Regulations 2015
- Road Management Act 2004

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Domestic Animals Act 1994	s 41A(1)	Power to declare a dog to be a menacing dog	DCI, MAC	Council may delegate this power to a Council authorised officer
Environment Protection Act 1970	s 53M(3)	Power to require further information	EHO, TLEH, UMBSEH	
Environment Protection Act 1970	s 53M(4)	Duty to advise applicant that application is not to be dealt with	EHO, TLEH, UMBSEH	
Environment Protection Act 1970	s 53M(5)	Duty to approve plans, issue permit or refuse permit	EHO, TLEH, UMBSEH	Refusal must be ratified by Council or it is of no effect
Environment Protection Act 1970	s 53M(6)	Power to refuse to issue septic tank permit	EHO, TLEH, UMBSEH	Refusal must be ratified by Council or it is of no effect
Environment Protection Act 1970	s 53M(7)	Duty to refuse to issue a permit in circumstances in (a)-(c)	EHO, TLEH, UMBSEH	Refusal must be ratified by Council or it is of no effect Note - Section 53M (a) to (c) refers to specific aspects of applications for a septic tank permit.
Food Act 1984	s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	EHO, TLEH, UMBSEH	If s 19(1) applies
Food Act 1984	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	EHO, TLEH, UMBSEH	If s 19(1) applies
Food Act 1984	s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	EHO, TLEH, UMBSEH	If s 19(1) applies Only in relation to temporary food premises or mobile food premises
Food Act 1984	s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	EHO, TLEH, UMBSEH	If s 19(1) applies

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Food Act 1984	s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	EHO, TLEH, UMBSEH	If s 19(1) applies
Food Act 1984	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	EHO, TLEH, UMBSEH	If s 19(1) applies
Food Act 1984	s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	EHO, TLEH, UMBSEH	Where Council is the registration authority Note: sub-sections (a) to (c) refer to issuing an order in relation to various matters including food, premises, equipment, vehicles and plant, etc.
Food Act 1984	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	Not Delegated	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 Note: sub-sections (a) to (c) refer to issuing an order in relation to various matters including food, premises, equipment, vehicles and plant etc.
Food Act 1984	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	EHO, TLEH, UMBSEH	Where Council is the registration authority
Food Act 1984	s 19CB(4)(b)	Power to request copy of records	EHO, TLEH, UMBSEH	Where Council is the registration authority Refers to records of the proprietor of the food premises.
Food Act 1984	s 19E(1)(d)	Power to request a copy of the food safety program	EHO, TLEH, UMBSEH	Where Council is the registration authority

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Food Act 1984	s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	EHO, TLEH, UMBSEH	Where Council is the registration authority
Food Act 1984	s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	Not Applicable	Where Council is the registration authority Council does not currently conduct food safety audits.
Food Act 1984	s 19NA(1)	Power to request food safety audit reports	EHO, TLEH, UMBSEH	Where Council is the registration authority
Food Act 1984	s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	Not Applicable	Council does not currently conduct food safety audits.
Food Act 1984	s 19UA	Power to charge fees for conducting a food safety assessment or inspection	Not Delegated	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
Food Act 1984	s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	EHO, TLEH, UMBSEH	Where Council is the registration authority
Food Act 1984	s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	EHO, TLEH, UMBSEH	Where Council is the registration authority
Food Act 1984	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	EHO, TLEH, UMBSEH	Where Council is the registration authority
Food Act 1984		Power to register, renew or transfer registration	EHO, TLEH, UMBSEH	Where Council is the registration authority Refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see s 58A(2))
Food Act 1984	s 36A	Power to accept an application for registration or notification using online portal	CCIAS, CDSO, EHO, SCDSO, TLC DAS,	Where Council is the registration authority

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			TLEH, UMBSEH, UMEH	Note: This provision commences on 1 July 2021, unless proclaimed earlier
Food Act 1984	s 36B	Duty to pay the charge for use of online portal	TLEH, UMBSEH, UMEH	Where Council is the registration authority Note: This provision commences on 1 July 2021, unless proclaimed earlier
Food Act 1984	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	EHO, TLEH, UMBSEH	Where Council is the registration authority
Food Act 1984	s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	Not Delegated	Where Council is the registration authority Fees are determined by Council in the annual budget process.
Food Act 1984	s 38A(4)	Power to request a copy of a completed food safety program template	EHO, TLEH, UMBSEH	Where Council is the registration authority
Food Act 1984	s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	EHO, TLEH, UMBSEH	Where Council is the registration authority
Food Act 1984	s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	EHO, TLEH, UMBSEH	Where Council is the registration authority
Food Act 1984	s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	EHO, TLEH, UMBSEH	Where Council is the registration authority
Food Act 1984	s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	EHO, TLEH, UMBSEH	Where Council is the registration authority
Food Act 1984	s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	EHO, TLEH, UMBSEH	Where Council is the registration authority
Food Act 1984	s 38D(3)	Power to request copies of any audit reports	EHO, TLEH, UMBSEH	Where Council is the registration authority

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Food Act 1984	s 38E(2)	Power to register the food premises on a conditional basis	EHO, TLEH, UMBSEH	Where Council is the registration authority Not exceeding the prescribed time limit defined under s 38E(5)
Food Act 1984	s 38E(4)	Duty to register the food premises when conditions are satisfied	EHO, TLEH, UMBSEH	Where Council is the registration authority
Food Act 1984	s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	EHO, TLEH, UMBSEH	Where Council is the registration authority
Food Act 1984	s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	EHO, TLEH, UMBSEH	Where Council is the registration authority Note: This provision commences on 1 July 2021, unless proclaimed earlier
Food Act 1984	s 38G(2)	Power to require the proprietor of the food premises to comply with any requirement of the Act	EHO, TLEH, UMBSEH	Where Council is the registration authority Note: This provision commences on 1 July 2021, unless proclaimed earlier
Food Act 1984	s 39A	Power to register, renew or transfer food premises despite minor defects	EHO, TLEH, UMBSEH	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
Food Act 1984	s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008	EHO, TLEH, UMBSEH	
Food Act 1984	s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	EHO, TLEH, UMBSEH	Where Council is the registration authority
Food Act 1984	s 40D(1)	Power to suspend or revoke the registration of food premises	EHO, TLEH, UMBSEH	Where Council is the registration authority

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Food Act 1984	s 40F	Power to cancel registration of food premises	EHO, TLEH, UMBSEH	Where Council is the registration authority Note: This provision commences on 1 July 2021, unless proclaimed earlier
Food Act 1984	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	EHO, TLEH, UMBSEH	Where Council is the registration authority
Food Act 1984	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	EHO, TLEH, UMBSEH	Where Council is the registration authority
Food Act 1984	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	GMCD	Where Council is the registration authority Note: The approval requirements to institute proceedings in the various courts and tribunals are: For the Magistrates' Court – Group Manager or Manager level; For VCAT planning matters – Group Manager or Director; For VCAT building matters – Group Manager; For other VCAT matters – Director; For the Children's' court – Director; For the County Court – not delegated; For the Supreme Court – not delegated
Heritage Act 2017	s 116	Power to sub-delegate Executive Director's functions, duties or powers	DCF	Must first obtain Executive Director's written consent

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation Note: the delegate must first obtain the Executive Director's written consent. 'Executive Director' means the Executive Director of Heritage Victoria.
Local Government Act 1989	s 185L(4)	Power to declare and levy a cladding rectification charge	CEO ¹	
Planning and Environment Act 1987	s 4B	Power to prepare an amendment to the Victorian Planning Provisions	DCF, GMCD, MCS&D, PC, PEC, PUP, PSP, SUP, UMSP, UMUP	If authorised by the Minister
Planning and Environment Act 1987	s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	DCF, GMCD, MCS&D, PUP, PSP, SUP, UMSP, UP	
Planning and Environment Act 1987	s 4H	Duty to make amendment to Victoria Planning Provisions available	DCF, GMCD, MCS&D, PC, PEC, PUP, PSP, SUP, UMSP, UMUP	
Planning and Environment Act 1987	s 4I	Duty to keep Victorian Planning Provisions and other documents available	DCF, GMCD, MCS&D, PUP, PSP, SUP, UMSP, UP	
Planning and Environment Act 1987	s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	DCF, GMCD, MCS&D, PC, PEC, PUP, PSP, SUP, UMSP, UMUP	
Planning and Environment Act 1987	s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	DCF, UMS	Council must apply to Minister for authorisation to prepare amendment.

¹ The only member of staff who can be a delegate in Column 3 is the CEO.

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning and Environment Act 1987	s 8A(5)	Function of receiving notice of the Minister's decision	DCF, GMCD, MCS&D	
Planning and Environment Act 1987	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	DCF, GMCD, MCS&D, PC, PEC, PUP, PSP, SUP, UMSP, UMUP	
Planning and Environment Act 1987	s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	DCF, UMS	
Planning and Environment Act 1987	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	DCF, GMCD, MCS&D, PC, PEC, PSP, UMSP, UMUP	
Planning and Environment Act 1987	s 12A(1)	Duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s19 of the Planning and Environment (Planning Schemes) Act 1996)	DCF, MCS&D, PSP, UMSP, UMS	
Planning and Environment Act 1987	s 12B(1)	Duty to review planning scheme	DCF, MCS&D, PSP, UMSP, UMS	
Planning and Environment Act 1987	s 12B(2)	Duty to review planning scheme at direction of Minister	DCF, MCS&D, PSP, UMSP, UMS	
Planning and Environment Act 1987	s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	DCF	
Planning and Environment Act 1987	s 14	duties of a Responsible Authority as set out in s 14(a) to (d)	DCF, GMCD, MCS&D, PC, PEC, PEO, PPEO, PUP, SO, SSDO, PSP, SPEO, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 17(1)	Duty of giving copy amendment to the planning scheme	DCF, UMS	Note - refers to supplying a copy of the amendment to the Minister or any person specified by the Minister

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning and Environment Act 1987	s 17(2)	Duty of giving copy s 173 agreement	CCIAS, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	DCF	
Planning and Environment Act 1987	s 18	Duty to make amendment etc. available	DCF, GMCD, MCS&D, PC, PEC, PUP, SSDO, PSP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	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 s 19 to a planning scheme	DCF, GMCD, MCS&D, PC, PEC, PUP, SSDO, PSP, SUP, UMSP, UMUP	
Planning and Environment Act 1987	s 19	Function of receiving notice of preparation of an amendment to a planning scheme	DCF, GMCD, MCS&D, UMSP, UMS	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 Act 1987	s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	DCF, UMS	
Planning and Environment Act 1987	s 21(2)	Duty to make submissions available	DCF, GMCD, MCS&D, PC, PEC, PUP, SSDO, SUP, UMSP, UMUP, UP, UPFT	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning and Environment Act 1987	s 21A(4)	Duty to publish notice	DCF, GMCD, MCS&D, PC, PEC, UMUP	This sections refers to joint submissions in relation to a proposed amendment.
Planning and Environment Act 1987	s 22	Duty to consider all submissions	DCF, GMCD, MCS&D, PC, PEC, PUP, SSDO, PSP, UMSP, UMUP	Except submissions which request a change to the items in s 22(5)(a) and (b)
Planning and Environment Act 1987	s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	DCF, GMCD, MCS&D, PC, PUP, SSDO, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	DCF, GMCD, MCS&D, PC, PEC, PUP, SSDO, PSP, UMSP, UMUP	
Planning and Environment Act 1987	s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	DCF, GMCD, MCS&D, PC, PEC, PUP, SSP, SSDO, PSP, SUP, UMSP, UMUP	
Planning and Environment Act 1987	s 26(1)	Power to make report available for inspection	DCF, GMCD, MCS&D, UMSP, UMS	
Planning and Environment Act 1987	s 26(2)	Duty to keep report of panel available for inspection	CCIAS, DCF, GMCD, MCS&D, PC, PEC, PUP, SSDO, PSP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 27(2)	Power to apply for exemption if panel's report not received	DCF	
Planning and Environment Act 1987	s 28	Duty to notify the Minister if abandoning an amendment	DCF	Note: the power to make a decision to abandon an amendment cannot be delegated

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning and Environment Act 1987	s 30(4)(a)	Duty to say if amendment has lapsed	DCF, GMCD, MCS&D, PC, PEC, PUP, SSDO, PSP, UMSP, UMUP	
Planning and Environment Act 1987	s 30(4)(b)	Duty to provide information in writing upon request	CCIAS, DCF, GMCD, MCS&D, PC, PEC, PUP, SSDO, PSP, UMSP, UMUP, UP	
Planning and Environment Act 1987	s 32(2)	Duty to give more notice if required	DCF, GMCD, MCS&D, PC, PEC, PUP, PSP, UMSP, UMUP	
Planning and Environment Act 1987	s 33(1)	Duty to give more notice of changes to an amendment	CCIAS, DCF, GMCD, MCS&D, PC, PEC, PUP, SSDO, PSP, UMSP, UMUP	
Planning and Environment Act 1987	s 36(2)	Duty to give notice of approval of amendment	DCF, GMCD, MCS&D, PC, PEC, PUP, SSDO, PSP, UMSP, UMUP	
Planning and Environment Act 1987	s 38(5)	Duty to give notice of revocation of an amendment	DCF, GMCD, MCS&D, PC, PEC, PUP, SSDO, PSP, UMSP, UMUP	
Planning and Environment Act 1987	s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	DCF, GMCD, MCS&D, PC, PEC, PUP, SSDO, PSP, UMSP, UMUP	
Planning and Environment Act 1987	s 40(1)	Function of lodging copy of approved amendment	DCF, GMCD, MCS&D, PC, PEC, PUP, SSP, SSDO, PSP, UMSP, UMUP	
Planning and Environment Act 1987	s 41	Duty to make approved amendment available	DCF, GMCD, MCS&D, PC, PEC, PUP, SO,	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			SSP, SSDO, PSP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 42	Duty to make copy of planning scheme available	DCF, GMCD, MCS&D, PC, PEC, PEO, PPEO, PUP, SO, SPEO, SSP, SSDO, PSP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 46AW	Function of being consulted by the Minister	DCF, GMCD, MCS&D	Where Council is a responsible public entity
Planning and Environment Act 1987	s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy Power to endorse the draft Statement of Planning Policy	DCF, GMCD, MCS&D	Where Council is a responsible public entity
Planning and Environment Act 1987	s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	DCF, GMCD, MCS&D, SSP, PSP	Where Council is a responsible public entity Notes: Moreland's planning scheme includes a development contributions plan and an open space contributions plan. Refers to regional planning schemes.
Planning and Environment Act 1987	s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	DCF	Where Council is a responsible public entity
Planning and Environment Act 1987	s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DCF	Where Council is the development agency

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning and Environment Act 1987	s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	DCF	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
Planning and Environment Act 1987	s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	CFO, DCF	If any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s 46GV(4) Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
Planning and Environment Act 1987	s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	CFO, DCF	Where Council is the collecting agency under an approved infrastructure contributions plan
Planning and Environment Act 1987	s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	CFO, DCF	Where Council is the collecting agency under an approved infrastructure contributions plan
Planning and Environment Act 1987	s 46GZE(2)	Function of receiving the unexpended land equalisation amount	CFO, DCF	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning and Environment Act 1987	s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	CFO, DCF	Where Council is the development agency under an approved infrastructure contributions plan
Planning and Environment Act 1987	s 46GZF(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46GZF(3)(a) and (b)		Where Council is the development agency under an approved infrastructure contributions plan
Planning and Environment Act 1987	s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	CFO, DCF, DCPO, SCDSO	
Planning and Environment Act 1987	s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	CDCLO, CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	CDCLO, CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DCF, GMCD, MCS&D, PC, PEC, UMSP, UMUP	
Planning and Environment Act 1987	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	SBS, TLBS, UMBSEH	
Planning and Environment Act 1987	s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	AMC, CFO, DBT, DCF, DCI, DCPO, GMCD, MCS&D, MCWP&D,	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			PC, PEC, UMSP, UMUP	
Planning and Environment Act 1987	s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	AMC, DBT, DCF, DCI, DCPO, DEP, GMCD, MCS&D, MCWP&D, PC, PEC, UMSP, UMUP	
Planning and Environment Act 1987	s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	AMC, DCF, DCI, DCPO, GMCD, MCS&D, MCWP&D, PRC, UMSP, UMF	
Planning and Environment Act 1987	s 46Q(1)	Duty to keep proper accounts of levies paid	DBT, DCI, DCPO, PRC, UMSP, UMF	
Planning and Environment Act 1987	s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency or plan preparation costs incurred by a development agency	DCF, DCI, DCPO, GMCD, MCS&D, PRC, UMSP, UMF	
Planning and Environment Act 1987	s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	DCI, DCPO, PRC, UMSP, UMF	
Planning and Environment Act 1987	s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	DCF, GMCD, MCS&D, PRC, UMSP, UMF	Only applies when levy is paid to Council as a 'development agency'
Planning and Environment Act 1987	s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	DCF, DCI, PRC, UMSP, UMF	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

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning and Environment Act 1987	s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	DCF	Must be done in accordance with Part 3
Planning and Environment Act 1987	s46Q(4)(e)	Duty to expend that amount on other works etc.	DCF, GMCD, MCS&D, PRC, UMSP, UMF	With the consent of, and in the manner approved by, the Minister
Planning and Environment Act 1987	s 46QC	Power to recover any amount of levy payable under Part 3B	DCF, GMCD, MCS&D, PRC, UMSP, UMF	
Planning and Environment Act 1987	s 46QD	Duty to prepare report and give a report to the Minister	DCF	Where Council is a collecting agency or development agency
Planning and Environment Act 1987	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	CCIAS, CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 46Y	Duty to carry out works in conformity with the approved strategy plan	DCF, MCS&D, UMSP	
Planning and Environment Act 1987	s 47	Power to decide that an application for a planning permit does not comply with that Act	CCIAS, CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	CCIAS, CDCLO, DCF, GMCD, PC, PEC, PUP, SO, SSDO, StUP, SUP, TLCDas, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 49(2)	Duty to make register available for inspection	CCIAS, CDCLO, CDSO, CDSO, DCF, GMCD, PC, PEC, PUP,	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			SCDSO, SO, SSDO, SUP, TLCDas, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 50(4)	Duty to amend application	DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 50(5)	Power to refuse to amend application	CDSO, DCF, GMCD, PC, PEC, PUP, SO, SSDO, PSP, SUP, UMSP, UMSC, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 50(6)	Duty to make note of amendment to application in register	CCIAS, CDCLO, CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SCDSO, SO, SSO, PSP, StUP, SUP, TLCDSO, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 50A(1)	Power to make amendment to application	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning and Environment Act 1987	s 50A(4)	Duty to note amendment to application in register	CCIAS, CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 51	Duty to make copy of application available for inspection	CCIAS, CDCLO, CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SCDSO, SSDO, PSP, StUP, SUP, TLCDas, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	CCIAS, CDCLO, CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, SCDSO, StUP, SUP, TLCDas, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	CCIAS, CDCLO, CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	CCIAS, CDCLO, CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP,	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	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	CCIAS, CDCLO, CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	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	CCIAS, CDCLO, CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	CCIAS, CDCLO, CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	CCIAS, CDCLO, CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 52(3)	Power to give any further notice of an application where appropriate	CDCLO, CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP,	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	CDCLO, CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 54(1)	Power to require the applicant to provide more information	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 54(1A)	Duty to give notice in writing of information required under s 54(1)	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 54(1B)	Duty to specify the lapse date for an application	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP,	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, SUP, UMSP, UP, UPFT	
Planning and Environment Act 1987	s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	CCIAS, CDCLO, CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, SCDSO, StUP, SUP, TLCDAS, UMSP, UMUP, UP, UPFT	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning and Environment Act 1987	s 57(5)	Duty to make available for inspection copy of all objections	CCIAS, CDCLO, CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, SCDSO, StUP, SUP, TLCDas, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	CDCLO, CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 57A(5)	Power to refuse to amend application	CDCLO, CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 57A(6)	Duty to note amendments to application in register	CCIAS, CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT, TLCDas, CDSO	
Planning and Environment Act 1987	s 57B(1)	Duty to determine whether and to whom notice should be given	CDCLO, DCF, GMCD, MCS&D, PC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning and Environment Act 1987	s 57B(2)	Duty to consider certain matters in determining whether notice should be given	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 57C(1)	Duty to give copy of amended application to referral authority	CCIAS, CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 58	Duty to consider every application for a permit	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 58A	Power to request advice from the Planning Application Committee	DCF, GMCD, MCS&D, PC, PEC, UMSP	Planning Application Committee means a Planning Application Committee established by the Minister pursuant to section 97MA.
Planning and Environment Act 1987	s 60	Duty to consider certain matters	CDCLO, DCF, GMCD, MCS&D, PC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 60(1A)	Duty to consider certain matters	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning and Environment Act 1987	s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UP, UPFT	
Planning and Environment Act 1987	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	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006
Planning and Environment Act 1987	s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Not Applicable	
Planning and Environment Act 1987	s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	Not Applicable	
Planning and Environment Act 1987	s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning and Environment Act 1987	s 62(2)	Power to include other conditions	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	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 s 173 agreement	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	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 ss 46N(1), 46GV(7) or 62(5)	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO,	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	This provision applies also to a decision to grant an amendment to a permit - see s 75
Planning and Environment Act 1987	s 64(3)	Duty not to issue a permit until after the specified period	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	This provision applies also to a decision to grant an amendment to a permit - see s 75
Planning and Environment Act 1987	s 64(5)	Duty to give each objector a copy of an exempt decision	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SSP, SSDO, PSP,	This provision applies also to a decision to grant an amendment to a permit - see s 75

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	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	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	This provision applies also to a decision to grant an amendment to a permit - see s 75A
Planning and Environment Act 1987	s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, SUP, UMSP, UP, UPFT	
Planning and Environment Act 1987	s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	CCIAS, CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	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
Planning and Environment Act 1987	s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	CCIAS, CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	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

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning and Environment Act 1987	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 s 64 or 65	CCIAS, CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	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	s 69(1)	Function of receiving application for extension of time of permit	CCIAS, CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT, TLCDas, CDSO, SCDSO	
Planning and Environment Act 1987	s 69(1A)	Function of receiving application for extension of time to complete development	CCIAS, CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT, TLCDas, CDSO, SCDSO	
Planning and Environment Act 1987	s 69(2)	Power to extend time	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 70	Duty to make copy permit available for inspection	CCIAS, CDCLO, DCF, GMCD, MCS&D, PC, PEC, PEO, PPEO, PUP, SO, SPEO, SSP, SSDO, PSP, StUP, SUP,	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			UMSP, UMUP, UP, UPFT, TLCDas, CDSO, SCDSO	
Planning and Environment Act 1987	s 71(1)	Power to correct certain mistakes	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 71(2)	Duty to note corrections in register	CCIAS, CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT, TLCDas, CDSO, SCDSO	
Planning and Environment Act 1987	s 73	Power to decide to grant amendment subject to conditions	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 74	Duty to issue amended permit to applicant if no objectors	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	DCF, GMCD, MCS&D, PC, PEC, PUP, SO,	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			SSP, SSDO, PSP, SUP, UMSP, UP, UPFT	
Planning and Environment Act 1987	s 76A(1)	Duty to give the relevant determining referral authorities copy of amended permit and copy of notice	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	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
Planning and Environment Act 1987	s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	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
Planning and Environment Act 1987	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 s 64 or 76	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	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
Planning and Environment Act 1987	s 76D	Duty to comply with direction of Minister to issue amended permit	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP,	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 83	Function of being respondent to an appeal	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 83B	Duty to give or publish notice of application for review	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	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	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	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	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 84(6)	Duty to issue permit on receipt of advice within 3 working days	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO,	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 84AB	Power to agree to confining a review by the Tribunal	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UPFT	
Planning and Environment Act 1987	s 86	Duty to issue a permit at order of Tribunal within 3 working days	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	DCF, GMCD, UMUP	
Planning and Environment Act 1987	s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PEO, PPEO, PUP, SO, SPEO, SSP, SSDO, PSP, StUP, SUP, UMSP, MAC, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 91(2)	Duty to comply with the directions of VCAT	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PEO, PPEO, PUP, SO, SPEO, SSP, SSDO, PSP, StUP, SUP, UMSP, MAC, UMUP, UP, UPFT	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning and Environment Act 1987	s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSP, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	CDSO, DCF, GMCD, MCS&D, PC, PEC, PEO, PPEO, PUP, SO, SPEO, SSP, SSDO, PSP, StUP, SUP, UMSP, MAC, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 93(2)	Duty to give notice of VCAT order to stop development	CDSO, DCF, GMCD, MCS&D, PC, PEC, PEO, PPEO, PUP, SO, SPEO, SSP, SSDO, PSP, StUP, SUP, UMSP, MAC, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 95(3)	Function of referring certain applications to the Minister	DCF, UMS	
Planning and Environment Act 1987	s 95(4)	Duty to comply with an order or direction	CDSO, DCF, GMCD, MCS&D, PC, PEC, PEO, PPEO, PUP, SO, SPEO, SSDO, PSP, StUP, SUP, UMSP, MAC, UMUP, UP, UPFT	"Order" means an order of the Governor in Council.
Planning and Environment Act 1987	s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	DCI, DCF, DEP, UMSP	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning and Environment Act 1987	s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	DBT, DCI, DCF, DEP	
Planning and Environment Act 1987	s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 96F	Duty to consider the panel's report under s 96E	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the Planning and Environment (Planning Schemes) Act 1996)	DCF, GMCD, MCS&D, PC, PEC, PUP, SSDO, PSP, UMSP, UMS	
Planning and Environment Act 1987	s 96H(3)	Power to give notice in compliance with Minister's direction	DCF, GMCD, MCS&D, PC, PEC, PUP, SSDO, PSP, UMSP, UMS	
Planning and Environment Act 1987	s 96J	Power to issue permit as directed by the Minister	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning and Environment Act 1987	s 96K	Duty to comply with direction of the Minister to give notice of refusal	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	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	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 97C	Power to request Minister to decide the application	DCF, GMCD	
Planning and Environment Act 1987	s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	CCIAS, CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT, TLCDas, CDSO, SCDSO	
Planning and Environment Act 1987	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	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 97G(6)	Duty to make a copy of permits issued under s 97F available for inspection	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT, CCias, TLCDas, CDSO, SCDSO	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning and Environment Act 1987	s 97L	Duty to include Ministerial decisions in a register kept under s 49	CCIAS, CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT, TLCDas, CDSO, SCDSO	
Planning and Environment Act 1987	s 97MH	Duty to provide information or assistance to the Planning Application Committee	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	DCF, GMCD, MCS&D, PC, PEC, UMSP, UMUP	
Planning and Environment Act 1987	s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	DCF, GMCD, MCS&D, PC, PEC, PEO, PPEO, PUP, SO, SPEO, SSDO, PSP, SUP, UMSP, MAC, UP, UPFT	
Planning and Environment Act 1987	s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	DCF, GMCD, MCS&D, PC, PEC, PEO, PPEO, PUP, SO, SPEO, SSDO, PSP, SUP, UMSP, MAC, UP, UPFT	
Planning and Environment Act 1987	s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	DCF, GMCD, MCS&D, PC, PEC, PEO, PPEO, PUP, SPEO, SSDO,	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			PSP, SUP, UMSP, MAC, UP, UPFT	
Planning and Environment Act 1987	s 97Q(4)	Duty to comply with directions of VCAT	CCIAS, DCF, GMCD, MCS&D, PC, PEC, PEO, PPEO, PUP, SPEO, SSDO, PSP, SUP, UMSP, MAC, UP, UPFT	
Planning and Environment Act 1987	s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	CCIAS, CDCLO, DCF, GMCD, MCS&D, PC, PEC, PEO, PPEO, PUP, PSP, SPEO, StUP, SUP, UMSP, MAC, UMUP, UP, UPFT, TLCDS, CDSO, SCDSO	
Planning and Environment Act 1987	s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	CCIAS, DCF, GMCD, MCS&D, PC, PEC, UMSP, MAC, UMUP	
Planning and Environment Act 1987	s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	CCIAS, DCF, GMCD, MCS&D, PC, PEC, UMSP, MAC, UMUP	
Planning and Environment Act 1987	s 101	Function of receiving claim for expenses in conjunction with claim	CCIAS, DCF, GMCD, MCS&D, PC, PEC, UMSP, MAC, UMUP	
Planning and Environment Act 1987	s 103	Power to reject a claim for compensation in certain circumstances	DCF, GMCD, MCS&D, MAC	Note - refers to small claims, ie: a) \$500 or any greater amount prescribed by the Regulations; or b) 0.1% of the value that the land had not been affected by any

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				circumstance set out in section 98(1) or (2) or section 107.
Planning and Environment Act 1987	s.107(1)	function of receiving claim for compensation	CCIAS, DCF, GMCD, MCS&D, PC, PEC, UMSP, MAC, UMUP	
Planning and Environment Act 1987	s 107(3)	Power to agree to extend time for making claim	DCF, GMCD, MCS&D	
Planning and Environment Act 1987	s 114(1)	Power to apply to the VCAT for an enforcement order	DCF, GMCD, MAC	
Planning and Environment Act 1987	s 117(1)(a)	Function of making a submission to the VCAT where objections are received	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PEO, PPEO, PUP, SO, SPEO, SSDO, PSP, StUP, SUP, UMSP, MAC, UMUP, UP, UPFT,	
Planning and Environment Act 1987	s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	DCF, GMCD	
Planning and Environment Act 1987	s 123(1)	Power to carry out work required by enforcement order and recover costs	DCF, GMCD, MAC	
Planning and Environment Act 1987	s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	DCF, GMCD, MAC	Except Crown Land
Planning and Environment Act 1987	s 129	Function of recovering penalties	DCF, GMCD, PC, PEC, PEO, PPEO, SPEO, MAC	
Planning and Environment Act 1987	s 130(5)	Power to allow person served with an infringement notice further time	DCF, GMCD, PC, PEC, PEO, PPEO, PUP,	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			SPEO, SUP, MAC, UMUP, UP	
Planning and Environment Act 1987	s 149A(1)	Power to refer a matter to the VCAT for determination	DCF, GMCD, MAC, UMS	Note - Part 6 of the Act refers to enforcement and legal proceedings.
Planning and Environment Act 1987	s 149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	DCF, GMCD, UMS	
Planning and Environment Act 1987	s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B)	DCF, GMCD, MCS&D, PC, PEC, PSP, SUP, UMUP	Where Council is the relevant planning authority
		Power to ask for contribution under s 156(3)	DCF, GMCD, MCS&D, PC, PEC, PSP, SUP, UMUP	Where Council is the relevant planning authority
		Power to abandon amendment or part of it under s 156(4)	Not delegated	The power remains with Council
Planning and Environment Act 1987	s 171(2)(f)	Power to carry out studies and commission reports	DCF, GMCD, MCS&D, PC, PEC, PUP, SSP, SSDO, PSP, UMSP, UMUP	
Planning and Environment Act 1987	s 171(2)(g)	Power to grant and reserve easements	DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, UMSP, UMUP	
Planning and Environment Act 1987	s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	DCF, GMCD, MCS&D	Where Council is a development agency specified in an approved infrastructure contributions plan
Planning and Environment Act 1987	s 173(1)	Power to enter into agreement covering matters set out in s 174	DCF, GMCD, MCS&D, PC, PEC, PRC, UMSP,	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			MAC, UMBSEH, UMUP	
Planning and Environment Act 1987	s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	DCF, GMCD, MCS&D, PC, PEC, PRC, UMSP, UMBSEH, UMUP	Where Council is the relevant responsible authority
Planning and Environment Act 1987		Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 and requires something to be to the satisfaction of Council or Responsible Authority	CDSO, DBT, DCF, GMCD, MCS&D, PC, PEC, PEO, PPEO, PUP, SO, SPEO, StUP, SUP, UMSP, MAC, UMBSEH, UMUP, UP, UPFT	
Planning and Environment Act 1987		Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 and requires that something may not be done without the consent of Council or Responsible Authority	DCF, GMCD, MCS&D, PC, PEC, UMSP, UMUP	
Planning and Environment Act 1987	s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DBT, DCF, GMCD, MCS&D, PC, PEC, UMSP, UMUP	
Planning and Environment Act 1987	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	DBT, DCF, GMCD, MCS&D, PC, PEC, PRC, PUP, SO, SSDO, SUP, UMSP, UMUP, UP, UPFT	Note - section 178 provides: 'An agreement may, with the approval of the Minister, be amended by agreement between the responsible authority and all persons who are bound by any covenant in the agreement'.
Planning and Environment Act 1987	s 178A(1)	Function of receiving application to amend or end an agreement	CCIAS, CDSO, DBT, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP, SUP,	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			UMSP, UMUP, UP, UPFT, TLCDAS, CDSO, SCDSO	
Planning and Environment Act 1987	s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CCIAS, CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 178A(5)	Power to propose to amend or end an agreement	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP, SUP, UMSP, UMUP, UP, UPFT	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning and Environment Act 1987	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	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 178C(4)	Function of determining how to give notice under s 178C(2)	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 178E(1)	Duty not to make decision until after 14 days after notice has been given	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, SUP, UMSP, UP, UPFT	If no objections are made under s 178D Must consider matters in s 178B
Planning and Environment Act 1987	s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP, SUP, UMSP, UMUP, UP, UPFT	If no objections are made under s 178D Must consider matters in s 178B
Planning and Environment Act 1987	s 178E(2)(c)	Power to refuse to amend or end the agreement	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP, SUP, UMSP, UMUP, UP, UPFT	If no objections are made under s 178D Must consider matters in s 178B

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning and Environment Act 1987	s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP, SUP, UMSP, UMUP, UP, UPFT	After considering objections, submissions and matters in s 178B
Planning and Environment Act 1987	s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DCF, GMCD, MCS&D, PC, PEC, UMSP, UMUP	After considering objections, submissions and matters in s 178B
Planning and Environment Act 1987	s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP, SUP, UMSP, UMUP, UP, UPFT	After considering objections, submissions and matters in s.178B
Planning and Environment Act 1987	s 178E(3)(d)	Power to refuse to amend or end the agreement	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, SUP, UMSP, UMUP, UP, UPFT	After considering objections, submissions and matters in s 178B
Planning and Environment Act 1987	s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	CCIAS, CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	CCIAS, CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP, SUP, UMSP, UMUP, UP, UPFT	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning and Environment Act 1987	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	DCF, GMCD, MCS&D, PC, PEC, UMSP, UMUP	
Planning and Environment Act 1987	s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	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	CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CCIAS, CDCLO, DCF, GMCD, MCS&D, PC, PUP, SO, SSDO, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 179(2)	Duty to make available for inspection copy agreement	CCIAS, CDCLO, DCF, GMCD, MCS&D, PC, PEC, PEO, PPEO, PUP, SO, SPEO, SSDO, PSP, StUP, SUP, UMSP, MAC, UMBSEH, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	CCIAS, CDCLO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP,	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			UMSP, UMBSEH, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMBSEH, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMBSEH, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 182	Power to enforce an agreement	CDSO, DCF, GMCD, MCS&D, PC, PEC, PEO, PPEO, PUP, SO, SPEO, SSDO, PSP, StUP, SUP, UMSP, MAC, UMBSEH, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	CCIAS, CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMBSEH, UMUP, UPFT	
Planning and Environment Act 1987	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	CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP,	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	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	CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	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	CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	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	CCIAS, CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 184G(2)	Duty to comply with a direction of the Tribunal	CCIAS, CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 184G(3)	Duty to give notice as directed by the Tribunal	CCIAS, CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 198(1)	Function to receive application for planning certificate	Not Applicable	In the metropolitan area, planning certificates are issued by the

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				Department of Environment, Land, Water and Planning.
Planning and Environment Act 1987	s 199(1)	Duty to give planning certificate to applicant	Not Applicable	
Planning and Environment Act 1987	s 201(1)	Function of receiving application for declaration of underlying zoning	DCF, MCS&D, PSP, UMSP, UMS	
Planning and Environment Act 1987	s 201(3)	Duty to make declaration	DCF, MCS&D, PSP, UMSP, UMS	
Planning and Environment Act 1987		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	CDSO, DCF, GMCD, MCS&D, PC, PEC, PEO, PPEO, PUP, SO, SPEO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987		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	CDSO, DBT, DCF, DCI, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987		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	DCF, DCI, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	CDSO, DCF, DCI, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP,	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			UMSP, UMUP, UP, UPFT	
Planning and Environment Act 1987	s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	CDSO, DCF, GMCD, MCS&D, PC, PEC, PUP, SO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Residential Tenancies Act 1997	s 91ZU(1)	Power to give a renter a notice to vacate rented premises	EHO, TLEH, UMBS, UMBSEH	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 27 April 2021, unless proclaimed earlier
Residential Tenancies Act 1997	s 91ZZC(1)	Power to give a renter a notice to vacate rented premises	EHO, TLEH, UMBSEH	Where Council is a public statutory authority authorised to acquire land compulsorily for its purposes Note: this power is not yet in force and will commence on 27 April 2021, unless proclaimed earlier
Residential Tenancies Act 1997	s 91ZZE(1)	Power to give a renter a notice to vacate rented premises	EHO, TLEH, UMBSEH	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 27 April 2021, unless proclaimed earlier
Residential Tenancies Act 1997	s 91ZZE(3)	Power to publish Council's criteria for eligibility for the provision of housing	EHO, TLEH, UMBSEH	Where Council is a public statutory authority engaged in the provision of housing

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				Note: this power is not yet in force and will commence on 27 April 2021, unless proclaimed earlier
Residential Tenancies Act 1997	s 142D	Function of receiving notice regarding an unregistered rooming house	BS, EHO, SBS, TLBS, TLEH, UMBSEH, UMEH	
Residential Tenancies Act 1997	s 142G(1)	Duty to enter required information in Rooming House Register for each rooming house in municipal district	BS, EHO, SBS, TLBS, TLEH, UMBSEH, UMEH	
Residential Tenancies Act 1997	s 142G(2)	Power to enter certain information in the Rooming House Register	BS, EHO, SBS, TLBS, TLEH, UMBSEH, UMEH	
Residential Tenancies Act 1997	s 142I(2)	Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	BS, EHO, SBS, TLBS, TLEH, UMBSEH, UMEH	
Residential Tenancies Act 1997	s 206AZA(2)	Function of receiving written notification	EHO, TLEH, UMBSEH	Note: this power is not yet in force and will commence on 27 April 2021, unless proclaimed earlier
Residential Tenancies Act 1997	s 207ZE(2)	Function of receiving written notification	EHO, TLEH, UMBSEH	Note: this power is not yet in force and will commence on 27 April 2021, unless proclaimed earlier
Residential Tenancies Act 1997	s 311A(2)	Function of receiving written notification	EHO, TLEH, UMBSEH	
Residential Tenancies Act 1997	s 317ZDA(2)	Function of receiving written notification	EHO, TLEH, UMBSEH	
Residential Tenancies Act 1997	s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	DCF, GMCD, TLEH, UMBSEH, UMEH	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Residential Tenancies Act 1997	s 522(1)	Power to give a compliance notice to a person	DCF, EHO, GMCD, TLEH, UMBSEH, UMEH	Note - The Act applies to caravan parks and rooming houses. In relation to rooming houses, the Group Manager City Development and Unit Manager Building Services and Environmental Health deal with any issues pursuant to the Building Act 1993 and the Public Health and Wellbeing Act 2008 respectively.
Residential Tenancies Act 1997	s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	Not Delegated	
Residential Tenancies Act 1997	s 525(4)	Duty to issue identity card to authorised officers	Not Delegated	
Residential Tenancies Act 1997	s 526(5)	Duty to keep record of entry by authorised officer under s 526	EHO, TLEH, UMBSEH, UMEH	
Residential Tenancies Act 1997	s 526A(3)	Function of receiving report of inspection	DCF, EHO, GMCD, TLEH, UMBSEH, UMEH	
Residential Tenancies Act 1997	s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	Not Delegated	
Road Management Act 2004	s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	UMF	Obtain consent in circumstances specified in s 11(2)
Road Management Act 2004	s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	UMF	
Road Management Act 2004	s 11(9)(b)	Duty to advise Registrar	UMF	
Road Management Act 2004	s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	UMF	Subject to s 11(10A)

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Road Management Act 2004	s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	UMF	Where Council is the coordinating road authority
Road Management Act 2004	s 12(2)	Power to discontinue road or part of a road	Not Delegated	Where Council is the coordinating road authority
Road Management Act 2004	s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	UMF	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
Road Management Act 2004	s 12(5)	Duty to consider written submissions received within 28 days of notice	UMF	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
Road Management Act 2004	s 12(6)	Function of hearing a person in support of their written submission	Not Delegated	Function of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
Road Management Act 2004	s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	Not Delegated	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
Road Management Act 2004	s 12(10)	Duty to notify of decision made	PRC, MPP	Duty of coordinating road authority where it is the discontinuing body Does not apply where an exemption is specified by the regulations or given by the Minister
Road Management Act 2004	s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	DCF, DCI	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
Road Management Act 2004	s 14(4)	Function of receiving notice from the Head, Transport for Victoria	DCF, MCC, PC, PEC, UMT	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Road Management Act 2004	s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	DCF	
Road Management Act 2004	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	DCF	
Road Management Act 2004	s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	DCF	
Road Management Act 2004	s 15(2)	Duty to include details of arrangement in public roads register	AMC, MCWP&D	
Road Management Act 2004	s 16(7)	Power to enter into an arrangement under s 15	DCI	
Road Management Act 2004	s 16(8)	Duty to enter details of determination in public roads register	AMC, MCWP&D	
Road Management Act 2004	s 17(2)	Duty to register public road in public roads register	AMC, MCWP&D	Where Council is the coordinating road authority
Road Management Act 2004	s 17(3)	Power to decide that a road is reasonably required for general public use	MCWP&D	Where Council is the coordinating road authority Note - a public road includes a road declared pursuant to section 204(1) of the Local Government Act 1989.
Road Management Act 2004	s 17(3)	Duty to register a road reasonably required for general public use in public roads register	AMC, MCWP&D	Where Council is the coordinating road authority
Road Management Act 2004	s 17(4)	Power to decide that a road is no longer reasonably required for general public use	DCF, DCI	Where Council is the coordinating road authority
Road Management Act 2004	s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	AMC, MCWP&D	Where Council is the coordinating road authority
Road Management Act 2004	s 18(1)	Power to designate ancillary area	DCI, MCWP&D	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Road Management Act 2004	s 18(3)	Duty to record designation in public roads register	AMC, MCWP&D	Where Council is the coordinating road authority
Road Management Act 2004	s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	AMC, MCWP&D	
Road Management Act 2004	s 19(4)	Duty to specify details of discontinuance in public roads register	AMC, MCWP&D	
Road Management Act 2004	s 19(5)	Duty to ensure public roads register is available for public inspection	AMC, MCWP&D	
Road Management Act 2004	s 21	Function of replying to request for information or advice	AMC, MCWP&D	Obtain consent in circumstances specified in s 11(2)
Road Management Act 2004	s 22(2)	Function of commenting on proposed direction	DCF, DCI	
Road Management Act 2004	s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	DCF, DCI	
Road Management Act 2004	s 22(5)	Duty to give effect to a direction under s 22	DCF, DCI	
Road Management Act 2004	s 40(1)	Duty to inspect, maintain and repair a public road.	MRF&W, UMR	
Road Management Act 2004	s 40(5)	Power to inspect, maintain and repair a road which is not a public road	MRF&W, UMR	For work utilising Council resources for non-Council assets.
Road Management Act 2004	s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	DCI, MCWP&D, MRF&W	
Road Management Act 2004	s 42(1)	Power to declare a public road as a controlled access road	DCF, DCI	Power of coordinating road authority and sch 2 also applies
Road Management Act 2004	s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	DCF, DCI	Power of coordinating road authority and sch 2 also applies
Road Management Act 2004	s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	DCF, DCI	Where Council is the coordinating road authority If road is a municipal road or part thereof

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Road Management Act 2004	s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	Not Delegated	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 Note - section 42A (4) provides that if a road or part of a road which is to be a specified freight road is a municipal road, the Minister must obtain the approval of the municipal council which is the co-ordinating road authority before the road or part of the road can be specified to be a specified freight road.
Road Management Act 2004	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)	DCF, DCI	Where Council is the responsible road authority, infrastructure manager or works manager
Road Management Act 2004	s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	DCF, DCI, MCC	Note - the section refers to bus stopping points and bus stop infrastructure.
Road Management Act 2004	s 49	Power to develop and publish a road management plan	DCI	Subject to the formal adoption by Council of the road management plan.
Road Management Act 2004	s 51	Power to determine standards by incorporating the standards in a road management plan	DCI	
Road Management Act 2004	s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	MCWP&D	
Road Management Act 2004	s 54(2)	Duty to give notice of proposal to make a road management plan	MCWP&D	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Road Management Act 2004	s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	MCWP&D	
Road Management Act 2004	s 54(6)	Power to amend road management plan	Not Delegated	
Road Management Act 2004	s 54(7)	Duty to incorporate the amendments into the road management plan	MCWP&D	
Road Management Act 2004	s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	MCWP&D	
Road Management Act 2004	s 63(1)	Power to consent to conduct of works on road	MRF&W, TLDE, UMR, WO	Where Council is the coordinating road authority
Road Management Act 2004	s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	MCWP&D, MRF&W, UMR, WO	Where Council is the infrastructure manager
Road Management Act 2004	s 64(1)	Duty to comply with cl 13 of sch 7	MCWP&D, MRF&W, UMR, WO	Where Council is the infrastructure manager or works manager Schedule 7 relates to infrastructure and works on roads. Clause 13 of Schedule 7 requires the works manager to give notice the relevant co-ordinating authority of the completion of works.
Road Management Act 2004	s 66(1)	Power to consent to structure etc	DCI, MRF&W, MST&C	Where Council is the coordinating road authority
Road Management Act 2004	s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	MCC, MRF&W	Where Council is the coordinating road authority The section refers to advertising signs and bills on roads and road infrastructure.

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Road Management Act 2004	s 67(3)	Power to request information	DCI, MRF&W	Where Council is the coordinating road authority
Road Management Act 2004	s 68(2)	Power to request information	DCI, MRF&W	Where Council is the coordinating road authority
Road Management Act 2004	s 71(3)	Power to appoint an authorised officer	DBT, MGS	
Road Management Act 2004	s 72	Duty to issue an identity card to each authorised officer	Not Delegated	
Road Management Act 2004	s 85	Function of receiving report from authorised officer	MRF&W	Division 3 of the Act refers to the general powers of Authorised Officers. Section 8 refers specifically to powers of entry.
Road Management Act 2004	s 86	Duty to keep register re s 85 matters	DCI	Refers to powers of entry onto land.
Road Management Act 2004	s 87(1)	Function of receiving complaints	DCI, MRF&W	
Road Management Act 2004	s 87(2)	Duty to investigate complaint and provide report	DCI, MRF&W	
Road Management Act 2004	s 112(2)	Power to recover damages in court	DCI	Note - the section applies if a road authority incurs extraordinary expenses in repairing a road that has been damaged as a result of the passage of extraordinary traffic or excessive mass along the road. Note: The approval requirements to institute proceedings in the various courts and tribunals are: For the Magistrates' Court – Group Manager or Manager level; For VCAT planning matters – Group Manager or Director;

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				For VCAT building matters – Group Manager; For other VCAT matters – Director; For the Children's' court – Director; For the County Court – not delegated; For the Supreme Court – not delegated
Road Management Act 2004	s 116	Power to cause or carry out inspection	DCI, MCWP&D, MRF&W	
Road Management Act 2004	s 119(2)	Function of consulting with the Head, Transport for Victoria	DCI, MCWP&D, MRF&W, MST&C	Note - the section refers to VicRoads performing a road management function.
Road Management Act 2004	s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	DCI, MRF&W	
Road Management Act 2004	s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	DCI, MRF&W	
Road Management Act 2004	s 121(1)	Power to enter into an agreement in respect of works	DCI, MRF&W	
Road Management Act 2004	s 122(1)	Power to charge and recover fees	DCI, MRF&W	
Road Management Act 2004	s 123(1)	Power to charge for any service	DCI, MRF&W	Note: a) fees must not be inconsistent with the relevant Regulations. Fees are fixed by Council in the annual budget process; and b) the charge can include costs relating to - supplying a service, product or commodity; or

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				- giving information.
Road Management Act 2004	sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	DCI	
Road Management Act 2004	sch 2 cl 3(1)	Duty to make policy about controlled access roads	DCI	
Road Management Act 2004	sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	DCI	
Road Management Act 2004	sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	DCF, DCI	
Road Management Act 2004	sch 2 cl 5	Duty to publish notice of declaration	DCF, DCI	
Road Management Act 2004	sch 7 cl 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	MRF&W, UMR, WO	Where Council is the infrastructure manager or works manager
Road Management Act 2004	sch 7 cl 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	ESC, MCWP&D, MRF&W, UMR, WO	Where Council is the infrastructure manager or works manager
Road Management Act 2004	sch 7 cl 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	MRF&W, UMR, WO	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
Road Management Act 2004	sch 7 cl 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	MRF&W, UMR, WO	Where Council is the infrastructure manager or works manager
Road Management Act 2004	sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	MRF&W, UMR, WO	Where Council is the infrastructure manager or works manager

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Road Management Act 2004	sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	MRF&W, UMR, WO	Where Council is the coordinating road authority
Road Management Act 2004	sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	MRF&W, UMR, WO	Where Council is the coordinating road authority
Road Management Act 2004	sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	MRF&W, UMR, WO	Where Council is the coordinating road authority
Road Management Act 2004	sch 7 cl 12(5)	Power to recover costs	MRF&W, UMR, WO	Where Council is the coordinating road authority
Road Management Act 2004	sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	MRF&W, UMR, WO	Where Council is the works manager
Road Management Act 2004	sch 7 cl 13(2)	Power to vary notice period	MRF&W, UMR, WO	Where Council is the coordinating road authority
Road Management Act 2004	sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	MRF&W, UMR, WO	Where Council is the infrastructure manager
Road Management Act 2004	sch 7 cl 16(1)	Power to consent to proposed works	DCF, DCI, MCC, MCWP&D, MRF&W	Where Council is the coordinating road authority
Road Management Act 2004	sch 7 cl 16(4)	Duty to consult	DCF, DCI, MCC, MCWP&D, MRF&W	Where Council is the coordinating road authority, responsible authority or infrastructure manager
Road Management Act 2004	sch 7 cl 16(5)	Power to consent to proposed works	DCF, DCI, MCC, MCWP&D, MRF&W	Where Council is the coordinating road authority
Road Management Act 2004	sch 7 cl 16(6)	Power to set reasonable conditions on consent	DCF, DCI, MCC, MCWP&D, MRF&W	Where Council is the coordinating road authority
Road Management Act 2004	sch 7 cl 16(8)	Power to include consents and conditions	DCF, DCI, MCC, MCWP&D, MRF&W	Where Council is the coordinating road authority
Road Management Act 2004	sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	DCF, DCI, MCC, MCWP&D, MRF&W	Where Council is the coordinating road authority

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Road Management Act 2004	sch 7 cl18(1)	Power to enter into an agreement	DCF, DCI, MCC, MCWP&D, MRF&W	Where Council is the coordinating road authority
Road Management Act 2004	sch7 cl 19(1)	Power to give notice requiring rectification of works	DCF, DCI, MCC, MCWP&D, MRF&W	Where Council is the coordinating road authority
Road Management Act 2004	sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	DCI, MCWP&D, MRF&W	Where Council is the coordinating road authority
Road Management Act 2004	sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DCI, MCWP&D, MRF&W	Where Council is the coordinating road authority
Road Management Act 2004	sch 7A cl 2	Power to cause street lights to be installed on roads	DCF, MCC, TLDE, STO, UMT	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
Road Management Act 2004	sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	DCF, MCC, TLDE, STO, UMT	Where Council is the responsible road authority
Road Management Act 2004	sch 7A cl 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	DCF, MCC, TLDE, STO, UMT	Where Council is the responsible road authority
Road Management Act 2004	sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4	DCF, MCC, TLDE, STO, UMT	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	r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	CCIAS, CDSO, DCF, GMCD, MCS&D, PC, PEC, PEO, PPEO, PUP, SO, SPEO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
Planning and Environment Regulations 2015	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	CDSO, DCF, GMCD, MCS&D, PC, PEC, PEO, PPEO, PUP, SO, SPEO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	
Planning and Environment Regulations 2015	r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	CCIAS, CDSO, DCF, GMCD, MCS&D, PC, PEC, PEO, PPEO, PUP, SO, SPEO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	Where Council is the responsible authority
Planning and Environment Regulations 2015	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	CCIAS, CDSO, DCF, GMCD, MCS&D, PC, PEC, PEO, PPEO, PUP, SO, SPEO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	Where Council is not the responsible authority but the relevant land is within Council's municipal district
Planning and Environment Regulations 2015	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	CCIAS, CDSO, DCF, GMCD, MCS&D, PC, PEC, PEO, PPEO, PUP, SO, SPEO, SSDO, PSP, StUP, SUP, UMSP, UMUP, UP, UPFT	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
Planning and Environment (Fees) Regulations 2016	r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	DCF, GMCD, MCS&D	Note - the grounds for waiving or rebating a fee include:

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				a) where the application is withdrawn and a new application is submitted; b) the amendment combines separate items from multiple requests for an amendment; and c) the amendment is intended to remove anomalies in the planning scheme.
Planning and Environment (Fees) Regulations 2016	r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DCF, GMCD, MCS&D	
Planning and Environment (Fees) Regulations 2016	r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r 19 or 20	DCF, GMCD, MCS&D	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 7	Function of entering into a written agreement with a caravan park owner	GMCD, UMBSEH	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 10	Function of receiving application for registration	EHO, TLEH, UMBSEH	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 11	Function of receiving application for renewal of registration	EHO, TLEH, UMBSEH	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	EHO, TLEH, UMBSEH	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	TLEH, UMBSEH	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	EHO, TLEH, UMBSEH	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	TLEH, UMBSEH	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	EHO, TLEH, UMBSEH	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 12(4) & (5)	Duty to issue certificate of registration	EHO, TLEH, UMBSEH	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 14(1)	Function of receiving notice of transfer of ownership	EHO, TLEH, UMBSEH	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 14(3)	Power to determine where notice of transfer is displayed	EHO, TLEH, UMEH	
Residential Tenancies (Caravan Parks and Movable	r 15(1)	Duty to transfer registration to new caravan park owner	EHO, TLEH, UMEH	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Dwellings Registration and Standards) Regulations 2020				
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 15(2)	Duty to issue a certificate of transfer of registration	EHO, TLEH, UMEH	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	Not Delegated	Fees are determined by Council in the annual budget.
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 17	Duty to keep register of caravan parks	EHO, TLEH, UMEH	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 18(4)	Power to determine where the emergency contact person's details are displayed	EHO, TLEH, UMEH	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 18(6)	Power to determine where certain information is displayed	EHO, TLEH, UMEH	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	EHO, TLEH, UMEH	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 22(2)	Duty to consult with relevant emergency services agencies	EHO, TLEH, UMEH	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	EHO, TLEH, UMEH	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	EHO, TLEH, UMEH	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 25(3)	Duty to consult with relevant floodplain management authority	PC, PEC, TLEH, UMEH	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 26	Duty to have regard to any report of the relevant fire authority	MFPO, TLEH, UMEH	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	EHO, TLEH, UMEH	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	EHO, TLEH, UMEH	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	EHO, TLEH, UMEH	
Residential Tenancies (Caravan Parks and Movable	r 41(4)	Function of receiving installation certificate	EHO, TLEH, UMEH	

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Dwellings Registration and Standards) Regulations 2020				
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	SBS, TLEH, UMBSEH, UMEH	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	TLEH, UMEH	
Road Management (General) Regulations 2016	r 8(1)	Duty to conduct reviews of road management plan	DCI, MCWP&D	
Road Management (General) Regulations 2016	r 9(2)	Duty to produce written report of review of road management plan and make report available	DCI, MCWP&D	
Road Management (General) Regulations 2016	r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	DCI, MCWP&D	Where Council is the coordinating road authority
Road Management (General) Regulations 2016	r.10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	DCI, MCWP&D	
Road Management (General) Regulations 2016	r 13(1)	Duty to publish notice of amendments to road management plan	AMC, MCWP&D	Where Council is the coordinating road authority
Road Management (General) Regulations 2016	r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	AMC, MCWP&D	
Road Management (General) Regulations 2016	r 16(3)	Power to issue permit	DCI, MCC, MRF&W, MAC	Where Council is the coordinating road authority
Road Management (General) Regulations 2016	r 18(1)	Power to give written consent re damage to road	DCI, MRF&W	Where Council is the coordinating road authority

Moreland City Council

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Road Management (General) Regulations 2016	r 23(2)	Power to make submission to Tribunal	DCI	Where Council is the coordinating road authority
Road Management (General) Regulations 2016	r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	DCI, MRF&W	Where Council is the coordinating road authority
Road Management (General) Regulations 2016	r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	DCI, MOS&SC, MRF&W	Where Council is the responsible road authority
Road Management (General) Regulations 2016	r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	DCI, MOS&SC, MRF&W	Where Council is the responsible road authority
Road Management (General) Regulations 2016	r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	DCI, MOS&SC, MRF&W	
Road Management (Works and Infrastructure) Regulations 2015	r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	DCI, MRF&W	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
Road Management (Works and Infrastructure) Regulations 2015	r 22(2)	Power to waive whole or part of fee in certain circumstances	DCI, MRF&W	Where Council is the coordinating road authority