



INSTRUMENT OF DELEGATION COUNCIL TO **Knox City Council**

COUNCIL STAFF – CEMETERIES & CREMATORIA

In exercise of the powers conferred ~~by section 98(1) and 86(3) of the Local Government Act 1989 and the other~~ legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. declares that:
 - 2.1 this Instrument of Delegation is authorised by a resolution of Council passed on ~~25-September-2017~~ 27 July 2020; and
 - 2.2 the delegation:
 - 2.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2.2 remains in force until varied or revoked;
 - 2.2.3 is subject to any conditions and limitations set out in sub-paragraph ~~32.3~~, and the Schedule; and
 - 2.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 2.3.1 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 a Council Meeting; or
 - 2.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategy
 adopted by Council; or



2.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, ~~whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise;~~ or

2.3.4 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.

~~3. In exercising any duty, function or power under this delegation the officer concerned will be mindful of the provisions under Division 1A – Conduct and Interests of the Local Government Act 1989.~~

~~3.1 The principles of these provisions will apply to delegated officers.~~

~~3.2 Any disclosures under section 77A or 79 must be recorded in accordance with any guidelines or policies which Council from time to time adopts.~~

The COMMON SEAL of the)
KNOX CITY COUNCIL was)
hereunto affixed in the)
presence of:)
 -)
 -)
 -)
 -)
 _____)
Cr Nicole Seymour - Mayor)
 -)
 -)
 -)
 -)
 _____)
Tony Doyle - Chief Executive Officer)
 -)

Date: _____

~~THE COMMON SEAL of KNOX CITY COUNCIL~~
~~was affixed pursuant to an Order of the~~
~~Council made on the 24 July30 March 2020~~
~~in the presence of~~

Mayor

Chief Executive Officer

Instrument of Delegation - Council to Council Staff

March July 2020

Councillor

SCHEDULE



Instrument of Delegation – Council to Council

**March July
2020**

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| July ~~March~~2020

CEMETERIES AND CREMATORIA ACT 2003			
###The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.8(1)(a)(ii)	Power to manage one or more public cemeteries	Not Delegated	
s.12(1)	Function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance	where Council is a Class B cemetery trust
s.12(2)	duty to have regard to the matters set out in paragraphs (a)-(c) in exercising its functions	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance	where Council is a Class B cemetery trust
s.13	duty to do anything necessary or convenient to enable it to carry out its functions	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administration Officer Administration Officer Sexton	
s14	Power to manage multiple public cemeteries as if they are one cemetery	Not Delegated	
s.15(1) and (2)	power to delegate powers or functions other than those listed	Chief Executive Officer	

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.15(4)	duty to keep records of delegations	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator – Governance Governance Officer	
s.17(1)	power to employ any persons necessary	Chief Executive Officer Director - -- City Development Director- Corporate Services Executive Manager – Strategy, People and Culture -Principal, People and Culture Partnerships -People Experience Lead Manager - Governance Coordinator - Governance	
s.17(2)	power to engage any professional, technical or other assistance considered necessary	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance	

CEMETERIES AND CREMATORIA ACT 2003			
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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s. 17(3)	power to determine the terms and conditions of employment or engagement	Chief Executive Officer Director - – City Development Director- Corporate Services Executive Manager – Strategy, People and Culture -Principal, People and Culture Partnerships -People Experience Lead Manager - Governance Coordinator - Governance	subject to any guidelines or directions of the Secretary
s.18(3)	duty to comply with a direction from the Secretary	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance	
s.19	power to carry out or permit the carrying out of works	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator – Governance Senior Admin Support Officer Sexton	
s.20(1)	duty to set aside areas for the interment of human remains	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.20(2)	power to set aside areas for the purposes of managing a public cemetery	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance	
s.20(3)	power to set aside areas for those things in paragraphs (a) – (e)	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance	
s.24(2)	power to apply to the Secretary for approval to alter the existing distribution of land	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance	
s.36	power to grant licences to enter and use part of the land or building in a public cemetery in accordance with this section	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager – Governance	subject to the approval of the Minister
s.37	power to grant leases over land in a public cemetery in accordance with this section	Not Delegated	subject to the Minister approving the purpose
s.40	duty to notify Secretary of fees and charges fixed under section 39	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.47	power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	provided the street was constructed pursuant to the Local Government Act 1989
s.57(1)	duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	Chief Executive Officer Director - -- City Development Cor Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	report must contain the particulars listed in s.57(2) report must be endorsed by Council
s.59	duty to keep records for each public cemetery	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.60(1)	duty to make information in records available to the public for historical or research purposes	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.60(2)	power to charge fees for providing information	Chief Executive Officer	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s64(4)	Duty to comply with a direction from the Secretary under s 64(3)	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.64B(d)	power to permit interments at a reopened cemetery	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.66(1)	power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	Chief Executive Officer	the application must include the requirements listed in s.66(2)(a)–(d)
s.69	duty to take reasonable steps to notify of conversion to historic cemetery park	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer	
s.70(1)	duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.70(2)	duty to make plans of existing place of interment available to the public	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance	
s.71(1)	power to remove any memorials or other structures in an area to which an approval to convert applies	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Sexton	
s.71(2)	power to dispose of any memorial or other structure removed	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Sexton	
s.72(2)	duty to comply with request received under section 72	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer	
s.73(1)	power to grant a right of interment	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.73(2)	power to impose conditions on the right of interment	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator – Governance Senior Administrative Officer Administrative Officer	
s.75	power to grant the rights of interment set out in subsections (a) and (b)	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator – Governance Senior Administrative Officer Administrative Officer	
s.76(3)	duty to allocate a piece of interment if an unallocated right is granted	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.77(4)	power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator – Governance Senior Administrative Officer Administrative Officer	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.80(1)	function of receiving notification and payment of transfer of right of interment	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.80(2)	function of recording transfer of right of interment	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.82(2)	duty to pay refund on the surrender of an unexercised right of interment	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator – Governance Senior Administrative Officer	
s.83(2)	duty to pay refund on the surrender of an unexercised right of interment (sole holder)	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.83(3)	power to remove any memorial and grant another right of interment for a surrendered right of interment	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer	
s.84(1)	function of receiving notice of surrendering an entitlement to a right of interment	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.85(1)	duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administration Officer	the notice must be in writing and contain the requirements listed in s.85(2)
s.85(2)(b)	duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	does not apply where right of interment relates to remains of a deceased veteran.

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
85(2)(c)	power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or; remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location.	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance	may only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment
s.86	power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Sexton	
s.86(2)	power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance	
s.86(3)(a)	power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.86(3)(b)	power to remove interred cremated human remains and take further action in accordance with s.86(3)(b)	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance	
s.86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer	
s.86(5)	duty to provide notification before taking action under s.86(4)	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer	
s 86A	duty to maintain place of interment and any memorial at place of interment, if action taken under s.86(3)	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer	
s.87(3)	duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.88	function to receive applications to carry out a lift and re-position procedure at a place of interment	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance	
s.91(1)	power to cancel a right of interment in accordance with this section	Not Delegated	
s.91(3)	duty to publish notice of intention to cancel right of interment	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance	
s.92	power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance	
s.98(1)	function of receiving application to establish or alter a memorial or a place of interment	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.99	power to approve or refuse an application made under section 98, or to cancel an approval	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	Advice should be sought from the Sexton as required before exercising this power
s.99(4)	duty to make a decision on an application under section 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	Advice should be sought from the Sexton as required before exercising this power
s.100(1)	power to require a person to remove memorials or places of interment	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance	
s.100(2)	power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with section 100(1)	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Sexton	
s.100(3)	power to recover costs of taking action under section 100(2)	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance	
s.102(1)	Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	Not Delegated	
s.102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under section 102(1)	Not Delegated	
s.103(1)	power to require a person to remove a building for ceremonies	Not Delegated	
s.103(2)	power to remove and dispose of a building for ceremonies or remedy the failure to comply with section 103(1)	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance	
s.103(3)	power to recover costs of taking action under section 103(2)	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance	
s.106(1)	power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.106(2)	power to require the holder of the right of interment to provide for an examination	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance	In consultation with Council
s.106(3)	power to open and examine the place of interment if section 106(2) not complied with	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator – Governance Sexton	In consultation with Council
s.106(4)	power to repair or – with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under section 106(1) is not complied with	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator – Governance Sexton	In consultation with, Council
s.107(1)	power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance	In consultation with Council
s.107(2)	power to repair or take down, remove and dispose any building for ceremonies if notice under section 107(1) is not complied with	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance	In consultation with Council

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.108	power to recover costs and expenses	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance	In consultation with Council
s.109(1)(a)	power to open, examine and repair a place of interment	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator – Governance Sexton	where the holder of right of interment or responsible person cannot be found In consultation with Council
s.109(1)(b)	power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator – Governance Sexton	where the holder of right of interment or responsible person cannot be found In consultation with Council
s.109(2)	power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator – Governance	where the holder of right of interment or responsible person cannot be found In consultation with Council
s.110(1)	power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder. with consent of the Secretary	Not Delegated	

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s.110(2)	power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	Not Delegated	
s. 110A	power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	Not Delegated	
s.111	power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator – Governance	
s.112	power to sell and supply memorials	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.116(4)	duty to notify the Secretary of an interment authorisation granted	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.116(5)	power to require an applicant to produce evidence of the right of interment holder's consent to application	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.118	power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.119	power to set terms and conditions for interment authorisations	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.131	function of receiving an application for cremation authorisation	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.133(1)	duty not to grant a cremation authorisation unless satisfied that requirements of section 133 have been complied with	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	subject to subsection (2)
s.145	duty to comply with an order made by the Magistrates' Court or a coroner	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.146	power to dispose of bodily remains by a method other than interment or cremation	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	subject to the approval of the Secretary
s.147	power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	

CEMETERIES AND CREMATORIA ACT 2003			
###The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.149	duty to cease using method of disposal if approval revoked by the Secretary	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.150 & 152(1)	power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.151	function of receiving applications to inter or cremate body parts	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.152(2)	power to impose terms and conditions on authorisation granted under section 150.	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	

CEMETERIES AND CREMATORIA ACT 2003			
###The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 1 clause 8(3)	power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance	Meetings held in accordance with meeting procedure local law
Schedule 1 clause 8(8)	power to regulate own proceedings	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance	Meetings held in accordance with meeting procedure local law subject to clause 8

CEMETERIES AND CREMATORIA REGULATIONS 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.24	duty to ensure that cemetery complies with depth of burial requirements	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	
r.25	duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	
r27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	
r28(1)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	

CEMETERIES AND CREMATORIA REGULATIONS 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	Chief Executive Officer Director - - City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	
r29	Power to dispose of any metal substance or non-human substance recovered from a cremator	Chief Executive Officer Director - - City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	
r30(2)	Power to release cremated human remains to certain persons	Chief Executive Officer Director - - City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	Subject to any order of a court
r31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	Chief Executive Officer Director - - City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	

CEMETERIES AND CREMATORIA REGULATIONS 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	
r31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	
r31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	
r32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance	

CEMETERIES AND CREMATORIA REGULATIONS 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	
r33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	
r34	Duty to ensure that a crypt space in a mausoleum is sealed in accordance with paragraphs (a)-(b)	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	
r.36	duty to provide statement that alternative vendors or supplier of monuments exist	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	
r. 40	power to approve a person to play sport within a public cemetery	Chief Executive Officer Director - – City Development Director- Corporate Services	

CEMETERIES AND CREMATORIA REGULATIONS 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		Manager - Governance Coordinator – Governance	
r. 41(1)	power to approve fishing and bathing within a public cemetery	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator – Governance	
r. 42(1)	power to approve hunting within a public cemetery	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator – Governance	
r. 43	power to approve camping within a public cemetery	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator – Governance	
r. 45(1)	power to approve the removal of plants within a public cemetery	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator – Governance	
r.46	power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator – Governance	
r. 47(3)	power to approve the use of fire in a public cemetery	Chief Executive Officer Director - – City Development Director- Corporate Services	

CEMETERIES AND CREMATORIA REGULATIONS 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.48(2)	power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator – Governance Sexton	Advice should be sought from the Sexton as required before exercising this power
Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules			
Schedule 2, clause 4	power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of Schedule 2	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator – Governance	see note above regarding model rules
Schedule 2, clause 5(1)	duty to display the hours during which pedestrian access is available to the cemetery	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance Sexton	see note above regarding model rules
Schedule 2, clause 5(2)	duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	Chief Executive Officer Director - Corporate Services Manager - Governance Coordinator - Governance	see note above regarding model rules
Schedule 2, clause 6(1)	power to give directions regarding the manner in which a funeral is to be conducted	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	see note above regarding model rules
Schedule 2,	power to give directions regarding the dressing of	Chief Executive Officer	see note above regarding model rules

CEMETERIES AND CREMATORIA REGULATIONS 2015			
[##]These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act 2003</i> , and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
clause 7(1)	places of interment and memorials	Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	Advice should be sought from the Sexton as required before exercising this power
Schedule 2, clause 8	power to approve certain mementos on a memorial	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Senior Administrative Officer Administrative Officer	see note above regarding model rules
Schedule 2, clause 11(1)	power to remove objects from a memorial or place of interment	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Sexton	see note above regarding model rules
Schedule 2, clause 11(2)	duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Sexton	see note above regarding model rules
Schedule 2, clause 12	power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	Chief Executive Officer Director - -- City Development Director- Corporate Services Manager - Governance Coordinator - Governance Sexton	see note above regarding model rules

CEMETERIES AND CREMATORIA REGULATIONS 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 2, clause 14	power to approve an animal to enter into or remain in a cemetery	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator – Governance Sexton	see note above regarding model rules
Schedule 2, clause 16(1)	power to approve construction and building within a cemetery	Not Delegated	see note above regarding model rules Does not apply to a Cemetery Trust when carrying out its own functions or to an employee, agent or contractor of the Cemetery Trust
Schedule 2, clause 17(1)	power to approve action to disturb or demolish property of the cemetery trust	Not Delegated	see note above regarding model rules
Schedule 2, clause 18(1)	power to approve digging or planting within a cemetery	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance Coordinator - Governance Sexton	see note above regarding model rules

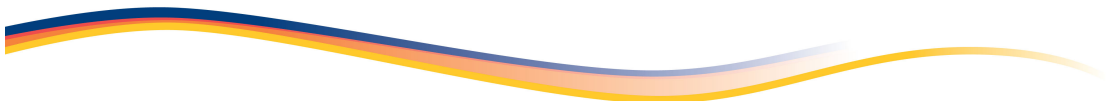


INSTRUMENT OF DELEGATION – ROAD MANAGEMENT RESPONSIBILITIES

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

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. declares that:
 - 2.1 this Instrument of Delegation is authorised by a resolution of Council passed on ~~27 March 2018~~ 27 July 2020; and
 - 2.2 the delegation:
 - 2.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2.2 remains in force until varied or revoked;
 - 2.2.3 is subject to any conditions and limitations set out in sub-paragraph ~~32.3~~, and the Schedule; and
 - 2.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 2.3.1 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 a Council Meeting; or
 - 2.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategy
 adopted by Council; or
 - 2.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, ~~whether~~

SCHEDULE



| **Instrument of Delegation – Council to Council Staff**

March July 2020

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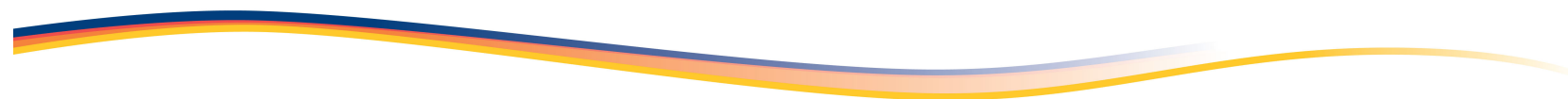


ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.11(1)	power to declare a road by publishing a notice in the Government Gazette	Chief Executive Officer Director - Corporate Services Manager – Business & Financial Services Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	obtain consent in circumstances specified in section 11(2)
s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	Chief Executive Officer Director - Corporate Services Director- City Development Manager – Business & Financial Services Coordinator – Property Management	

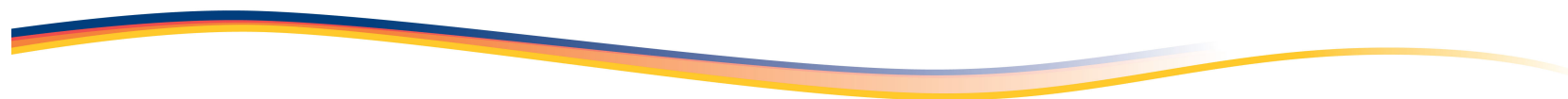


Instrument of Delegation – Council to Council Staff
March-July 2020

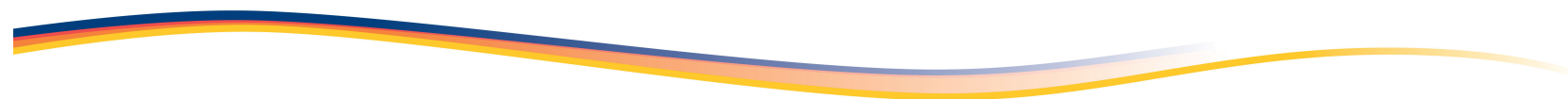
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.11(9)(b)	duty to advise Registrar	Chief Executive Officer Director- Engineering and Infrastructure Director – City Development Director- Corporate Services Manager – Business & Financial Services Coordinator – Property Management	
s.11(10)	duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	Chief Executive Officer Director - Corporate Services Manager – Business & Financial Services Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	clause subject to section 11(10A)



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.11(10A)	duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	Chief Executive Officer Director - Corporate Services Manager – Business & Financial Services Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority
s.12(2)	power to discontinue road or part of a road	Chief Executive Officer Director - Corporate Services Manager – Business & Financial Services Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority
s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	Chief Executive Officer Director - Corporate Services Manager – Business & Financial Services Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies



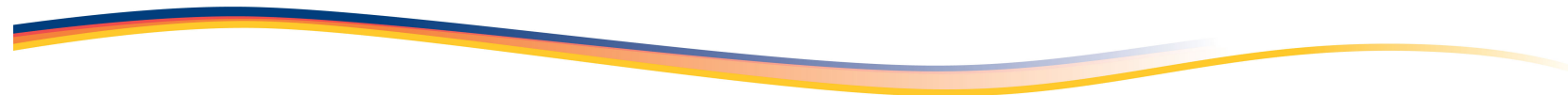
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.12(5)	duty to consider written submissions received within 28 days of notice	Chief Executive Officer Director – Engineering & Infrastructure Manager – Sustainable Infrastructure Director – Corporate Services Manager – Business & Financial Services Coordinator – Property Management	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(6)	function of hearing a person in support of their written submission	Chief Executive Officer Director – Engineering & Infrastructure Manager – Sustainable Infrastructure Director – Corporate Services Manager – Business & Financial Services Coordinator – Property Management	function of coordinating road authority where it is the discontinuing body unless subsection (11) applies



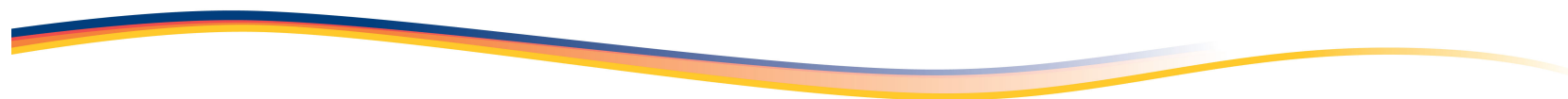
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	Chief Executive Officer Director- Engineering and Infrastructure Director – – City Development Manager – Business & Financial Services Coordinator – Property Management	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(10)	duty to notify of decision made	Chief Executive Officer Director- Engineering and Infrastructure Director – – City Development Director- Corporate Services Manager – Business & Financial Services Coordinator – Property Management	duty of coordinating road authority where it is the discontinuing body does not apply where an exemption is specified by the regulations or given by the Minister
s.13(1)	power to fix a boundary of a road by publishing notice in Government Gazette	Chief Executive Officer Director- Engineering and Infrastructure Director - Corporate Services Manager – Business & Financial Services Director - City Development Manager - City Futures	power of coordinating road authority and obtain consent under section 13(3) and section 13(4) as appropriate

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.14(4)	function of receiving notice from the Head, Transport for Victoria	Chief Executive Officer Director - Engineering & Infrastructure	
s.14(7)	power to appeal against decision of the Head, Transport for Victoria	Chief Executive Officer Director - Engineering & Infrastructure	
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	Chief Executive Officer Director - Engineering & Infrastructure	
s.15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	Chief Executive Officer Director - Engineering & Infrastructure	
s.15(2)	duty to include details of arrangement in public roads register	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.16(7)	power to enter into an arrangement under section 15	Chief Executive Officer Director - Engineering & Infrastructure	

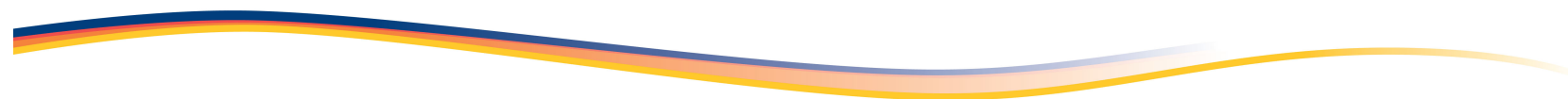
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.16(8)	duty to enter details of determination in public roads register	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.17(2)	duty to register public road in public roads register	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	where Council is the coordinating road authority
s.17(3)	power to decide that a road is reasonably required for general public use	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	where Council is the coordinating road authority
s.17(3)	duty to register a road reasonably required for general public use in public roads register	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	where Council is the coordinating road authority



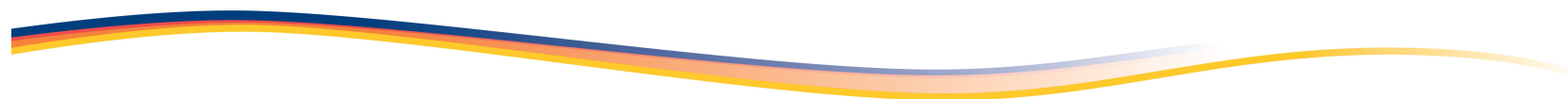
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.17(4)	power to decide that a road is no longer reasonably required for general public use	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	where Council is the coordinating road authority
s.17(4)	duty to remove road no longer reasonably required for general public use from public roads register	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	where Council is the coordinating road authority
s.18(1)	power to designate ancillary area	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	where council is the coordinating road authority, and obtain consent in circumstances specified in section 18(2)
s.18(3)	duty to record designation in public roads register	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	where Council is the coordinating road authority



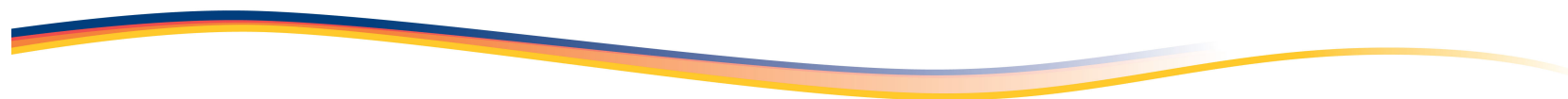
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19(1)	duty to keep register of public roads in respect of which it is the coordinating road authority	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.19(4)	duty to specify details of discontinuance in public roads register	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.19(5)	duty to ensure public roads register is available for public inspection	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.21	function of replying to request for information or advice	Chief Executive Officer Director - Engineering & Infrastructure	obtain consent in circumstances specified in section 11(2)
s.22(2)	function of commenting on proposed direction	Chief Executive Officer Director - Engineering & Infrastructure	



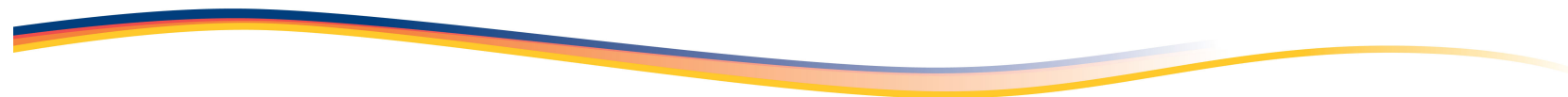
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.	Chief Executive Officer Director - Corporate Services Manager – Business & Financial Services Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	
s.22(5)	duty to give effect to a direction under this section.	Chief Executive Officer Director - Engineering & Infrastructure	
s.40(1)	duty to inspect, maintain and repair a public road.	Chief Executive Officer Director - Engineering & Infrastructure	
s.40(5)	power to inspect, maintain and repair a road which is not a public road	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	Chief Executive Officer Director - Engineering & Infrastructure	



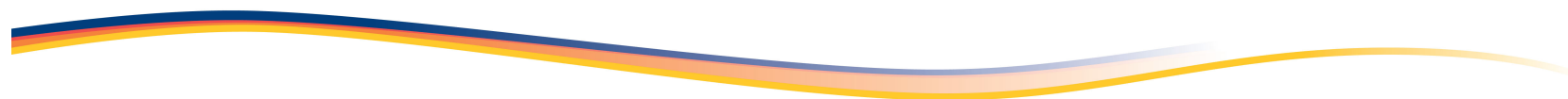
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.42(1)	power to declare a public road as a controlled access road	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	power of coordinating road authority and Schedule 2 also applies
s.42(2)	power to amend or revoke declaration by notice published in Government Gazette	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	power of coordinating road authority and Schedule 2 also applies
s.42A(3)	duty to consult with the Head, Transport for Victoria before road is specified	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	where Council is the coordinating road authority if road is a municipal road or part thereof
s.42A(4)	power to approve Minister's decision to specify a road as a specified freight road	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	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



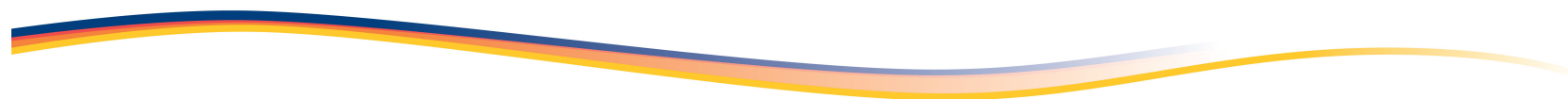
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.48EA	duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Coordinator - Works Services Coordinator - Parks Services Coordinator – Construction Group	where Council is the responsible road authority, infrastructure manager or works manager
s.48M(3)	function of consulting with the relevant authority for purposes of developing guidelines under section 48M	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.49	power to develop and publish a road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.51	power to determine standards by incorporating the standards in a road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	



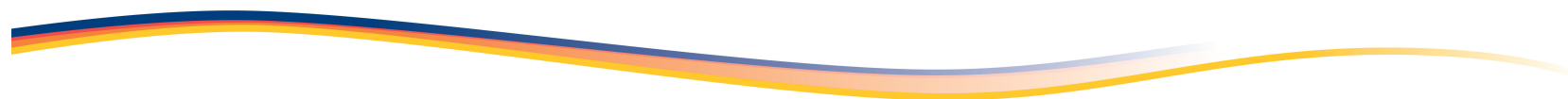
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.54(2)	duty to give notice of proposal to make a road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.54(5)	duty to conduct a review of road management plan at prescribed intervals	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.54(6)	power to amend road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	



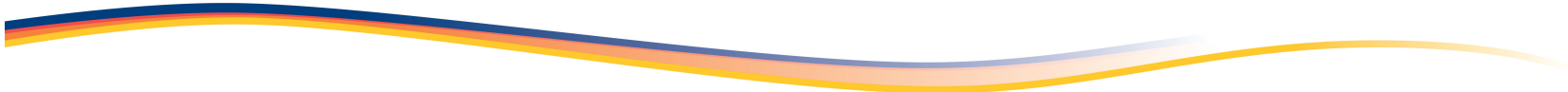
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.54(7)	duty to incorporate the amendments into the road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.63(1)	power to consent to conduct of works on road	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Manager – Operations	where Council is the coordinating road authority
s.63(2)(e)	power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Manager – Operations	where Council is the infrastructure manager



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.64(1)	duty to comply with clause 13 of Schedule 7	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Coordinator - Project Delivery Director - City Development Manager - City Safety & Health Coordinator - Community Laws Team Leader - Parking Services Team Leader - Asset Preservation Community Laws Officers	where Council is the infrastructure manager or works manager
s.66(1)	power to consent to structure etc	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Coordinator - Project Delivery Director - City Development Manager - City Safety & Health Coordinator - Community Laws Team Leader - Parking Services Team Leader - Asset Preservation Community Laws Officers	where Council is the coordinating road authority



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.67(2)	function of receiving the name & address of the person responsible for distributing the sign or bill	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Coordinator - Project Delivery Director - City Development Manager - City Safety & Health Coordinator - Community Laws Team Leader - Parking Services Team Leader - Asset Preservation Community Laws Officers	where Council is the coordinating road authority
s.67(3)	power to request information	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Coordinator - Project Delivery Director - City Development Manager - City Safety & Health Coordinator - Community Laws Team Leader - Parking Services Team Leader - Asset Preservation Community Laws Officers	where Council is the coordinating road authority



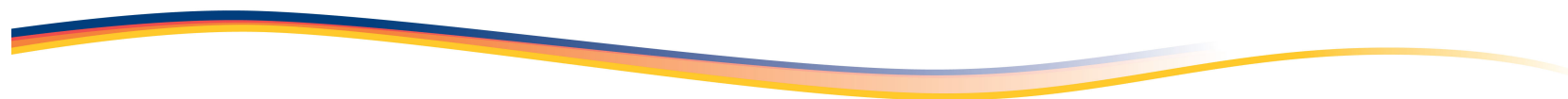
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.68(2)	power to request information	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Coordinator - Project Delivery Director - City Development Manager - City Safety & Health Coordinator - Community Laws Team Leader - Parking Services Team Leader - Asset Preservation Community Laws Officers	where Council is the coordinating road authority
s.71(3)	power to appoint an authorised officer	Chief Executive Officer	
s.72	duty to issue an identity card to each authorised officer	Chief Executive Officer Director - – City Development Director- Corporate Services Manager – Governance Coordinator – Governance Governance Officer	
s.85	function of receiving report from authorised officer	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure	



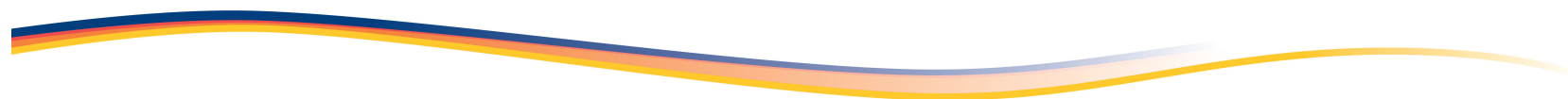
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.86	duty to keep register re section 85 matters	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure	
s.87(1)	function of receiving complaints	Chief Executive Officer Director - Engineering & Infrastructure	
s.87(2)	duty to investigate complaint and provide report	Relevant Director	
s.112(2)	power to recover damages in court	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	
s.116	power to cause or carry out inspection	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure Coordinator - Project Delivery Team Leader - Asset Preservation	



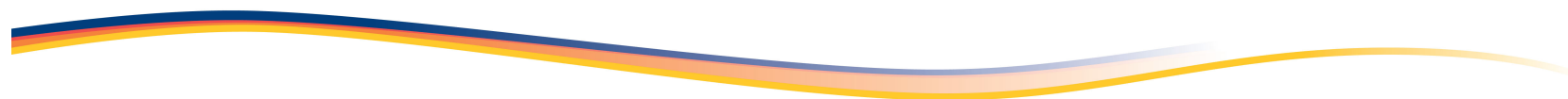
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.119(2)	function of consulting with the Head, Transport for Victoria	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	
s.120(1)	power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Coordinator - Works Services Coordinator - Parks Services Coordinator - Construction	
s.120(2)	duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in section 120(1)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure Manager - Operations	



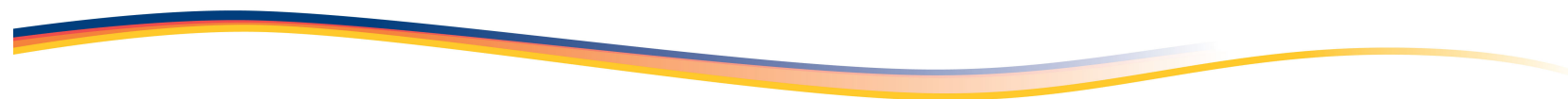
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.121(1)	power to enter into an agreement in respect of works	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure Manager - Operations Manager - Community Infrastructure	
s.122(1)	power to charge and recover fees	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	
s.123(1)	power to charge for any service	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	



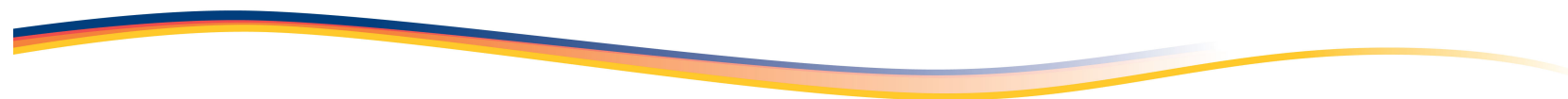
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure Manager - Community Infrastructure Manager - Operations	
Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	
Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	
Schedule 2 Clause 4	function of receiving details of proposal from the Head, Transport for Victoria	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	



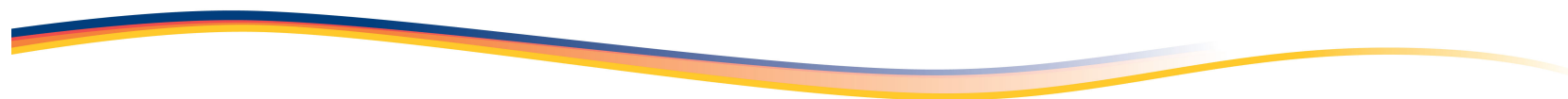
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 2 Clause 5	duty to publish notice of declaration	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	
Schedule 7, Clause 7(1)	duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the infrastructure manager or works manager
Schedule 7, Clause 8(1)	duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the infrastructure manager or works manager



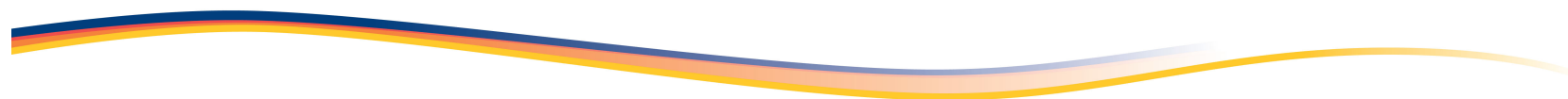
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7, Clause 9(1)	duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the infrastructure manager or works manager responsible for non-road infrastructure
Schedule 7, Clause 9(2)	duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the infrastructure manager or works manager
Schedule 7, Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the infrastructure manager or works manager



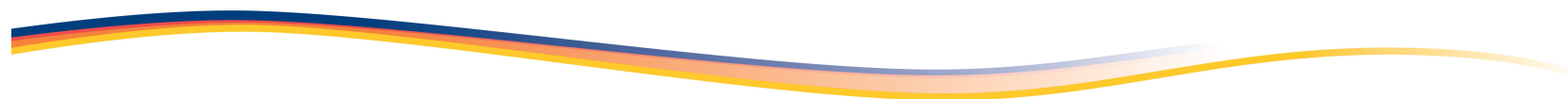
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 12(5)	power to recover costs	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the coordinating road authority



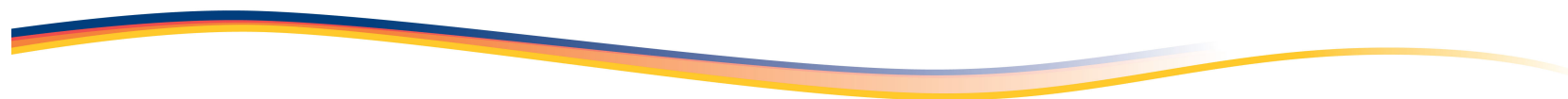
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7, Clause 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the works manager
Schedule 7 Clause 13(2)	power to vary notice period	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the coordinating road authority
Schedule 7, Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the infrastructure manager
Schedule 7 Clause 16(1)	power to consent to proposed works	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 16(4)	duty to consult	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority, responsible authority or infrastructure manager
Schedule 7 Clause 16(5)	power to consent to proposed works	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 16(8)	power to include consents and conditions	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 18(1)	power to enter into an agreement	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority



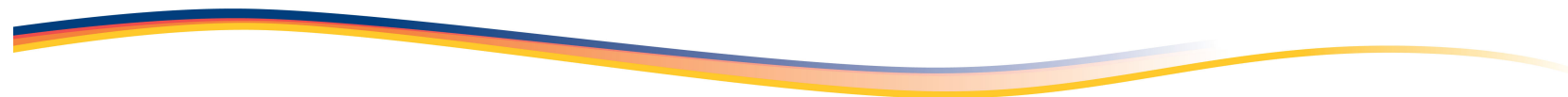
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 19(2) & (3)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority
Schedule 7A Clause 2	power to cause street lights to be installed on roads	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	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			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7A Clause 3(1)(d)	duty to pay installation and operation costs of street lighting - where road is not an arterial road	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	where Council is the responsible road authority
Schedule 7A Clause 3(1)(e)	duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	where Council is the responsible road authority
Schedule 7A Clause (3)(1)(f),	duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with clauses 3(2) and 4	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal Council (re: operating costs)

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.8(1)	duty to conduct reviews of road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	
r.9(2)	duty to produce written report of review of road management plan and make report available	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	
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)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	where council is the coordinating road authority
r.10	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	



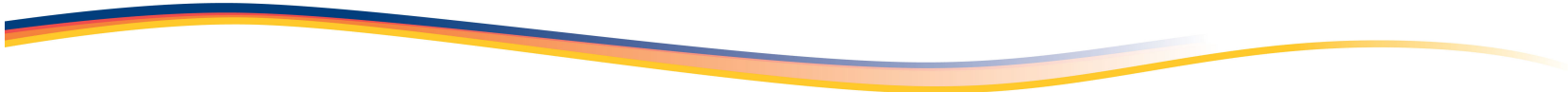
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.13(1)	Duty to publish notice of amendments to road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	where council is the coordinating road authority
r.13(3)	duty to record on road management plan the substance and date of effect of amendment	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	
r.16(3)	power to issue permit	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	where council is the coordinating road authority
r.18(1)	power to give written consent re damage to road	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	where council is the coordinating road authority



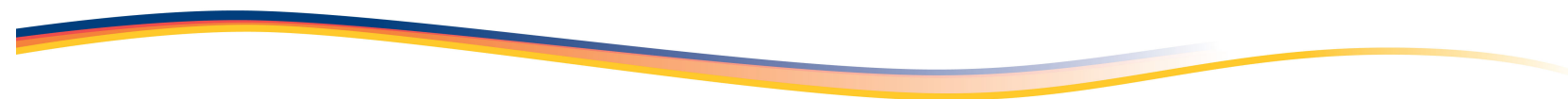
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.23(2)	power to make submission to Tribunal	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Manager - Sustainable Infrastructure Manager – Operations Director – City Development Manager – City Safety & Health Coordinator – Community Laws Team Leader – Parking Services	where council is the coordinating road authority
r.23(4)	power to charge a fee for application under section 66(1) Road Management Act	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure Coordinator - Project Delivery Director - City Development Manager - City Safety and Health Coordinator – Community Laws Team Leader - Parking Services Team Leader - Asset Preservation Community Laws Officers	where council is the coordinating road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.25(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Manager - Sustainable Infrastructure Manager – Operations Director – City Development Manager – City Safety & Health Coordinator – Community Laws Team Leader – Parking Services	where Council is the responsible road authority
r.25(2)	power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	Chief Executive Officer Director - Engineering & Infrastructure Manager – Operations Director – Corporate Services Manager – Governance Director – City Development Manager – City Safety & Health Coordinator – Community Laws	where Council is the responsible road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.25(5)	power to recover in the Magistrates' Court, expenses from person responsible	Chief Executive Officer Director - Engineering & Infrastructure Manager – Operations Director – City Development Manager – City Safety & Health Coordinator – Community Laws	



ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.15	power to exempt a person from requirement under clause 13(1) of Schedule 7 of the Act to give notice as to the completion of those works	Chief Executive Officer Director – Engineering & Infrastructure Manager – Community Infrastructure	where Council is the coordinating road authority and where consent given under section 63(1) of the Act
r.22(2)	power to waive whole or part of fee in certain circumstances	Chief Executive Officer Director – Engineering & Infrastructure Manager – Community Infrastructure	where council is the coordinating road authority





INSTRUMENT OF DELEGATION COUNCIL TO COUNCIL Knox City Council

STAFF - PLANNING

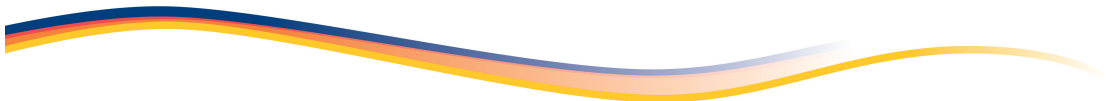
In exercise of the powers conferred by ~~section 98(1) of the Local Government Act 1989~~ and the ~~other~~ legislation referred to in the attached Schedule, the Council:

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

“Group A” means	Chief Executive Officer Director City Development Manager City Planning & Building Manager City Futures
“Group B” means	Coordinator Planning Coordinator City Strategy and Planning Principal Planner Senior Strategic Planner
“Group C” means	Senior Planner Strategic Planner Senior Subdivision Planner Planning Officer
“Group D” means	Subdivision Planner
“Group E” means	Planning Investigation Officer Landscape Inspection Officer
“Group F” means	Planning Support Officer Student Planner Student Strategic Planner Project Support Officer
“Group G” means	Team Leader City Planning and Building Administration City Planning and Building Administration Officers
“Group H” means	Customer Service Officer (HUB)
“Group I” means	Arborist Landscape Assessment Officer Assistant Landscape Office

3. declares that:
- 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on ~~28 August 2017~~27 July 2020; and
- 3.2 the delegation:
- 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
- 3.2.2 remains in force until varied or revoked;
- 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
- 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
- 3.3 the delegate must not determine the issue, take the action or do the act or thing:
- 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of a Council Meeting; or
- 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
- (a) policy; or
- (b) strategy
- adopted by Council; or
- 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, ~~whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise~~; or
- 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegate committee.

SCHEDULE



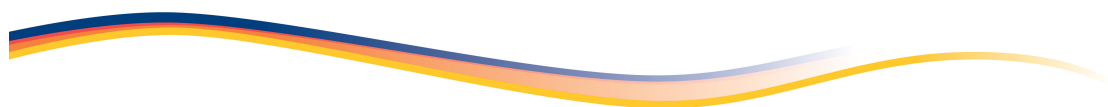
| Instrument of Delegation – Council to Council Staff

March-July 2020

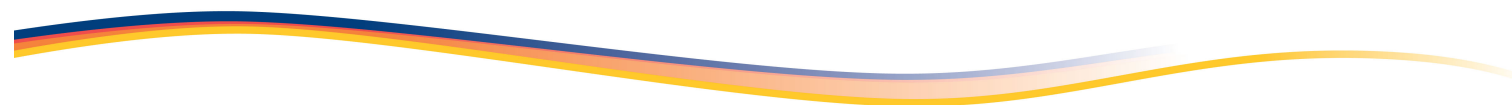
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HERITAGE ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.116	power to sub-delegate Executive Director's functions, duties or powers	Chief Executive Officer	Must first obtain Executive Director's written consent first. Council can only sub-delegate if the instrument of delegation from the Executive Director authorises sub-delegation



Instrument of Delegation – Council to Council Staff
 March-July 2020

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

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.8B(2)	power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	Not Delegated	
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	Groups A, B & C	
s.12A(1)	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under section 19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	Groups A, B & C	
s.12B(1)	duty to review planning scheme	Groups A, B & C	
s.12B(2)	duty to review planning scheme at direction of Minister	Groups A, B & C	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	Groups A, B & C	
s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	Groups A, B, C, D, E, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.17(1)	duty of giving copy amendment to the planning scheme	Groups A, B & C	
s.17(2)	duty of giving copy s.173 agreement	Groups A, B & C	
s.17(3)	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	Groups A, B & C	
s.18	duty to make amendment etc. available	All Groups	
s.19	power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under section 19 to a planning scheme	Groups A	Decision not to give notice under sections 19(1)(a) and (b) and (1A) must be recorded.
s.19	function of receiving notice of preparation of an amendment to a planning scheme	Groups A, B & C	Only where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority
s.20(1)	power to apply to Minister for exemption from the requirements of section 19	Groups A, B & C	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.21(2)	duty to make submissions available	All Groups	
s.21A(4)	duty to publish notice in accordance with section	Groups A, B & C	
s.22	duty to consider all submissions	Groups A, B & C	except submissions which request a change to the items in s.22(5)(a) and (b)
s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	Groups A, B & C	
s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	Groups A, B & C	Only where Council has already resolved to refer the Amendment to a Panel
s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in section 96D)	Groups A, B & C	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.26(1)	power to make report available for inspection	Group A All other Groups	Group A: No conditions or limitations All other Groups: Only after the Planning Authority has decided whether or not to adopt the planning amendment or twenty eight days has elapsed since it received the panel's report.
s.26(2)	duty to keep report of panel available for inspection	Group A All other Groups	Group A: No conditions or limitations All other Groups: Only after the Planning Authority has decided whether or not to adopt the planning amendment or twenty eight days has elapsed since it received the panel's report.
s.27(2)	power to apply for exemption if panel's report not received	Group A	
s.28	duty to notify the Minister if abandoning an amendment	Groups A, B & C	Note: the power to make a decision to abandon an amendment cannot be delegated
s.30(4)(a)	duty to say if amendment has lapsed	Group A	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.30(4)(b)	duty to provide information in writing upon request	Group A	
s.32(2)	duty to give more notice if required	Groups A, B & C	
s.33(1)	duty to give more notice of changes to an amendment	Groups A, B & C	
s.36(2)	duty to give notice of approval of amendment	Groups A, B & C	
s.38(5)	duty to give notice of revocation of an amendment	Groups A, B & C	
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT	Groups A, B & C	
s.40(1)	function of lodging copy of approved amendment	Groups A, B & C	
s.41	duty to make approved amendment available	All Groups	
s.42	duty to make copy of planning scheme available	All Groups	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s. 46AW	function of being consulted by the Minister	Groups A, B and C	<u>where Council is a responsible public entity</u>
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	Groups A, B and C	<u>where Council is a responsible public entity</u>
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	Groups A, B, C & D	<u>where Council is a responsible public entity</u>
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	Groups A, B, C & D	<u>where Council is a responsible public entity</u>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GI(2)(b) (i)	power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	Groups A, B, C & D	where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s.46GJ(1)	function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	Groups A, B, C & D	
s.46GK	duty to comply with a Minister's direction that applies to Council as the planning authority	Groups A, B, C & D	
s.46GN(1)	duty to arrange for estimates of values of inner public purpose land	Groups A, B, C & D	
s.46GO(1)	duty to give notice to owners of certain inner public purpose land	Groups A, B, C & D	
s.46GP	function of receiving a notice under s.46GO	Groups A, B, C & D	where Council is the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GQ	function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	Groups A, B, C & D	
s.46GR(1)	duty to consider every submission that is made by the closing date for submissions included in the notice under s.46GO	Groups A, B, C & D	
s.46GR(2)	power to consider a late submission duty to consider a late submission if directed to do so by the Minister	Groups A, B, C & D	
s.46GS(1)	power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s.46GQ	Groups A, B, C & D	
s.46GS(2)	duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	Groups A, B, C & D	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GT(2)	duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	Groups A, B, C & D	
s.46GT(4)	function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	Groups A, B, C & D	
s.46GT(6)	function of receiving, from the valuer-general, written notice of a determination under s.46GT(5)	Groups A, B, C & D	
s.46GU	duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s.46GU(1)(a) and (b) are met	Groups A, B, C & D	
s.46GV(3)	function of receiving the monetary component and any land equalisation amount of the infrastructure contribution power to specify the manner in which the payment is to be made	Groups A, B, C & D	where Council is the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GV(3)(b)	power to enter into an agreement with the applicant	Groups A, B, C & D	where Council is the collecting agency
s.46GV(4)(a)	function of receiving the inner public purpose land in accordance with s.46GV(5) and (6)	Groups A, B, C & D	where Council is the development agency
s.46GV(7)	duty to impose the requirements set out in s.46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	Groups A, B, C & D	
s.46GV(9)	power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	Groups A, B, C & D	where Council is the collecting agency
s46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	Groups A, B, C & D	Where Council is the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GX(2)	duty, before accepting the provision of works, services or facilities by an applicant under s.46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	Groups A, B, C & D	where Council is the collecting agency
s.46GY(1)	duty to keep proper and separate accounts and records	Groups A, B, C & D	where Council is the collecting agency
s.46GY(2)	duty to keep the accounts and records in accordance with the <i>Local Government Act 1989</i> 2020	Groups A, B, C & D	where Council is the collecting agency
s.46GZ(2)(a)	duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	Groups A, B, C & D	where Council is the collecting agency under an approved infrastructure contributions plan this duty does not apply where Council is that planning authority
s.46GZ(2)(a)	function of receiving the monetary component	Groups A, B, C & D	where the Council is the planning authority this duty does not apply where Council is also the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZ(2)(b)	duty to forward any part of the of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in as responsible for those works, services or facilities	Groups A, B, C & D	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
s.46GZ(2)(b)	function of receiving the monetary component	Groups A, B, C & D	where Council is the development agency under an approved infrastructure contributions plan this provision does not apply where Council is also the collecting agency
s.46GZ(4)	duty to use any land equalisation amounts to pay land credit amounts under s.46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s.46GZ(5)	Groups A, B, C & D	where Council is the collecting agency under an approved infrastructure contributions plan

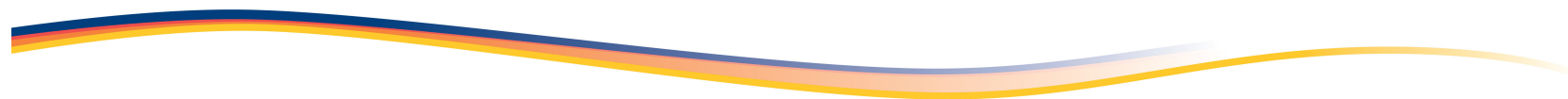
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZ(5)	duty to keep forward any part of land equalisation amount required for the acquisition of outer public purpose land	Groups A, B, C & D	where Council is the development agency specified in the approved infrastructure contributions plan this provision does not apply where Council is also the relevant collecting agency
s.46GZ(7)	duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s.46GW	Groups A, B, C & D	where Council is the collecting agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	Groups A & B	if any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s.46GV(4) where Council is the collecting agency under an approved infrastructure contributions plan this duty does not apply where Council is also the development agency
s.46GZ(9)	function of receiving the fee simple in the land	Groups A & B	where Council is the development agency under an approved infrastructure contributions plan this duty does not apply where Council is also the collecting agency
s.46GZA(1)	duty to keep proper and separate accounts and records	Groups A & B	where Council is a development agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZA(2)	duty to keep the accounts and records in accordance with the <i>Local Government Act 1989-2020</i>	Groups A, B, C & D	where Council is a development agency under an approved infrastructure contributions plan
s46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)		Where Council is a development agency under an approved infrastructure contributions plan
s46GZB(4)	duty in accordance with the requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	Groups A & B	if the VPA is the collecting agency under an approved infrastructure contributions plan where Council is a development agency under an approved infrastructure contributions plan
s.46GZD(2)	duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s.46GZD(2)(a) and (b)	Groups A & B	where Council is the development agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZD(3)	duty to follow the steps set out in s.46GZD(3)(a) and (b)	Groups A & B	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZD(5)	duty to make payments under s. 46GZD(3) in accordance with s.46GZD(5)(a) and 46GZD(5)(b).	Groups A & B	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZE(2)	duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	Chief Executive Officer Director Corporate Development Director City Development	where Council is the development agency under an approved infrastructure contributions plan this duty does not apply where Council is also the collecting agency
s.46GZE(2)	Duty within 12 month after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in S 46GZE(3)(a) and (b)	Groups A & B	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			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZE(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46 GZF (3)(a) and (b)	Groups A & B	where Council is the collecting agency under an approved infrastructure contributions plan
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	Groups A & B	where Council is the development agency under an approved infrastructure contributions plan
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
s.46GZF(3)	s.46GZF(3)(a) function of receiving proceeds of sale	Groups A & B	where Council is the collection agency under an approved infrastructure contributions plan this provision does not apply where Council is also the development agency



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZF(4)	duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s.46GZF(5)	Groups A & B	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZF(6)	duty to make the payments under s.46GZF(4) in accordance with s.46GZF(6)(a) and (b)	Groups A & B	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZH	power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	Groups A & B	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZI	duty to prepare and give a report to the Minister at the times required by the Minister	Groups A & B	where Council is a collecting agency or development agency
s.46GZK	power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	Groups A & B	where Council is a collecting agency or development agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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)	Groups A & B	
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	Groups A, B, C & D	
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	Groups A, B, C & D	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	Groups A & B	
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	Groups A & B	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	Groups A & B	
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	Groups A & B	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	Groups A & B	
s.46Q(1)	duty to keep proper accounts of levies paid	Chief Executive Officer Director Corporate Development Director City Development	
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	Chief Executive Officer Director Corporate Development Director City Development	
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	Chief Executive Officer Director Corporate Development Director City Development	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	Chief Executive Officer Director Corporate Development Director City Development	only applies when levy is paid to Council as a 'development agency'

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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)	Chief Executive Officer Director Corporate Development Director City Development	must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	Chief Executive Officer Director Corporate Development	must be done in accordance with Part 3
s.46Q(4)(e)	duty to expend that amount on other works etc.	Chief Executive Officer Director Corporate Development Director City Development	with the consent of, and in the manner approved by, the Minister
s.46QC	power to recover any amount of levy payable under Part 3B	Chief Executive Officer Director Corporate Development Director City Development	
s.46QD	duty to prepare report and give a report to the Minister	Groups A & B	where Council is a collecting agency or development agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	Groups A & B	
s46Y	Duty to carry out works in conformity with the approved strategy plan	Groups A & B	
s.47	power to decide that an application for a planning permit does not comply with that Act	All Groups	
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	All Groups	
s.49(2)	duty to make register available for inspection	All Groups	
s.50(4)	duty to amend application	Groups A, B, C, D, F & I	
s.50(5)	power to refuse to amend application	Groups A, B, C, D & I	
s.50A(1)	power to make amendment to application	Groups A, B, C, D, F & I	
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	Groups A, B, C, D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.50A(4)	duty to note amendment to application in register	Groups A, B, C, D, F & I	
s.51	duty to make copy of application available for inspection	All Groups	
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	Groups A, B, C, D, F & I	
s.52(1)(b)	duty to give notice of the application to other municipal Councils where appropriate	Groups A, B, C, D, F & I	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	Groups A, B, C, D, F & I	
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	Groups A, B, C, D, F & I	
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	Groups A, B, C & D	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	Groups A, B, C, D, F & I	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	Groups A, B, C & D	
s.52(3)	power to give any further notice of an application where appropriate	Groups A, B & C	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	Groups A, B, C, D, F, G & I	
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	Groups A, B, C, D, F, G & I	
s.54(1)	power to require the applicant to provide more information	Groups A, B, C, D, F, G & I	
s.54(1A)	duty to give notice in writing of information required under section 54(1)	Groups A, B, C, D, F, G & I	
s.54(1B)	duty to specify the lapse date for an application	Groups A, B, C, D, F & I	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	Groups A, B, C, D, F & I	

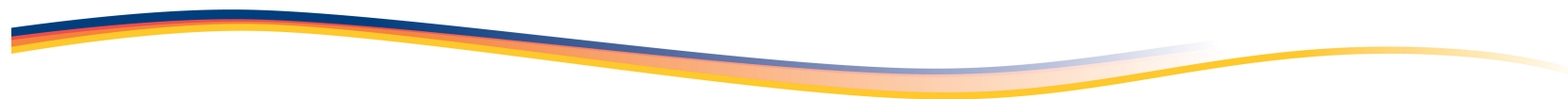
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.54A(4)	duty to give written notice of decision to extend or refuse to extend time und section 54A(3)	Groups A, B, C, D, F, G & I	
s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Groups A, B, C, D, F, G & I	
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	Group A	
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	Groups A, B, C, D, F & I	
s.57(5)	duty to make available for inspection copy of all objections	All Groups	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to section 57A(5)	Groups A, B, C, D, F & I	
s.57A(5)	power to refuse to amend application	Groups A, B, C & D, F & I	
s.57A(6)	duty to note amendments to application in register	All Groups	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.57B(1)	duty to determine whether and to whom notice should be given	Groups A, B, C & D, F & I	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	Groups A, B, C & D, F & I	
s.57C(1)	duty to give copy of amended application to referral authority	Groups A, B, C, D, F & I	
s.58	duty to consider every application for a permit	Groups A, B, C, D, F & I	
s.58A	power to request advice from the Planning Application Committee	Chief Executive Officer Director City Development	
s.60	duty to consider certain matters	Groups A, B, C, D, F & I	
s.60(1B)	duty to consider number of objectors in considering whether use or development may have significant social effect	Groups A, B, C, D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(1)(a)	power to decide to grant a permit	Groups A, B, C, D, F & I	<p>The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>The proposal must be considered to be in compliance with the Knox Planning Scheme, including the Municipal Strategic Statement and Local Planning Policy Framework and any incorporated documents to the planning scheme;</p> <p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> • an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. • an application which has received objections from the owners and/or occupiers of 15 or more separate properties, unless: <ul style="list-style-type: none"> ○ The site is located within an Activity Centre with a Structure Plan approved by Council; or ○ The site is located within an ‘Activity Area’ as identified in the Knox Housing Strategy 2015 (or as amended).

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p> <p>The above conditions and limitations to do not apply to the Chief Executive Officer where :</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <p>(c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions which they express before exercising the delegation</p>



Instrument of Delegation

March-July 2020

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(1)(b)	power to decide to grant a planning permit with conditions	Groups A, B, C, D, F & I	<p>The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>The proposal must be considered to be in compliance with the Knox Planning Scheme, including the Municipal Strategic Statement and Local Planning Policy Framework and any incorporated documents to the planning scheme;</p> <p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> • an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. • an application which has received objections from the owners and/or occupiers of 15 or more separate properties, unless: <ul style="list-style-type: none"> ○ The site is located within an Activity Centre with a Structure Plan approved by Council; or ○ The site is located within an ‘Activity Area’ as identified in the Knox Housing Strategy 2015 (or as amended).

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p> <p>The above conditions and limitations to do not apply to the Chief Executive Officer where :</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <p>(c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions which they express before exercising the delegation</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(1)(c)	power to refuse the permit	Groups A, B, C, D, F & I	<p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p> <p>The above conditions and limitations to do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <p>(c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions which they express before exercising the delegation</p>

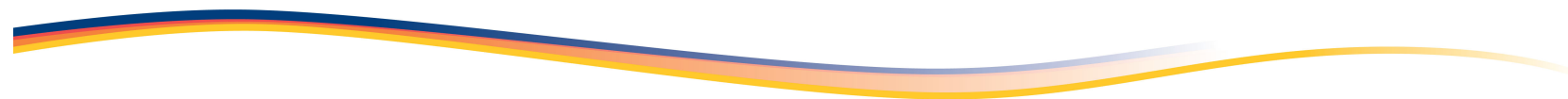
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	Groups A, B, C, D, F & I	<p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5)</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p> <p>The above conditions and limitations do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <p>(c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions which they express before exercising the delegation</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	Groups A, B, C, D, F & I	<p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p> <p>The above conditions and limitations do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <p>(c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions which they express before exercising the delegation</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Groups A, B, C, D, F & I	
s61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	Groups A, B, C, D, F & I	



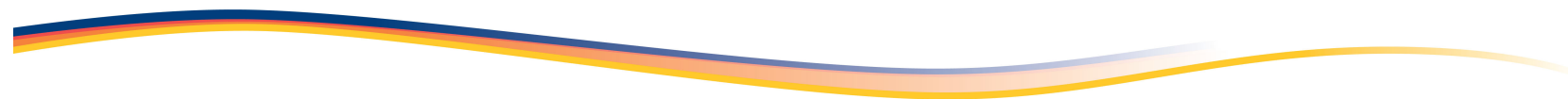
Instrument of Delegation

March-July 2020

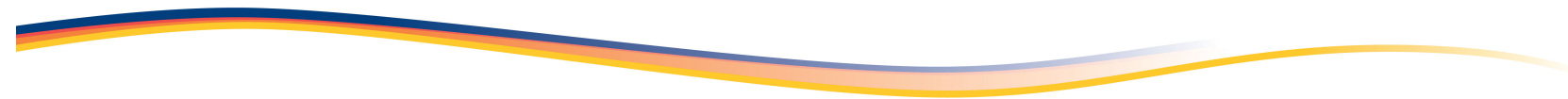
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	Groups A, B, C, D, F & I	<p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <ul style="list-style-type: none"> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p> <p>The above conditions and limitations to do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <p>(c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions which they express before exercising the delegation</p>

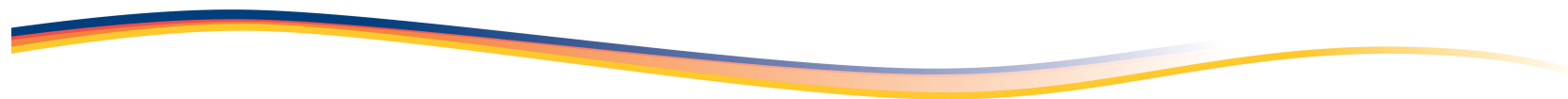
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.62(1)	duty to include certain conditions in deciding to grant a permit	Groups A, B, C, D, F & I	
s.62(2)	power to include other conditions	Groups A, B, C, D, F & I	
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	Groups A, B, C, D, F & I	
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	Groups A, B, C, D, F & I	
s.62(5)(b)	power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement	Groups A, B, C, D, F & I	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	Groups A, B, C & D, F & I	
s.62(6)(a)	duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with section 62(5) or section 46N	Groups A, B, C & D, F & I	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.62(6)(b)	duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in section 62(1)(a)	Groups A, B, C, D, F & I	
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	Groups A, B, C, D, F & I	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	Groups A, B, C, D, F & I	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(3)	duty not to issue a permit until after the specified period	Groups A, B, C, D, F & I	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(5)	duty to give each objector a copy of an exempt decision	Groups A, B, C, D, F & I	this provision applies also to a decision to grant an amendment to a permit - see section 75



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.64A	duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	Groups A, B, C, D, F & I	this provision applies also to a decision to grant an amendment to a permit - see section 75A
s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	Groups A, B, C, D, F & I	
s.66(1)	duty to give notice under section 64 or section 65 and copy permit to relevant determining referral authorities	Groups A, B, C, D, F & I	
s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	Groups A, B, C, D, F & I	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			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.66(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	Groups A, B, C, D, F & I	if the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	Groups A, B, C, D, F & I	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s.69(1)	function of receiving application for extension of time of permit	All Groups	
s.69(1A)	function of receiving application for extension of time to complete development	All Groups	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.69(2)	power to extend time	Groups A, B, C, D, F & I	<p>In exercising this power consideration must be given to the matters referred to in Butterworths' Casenotes 5.35 relating to 'Extension of Time' and:</p> <ul style="list-style-type: none"> • Whether there has been a change in planning circumstances of the site (ie changes in zoning or planning policy); • Whether there has been a change in the material circumstances of the site and surrounds; • The steps the owner may or may not have undertaken in an endeavour to act on the permit; • Whether the time limit imposed was adequate having regard to the actions required to fulfil permit conditions. <p>Group B, C, D, & F: May only exercise this power after obtaining the approval of at least one other delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves the removal or pruning of vegetation.</p>
s.70	duty to make copy permit available for inspection	Groups A, B, C, D, F & I	
s.71(1)	power to correct certain mistakes	Groups A, B, C, D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.71(2)	duty to note corrections in register	Groups A, B, C & D	
s.73	power to decide to grant amendment subject to conditions	Groups A, B, C & D	
s.74	duty to issue amended permit to applicant if no objectors	Groups A, B, C, D, F & I	
S75A	Duty not to issue an amended 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.	Groups A, B, C, D, F & I	
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Groups A, B, C, D, F & I	
s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	Groups A, B, C, D, F & I	

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

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	Groups A, B, C, D, F & I	<p><u>Decision to Support an Application</u></p> <p>The application must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>The proposal must be considered to be in compliance with the Knox Planning Scheme, including the Municipal Strategic Statement and Local Planning Policy Framework and any incorporated documents to the planning scheme;</p> <p>This power cannot be exercised in relation to:</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<ul style="list-style-type: none"> • an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. • an application which has received objections from the owners and/or occupiers of 15 or more separate properties, unless: <ul style="list-style-type: none"> ○ The site is located within an Activity Centre with a Structure Plan approved by Council; or ○ The site is located within an ‘Activity Area’ as identified in the Knox Housing Strategy 2015 (or as amended). <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p> <p><u>Decision to Oppose an Application</u></p> <p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p> <p>The above conditions and limitations to do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <p>(c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions which they express before exercising the delegation</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	Groups A, B, C, D, F & I	
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	Groups A, B, C, D, F & I	
s.84(6)	duty to issue permit on receipt of advice within 3 working days	Groups A, B, C, D, F & I	
s.84AB	power to agree to confining a review by the Tribunal	Groups A, B, C, D, F & I	
s.86	duty to issue a permit at order of Tribunal within 3 working days	Groups A, B, C, D, F & I	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	Group A	
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	Groups A, B, C, D & E	
s.91(2)	duty to comply with the directions of VCAT	Groups A, B, C, D & E, F & I	
s.91(2A)	duty to issue amended permit to owner if Tribunal so directs	Groups A, B, C, D & E, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	Groups A, B, C, D & E, F & I	
s.93(2)	duty to give notice of VCAT order to stop development	Groups A, B, C, D & E	
s.95(3)	function of referring certain applications to the Minister	Groups A, B & C	
s.95(4)	duty to comply with an order or direction	Groups A, B & C, F & I	
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	Groups A & B	
s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	Group A	
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	Groups A, B, C & D	
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	Groups A, B, C & D	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.96F	duty to consider the panel's report under section 96E	Group A	
s.96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	Groups A, B, C, D, F & I	<p><u>Decision to Support an Application</u></p> <p>The application must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>The proposal must be considered to be in compliance with the Knox Planning Scheme, including the Municipal Strategic Statement and Local Planning Policy Framework and any incorporated documents to the planning scheme;</p> <p>This power cannot be exercised in relation to:</p>

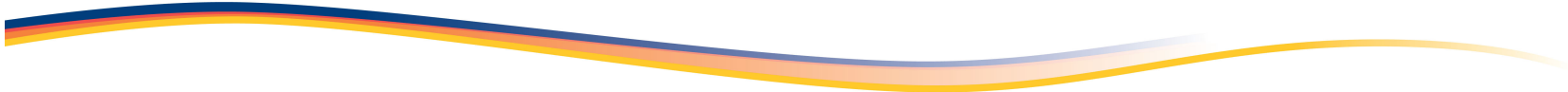
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<ul style="list-style-type: none"> • an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. • an application which has received objections from the owners and/or occupiers of 15 or more separate properties, unless: <ul style="list-style-type: none"> ○ The site is located within an Activity Centre with a Structure Plan approved by Council; or ○ The site is located within an ‘Activity Area’ as identified in the Knox Housing Strategy 2015 (or as amended). <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <ul style="list-style-type: none"> • <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISIO N	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISIO N	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p><u>Decision to Oppose an Application</u></p> <p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> • an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. • Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p> <p>The above conditions and limitations do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <p>(c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			which they express before exercising the delegation

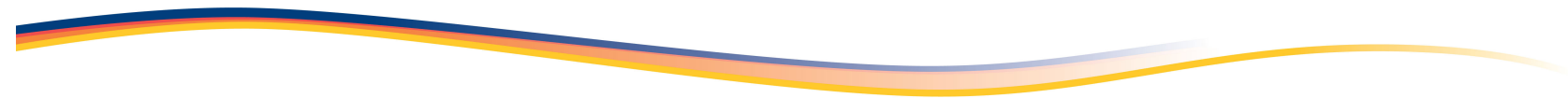


PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.96H(3)	power to give notice in compliance with Minister's direction	Groups A, B & C	
s.96J	power to issue permit as directed by the Minister	Groups A, B & C	
s.96K	duty to comply with direction of the Minister to give notice of refusal	Groups A, B & C	
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	All Groups	
s.97C	power to request Minister to decide the application	Group A	
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	Groups A, B & C	
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	Groups A, B & C	
s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	All Groups	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.97L	duty to include Ministerial decisions in a register kept under section 49	Groups A, B & C	
s.97MH	duty to provide information or assistance to the Planning Application Committee	Group A	
s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	Group A	
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	Groups A, B, C, D & E	
s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	Groups A, B, C, D & E	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	Groups A, B, C, D & E	
s.97Q(4)	duty to comply with directions of VCAT	Groups A, B, C, D & E	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	Groups A, B, C, D & E	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	Group A	
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	Group A	
s.101	function of receiving claim for expenses in conjunction with claim	Group A	
s.103	power to reject a claim for compensation in certain circumstances	Group A	
s.107(1)	function of receiving claim for compensation	Group A	
s.107(3)	power to agree to extend time for making claim	Group A	
s.114(1)	power to apply to the VCAT for an enforcement order	Groups A, B & E	
s.117(1)(a)	function of making a submission to the VCAT where objections are received	Groups A, B, C, D & E	
s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	Groups A, B & E	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.123(1)	power to carry out work required by enforcement order and recover costs	Groups A & E	
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	Group A	except Crown Land
s.129	function of recovering penalties	Groups A, B & E	
s.130(5)	power to allow person served with an infringement notice further time	Groups A, B & E	
s.149A(1)	power to refer a matter to the VCAT for determination	Groups A & B	
s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	Groups A & B	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.156	duty to pay fees and allowances (including a payment to the Crown under subsection (2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under subsection (2B) power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	Group A	where Council is the relevant planning authority
s.171(2)(f)	power to carry out studies and commission reports	Groups A, B, C, D & E	
s.171(2)(g)	power to grant and reserve easements	Group A	
s.172C	power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	Group A	where Council is a development agency specified in an approved infrastructure contributions plan
s.172D(1)	power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s.46GV(4)	Group A	where Council is a collecting agency specified in an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.172D(2)	power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s.46GV(4)	Group A	where Council is the development agency specified in an approved infrastructure contributions plan
s.173(1)	power to enter into agreement covering matters set out in section 174	Chief Executive Officer Director City Development	The Agreement must align with the requirements of a condition (s) on an issued Planning Permit
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	Group A	where council is the relevant responsible authority
---	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	Groups A, B, C & D	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
---	power to give consent on behalf of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	Groups A, B, C & D	
s.177(2)	power to end a section 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	Chief Executive Officer Director City Development	This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.
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	Chief Executive Officer Director City Development	The Agreement must align with the requirements of a condition (s) on an issued Planning Permit
s.178A(1)	function of receiving application to amend or end an agreement	Groups A, B, C & D	
s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	Groups A, B, C & D	
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Groups A, B, C & D	

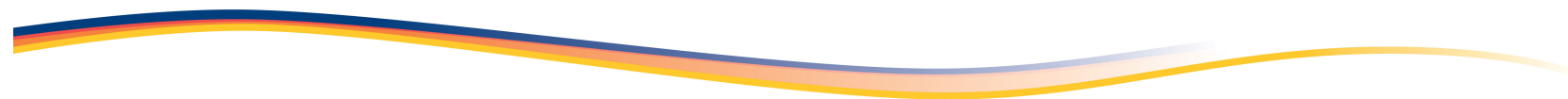
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178A(5)	power to propose to amend or end an agreement	Chief Executive Officer Director City Development	This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	Chief Executive Officer Director City Development	
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	Chief Executive Officer Director City Development	
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	Groups A, B, C & D	
s.178C(4)	function of determining how to give notice under s.178C(2)	Groups A, B, C & D	
s.178E(1)	duty not to make decision until after 14 days after notice has been given	Chief Executive Officer Director City Development	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(2)(a))	power to amend or end the agreement in accordance with the proposal	Chief Executive Officer Director City Development	<p>If no objections are made under s.178D Must consider matters in s.178B This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> • A section 173 agreement that was entered into via a resolution of Council; or • If any objections are made under s.178D <p>The above conditions and limitations do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			the issue, take the action or do the act or thing will lapse for want of a quorum; and <ul style="list-style-type: none"> (c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions which they express before exercising the delegation

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Chief Executive Officer Director City Development	<p>If no objections are made under s.178D Must consider matters in s.178B This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> • A section 173 agreement that was entered into via a resolution of Council; or • If any objections are made under s.178D <p>The above conditions and limitations do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			the issue, take the action or do the act or thing will lapse for want of a quorum; and <ul style="list-style-type: none"> (c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions which they express before exercising the delegation

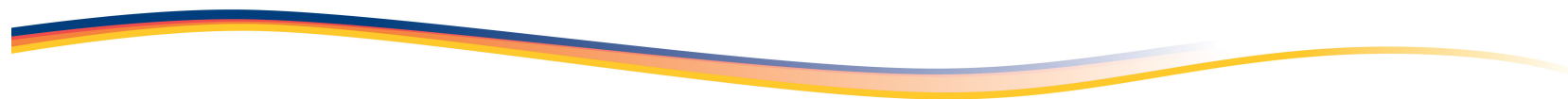


Instrument of Delegation

March-July 2020

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(2)(c)	power to refuse to amend or end the agreement	Chief Executive Officer Director City Development	<p>If no objections are made under s.178D</p> <p>Must consider matters in s.178B</p> <p>This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.</p> <p>The above conditions and limitations to do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <p>(c) the Chief Executive Officer makes every reasonable endeavour to consult with</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			Councillors, and has regard to any opinions which they express before exercising the delegation



Instrument of Delegation

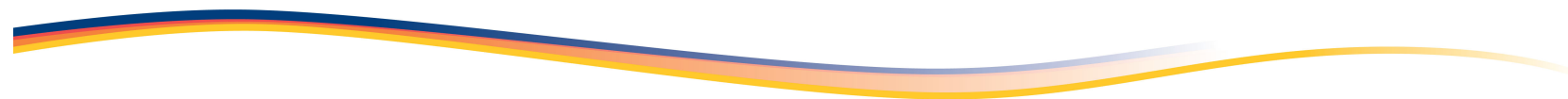
March-July 2020

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(3)(a))	power to amend or end the agreement in accordance with the proposal	Chief Executive Officer Director City Development	<p>After considering objections, submissions and matters in s.178B</p> <p>This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.</p> <p>The above conditions and limitations do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			(c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions which they express before exercising the delegation
s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Chief Executive Officer Director City Development	After considering objections, submissions and matters in s.178B This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	Chief Executive Officer Director City Development	<p>After considering objections, submissions and matters in s.178B</p> <p>This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.</p> <p>The above conditions and limitations do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			(c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions which they express before exercising the delegation



Instrument of Delegation

March-July 2020

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(3)(d)	power to refuse to amend or end the agreement	Chief Executive Officer Director City Development	<p>After considering objections, submissions and matters in s.178B</p> <p>This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.</p> <p>The above conditions and limitations do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			(c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions which they express before exercising the delegation
s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	Groups A, B, C & D	
s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	Groups A, B, C & D	
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	Groups A, B, C & D	
s.178G	duty to sign amended agreement and give copy to each other party to the agreement	Chief Executive Officer Director City Development	
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	Groups A, B, C & D	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Groups A, B, C & D	
s.179(2)	duty to make available for inspection copy agreement	Groups A, B, C, D & E	
s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Groups A, B, C & D	
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	Groups A, B, C & D	
s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	Groups A, B, C & D	
s.182	power to enforce an agreement	Groups A, B, C, D & E	
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	Groups A, B, C & D	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	Chief Executive Officer Director City Development	<p>This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.</p> <p>The above conditions and limitations do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <p>(c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			which they express before exercising the delegation
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	Chief Executive Officer Director City Development	
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	Groups A, B, C & D	
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	Groups A, B, C & D	
s.184G(2)	duty to comply with a direction of the Tribunal	Chief Executive Officer Director City Development	
s.184G(3)	duty to give notice as directed by the Tribunal	Groups A, B, C, D & F	
s.198(1)	function to receive application for planning certificate	Groups A, B & C	

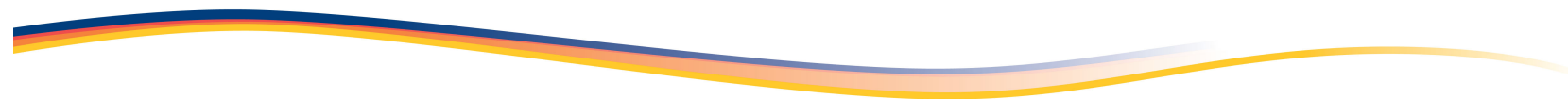
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.199(1)	duty to give planning certificate to applicant	Groups A, B & C	
s.201(1)	function of receiving application for declaration of underlying zoning	Group A	
s.201(3)	duty to make declaration	Group A	
Misc	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	Groups A, B, C, D & E	
Misc	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	Groups A, B, C & D	
Misc	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	Groups A, B, C & D	
Misc	power to give written authorisation in accordance with a provision of a planning scheme	Groups A, B, C & D	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Misc.	power to mediate an appeal at the Victorian Civil and Administrative Tribunal – Mediation Hearing	Groups A, B, C, & D	The mediated outcome shall be generally in accordance with the Council decision on the application.
Misc.	power to request that the Minister for Planning prepare and approve a Planning Scheme Amendment	Group A	The Planning Scheme Amendments requested must be matters which do not require advertising and have no policy implications, such as urgent, or minor, administrative or procedural matters, or rectification of errors.
Misc.	power to make minor changes to a Planning Scheme Amendment	Group A	Changes must not affect the purpose or intent of the Amendment.

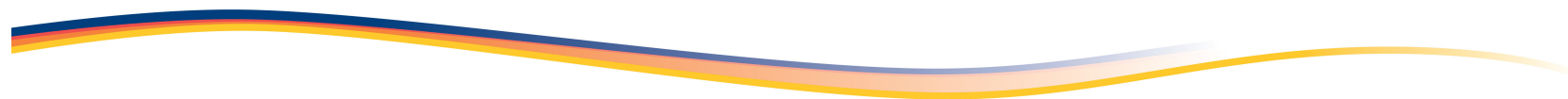
s201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	All Groups	
s201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	All Groups	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s91ZU(1)	Power to give a renter a notice to vacate rented premises	Chief Executive Officer Director – City Development Director- Corporate Services Manager - City Safety & Health Coordinator - Health Services	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 1 January 2021 July 2020 , unless proclaimed earlier.
S91ZZC(1)	Power to give a renter a notice to vacate rented premises	Chief Executive Officer Director – City Development Director- Corporate Services Manager - City Safety & Health Coordinator - Health Services	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 1 January 2021 July 2020 , unless proclaimed earlier.
S91ZZE(1)	Power to give a renter a notice to vacate rented premises	Chief Executive Officer Director – City Development Director- Corporate Services Manager - City Safety & Health Coordinator - Health Services	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 January 2021 July 2020 , unless proclaimed earlier.
S91ZZE(3)	Power to give a renter a notice to vacate rented premises	Chief Executive Officer Director – City Development Director- Corporate Services Manager - City Safety & Health Coordinator - Health Services	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 1 January 2021 July 2020 , unless proclaimed earlier.

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.142D	function of receiving notice regarding an unregistered rooming house	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services	
s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal district	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services	
s. 142G(2)	power to enter certain information in the Rooming House Register	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services	
s.142I(2)	power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services	
S206AZA(2)	Function of receiving written notification	Chief Executive Officer Director – City Development Manager - City Safety & Health Coordinator - Health Services	Note: this function is not yet in force and will commence on 1 January 2021 <u>July 2020</u> , unless proclaimed earlier.



RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
S207ZE(2)	Function of receiving written notification	Chief Executive Officer Director – City Development Manager - City Safety & Health Coordinator - Health Services	Note: this function is not yet in force and will commence on 1 January 2021 <u>July 2020</u> , unless proclaimed earlier.
s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	Chief Executive Officer Director – City Development Director – Corporate Services	where Council is the landlord Note: this provision will be repealed on 1 July 2020, unless proclaimed earlier.
s.262(1)	power to give tenant a notice to vacate rented premises	Chief Executive Officer Director – City Development Director – Corporate Services	where Council is the landlord Note: this provision will be repealed on 1 July 2020, unless proclaimed earlier.
s.262(3)	power to publish its criteria for eligibility for the provision of housing by Council	Chief Executive Officer Director – City Development Director – Corporate Services	Note: this provision will be repealed on 1 July 2020, unless proclaimed earlier.
S311A(2)	Function of receiving written notification	Chief Executive Officer Director – City Development Manager - City Safety & Health Coordinator - Health Services	

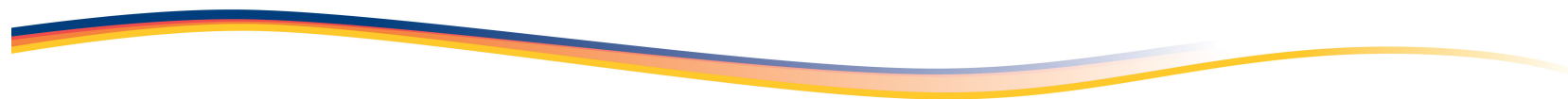


Instrument of Delegation

March July 2020

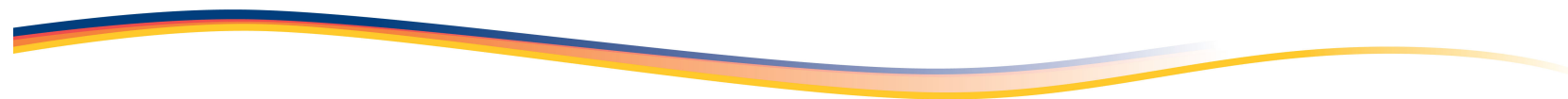
RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
S317ZDA(2)	Function of receiving written notification	Chief Executive Officer Director – City Development Manager - City Safety & Health Coordinator – Health Services	
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services	
s.522(1)	power to give a compliance notice to a person	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Environmental Health Officer	
s.525(2)	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Environmental Health Officer	
s.525(4)	duty to issue identity card to authorised officers	Chief Executive Officer Director – City Development Director- Corporate Services Manager – Governance	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.526(5)	duty to keep record of entry by authorised officer under section 526	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Environmental Health Officer	
s.526A(3)	function of receiving report of inspection	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Environmental Health Officer	
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	Chief Executive Officer Director – City Development Manager – City Safety & Health	



PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r. 6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	All Groups	where Council is not the planning authority and the amendment affects land within its municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	Groups A, B, C, D, F & I	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	Groups A, B, C & D	where Council is the responsible authority
r.25(b))	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	Groups A, B, C, D, F & I	where Council is not the responsible authority but the relevant land is within Council's municipal district

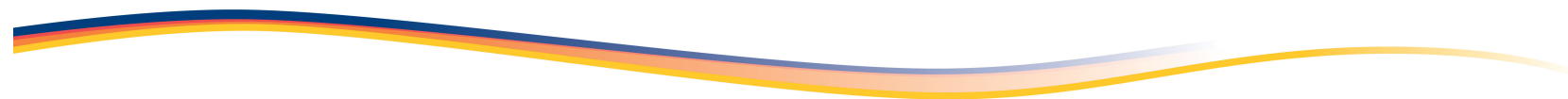
r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	Groups A, B, C & D	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
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Instrument of Delegation

March-July 2020

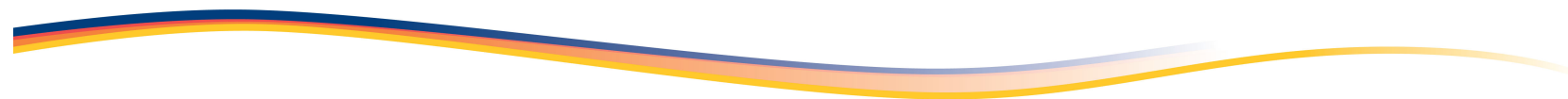
PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.19	power to waive or rebate a fee relating to an amendment of a planning scheme	Group A	
r.20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	Group A & B	
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	Groups A & B	



Instrument of Delegation

March-July 2020

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.7	function of entering into a written agreement with a caravan park owner	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services Environmental Health Officer	
r.11	function of receiving application for registration	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services	
r.13(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services	
r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services	
r.13(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services	



Instrument of Delegation

March July 2020

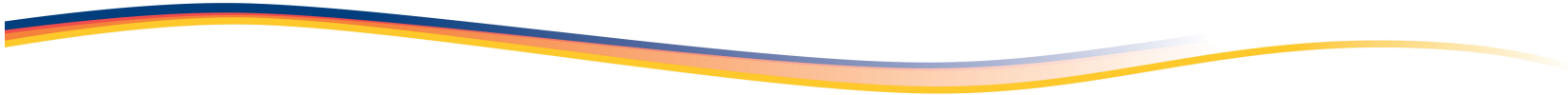
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.13(4) & (5)	duty to issue certificate of registration	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services	
r.15(1)	function of receiving notice of transfer of ownership	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services	
r.15(3)	power to determine where notice of transfer is displayed	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services	
r.16(1)	duty to transfer registration to new caravan park owner	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services	
r.16(2)	duty to issue a certificate of transfer of registration	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.17(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services	
r.18	duty to keep register of caravan parks	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services	
r.19(4)	power to determine where the emergency contact person's details are displayed	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services Environmental Health Officer	
r.19(6)	power to determine where certain information is displayed	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services Environmental Health Officer	
r.22A(1)	duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services Environmental Health Officer	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.22A(2)	duty to consult with relevant emergency services agencies	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services Environmental Health Officer	
r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services Environmental Health Officer	
r.24	power to determine places in which caravan park owner must display copy of public emergency warnings	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services Environmental Health Officer	
r.25(3)	duty to consult with relevant floodplain management authority	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services Environmental Health Officer	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.26	duty to have regard to any report of the relevant fire authority	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services Environmental Health Officer	
r.28(e)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services Environmental Health Officer	
r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services Environmental Health Officer	
r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services Environmental Health Officer	

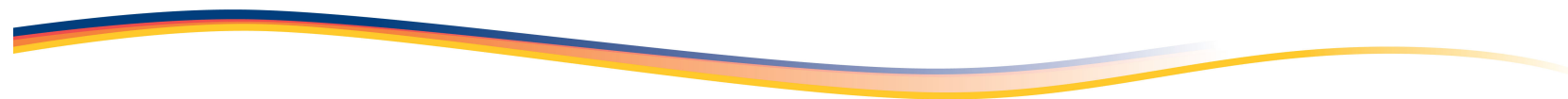
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.40(4)	function of receiving installation certificate	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services Environmental Health Officer	
r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services Environmental Health Officer	
Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Services Environmental Health Officer	



Instrument of Delegation

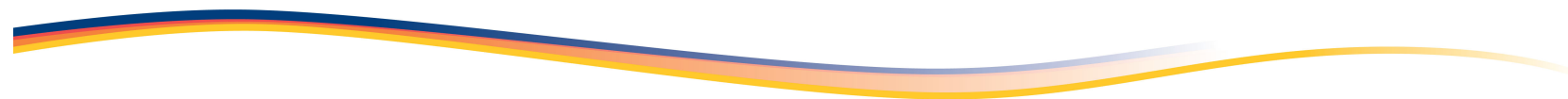
March July 2020

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
<u>r 7</u>	<u>Power to enter into a written agreement with a caravan park owner</u>	<u>Chief Executive Officer</u> <u>Director - City Development</u> <u>Manager - City Safety & Health</u> <u>Coordinator - Health Services</u> <u>Environmental Health Officer</u>	
<u>r 10</u>	<u>Function of receiving application for registration</u>	<u>Chief Executive Officer</u> <u>Director - City Development</u> <u>Manager - City Safety & Health</u> <u>Coordinator - Health Services</u>	
<u>r 11</u>	<u>Function of receiving application for renewal of registration</u>	<u>Chief Executive Officer</u> <u>Director - City Development</u> <u>Manager - City Safety & Health</u> <u>Coordinator - Health Services</u>	
<u>r 12(1)</u>	<u>Duty to grant the registration if satisfied that the caravan park complies with these regulations</u>	<u>Chief Executive Officer</u> <u>Director - City Development</u> <u>Manager - City Safety & Health</u> <u>Coordinator - Health Services</u>	
<u>r 12(1)</u>	<u>Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations</u>	<u>Chief Executive Officer</u> <u>Director - City Development</u> <u>Manager - City Safety & Health</u> <u>Coordinator - Health Services</u>	
<u>r 12(2)</u>	<u>Duty to renew the registration if satisfied that the caravan park complies with these regulations</u>	<u>Chief Executive Officer</u> <u>Director - City Development</u> <u>Manager - City Safety & Health</u> <u>Coordinator - Health Services</u>	



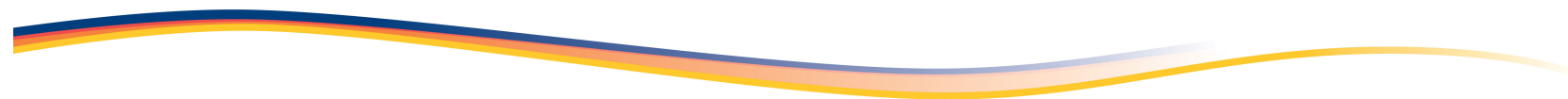
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services	
r 12(4) & (5)	Duty to issue certificate of registration	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services	
r 14(1)	Function of receiving notice of transfer of ownership	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services	
r 14(3)	Power to determine where notice of transfer is displayed	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services	
r 15(1)	Duty to transfer registration to new caravan park owner	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 15(2)	Duty to issue a certificate of transfer of registration	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services	
r 15(3)	Power to determine where certificate of transfer of registration is displayed	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	Chief Executive Officer Director - City Development	
r 17	Duty to keep register of caravan parks	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services	
r 18(4)	Power to determine where the emergency contact person's details are displayed	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Environmental Health Officer	
r 18(6)	Power to determine where certain information is displayed	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Environmental Health Officer	

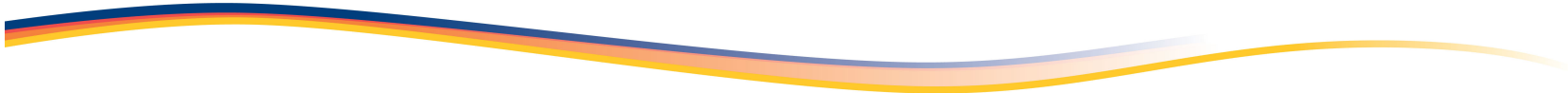


RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Environmental Health Officer	
r 22(2)	Duty to consult with relevant emergency services agencies	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Environmental Health Officer	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Environmental Health Officer	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Environmental Health Officer	
r 25(3)	Duty to consult with relevant floodplain management authority	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Environmental Health Officer	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 26	Duty to have regard to any report of the relevant fire authority	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Environmental Health Officer	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Environmental Health Officer	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Environmental Health Officer	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Environmental Health Officer	
r 41(4)	Function of receiving installation certificate	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Environmental Health Officer	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
<u>r 43</u>	<u>Power to approve use of a non-habitable structure as a dwelling or part of a dwelling</u>	<u>Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Environmental Health Officer</u>	
<u>Sch 3 cl 4(3)</u>	<u>Power to approve the removal of wheels and axles from unregistrable movable dwelling</u>	<u>Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Environmental Health Officer</u>	



Instrument of Delegation

March-July 2020

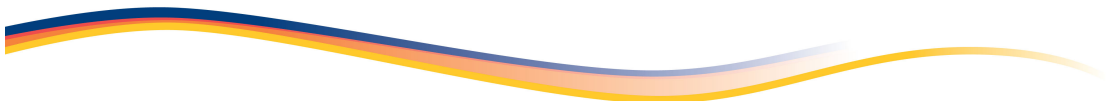


INSTRUMENT OF DELEGATION COUNCIL TO COUNCIL STAFF – DOMESTIC ANIMALS, ENVIRONMENT PROTECTION & FOOD ACT

In exercise of the powers conferred by ~~section 98(1) and 86(3) of the Local Government Act 1989~~ and the other legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. declares that:
 - 2.1 this Instrument of Delegation is authorised by a resolution of Council passed on 27 ~~July 2020~~ March 2018; and
 - 2.2 the delegation:
 - 2.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2.2 remains in force until varied or revoked;
 - 2.2.3 is subject to any conditions and limitations set out in sub-paragraph ~~32.3~~, and the Schedule; and
 - 2.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 2.3.1 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 a Council Meeting; or
 - 2.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategy
 adopted by Council; or

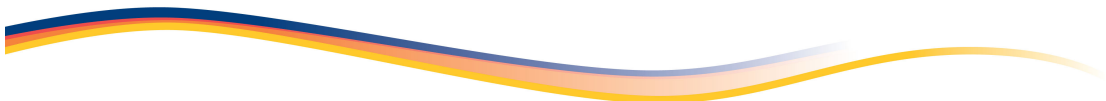
SCHEDULE



| **Instrument of Delegation – Council to Council Staff** ~~January 2019~~ July 2020

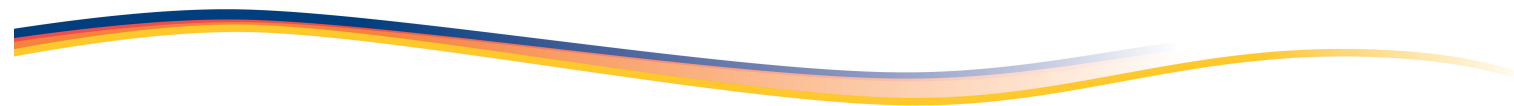
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FOOD ACT 1984	<u>5</u>



Instrument of Delegation – Council to Council Staff **January 2019****July 2020**

DOMESTIC ANIMALS ACT 1994			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.41A(1)	power to declare a dog to be a menacing dog	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator - Community Laws	Council may delegate this power to an authorised officer



Instrument of Delegation – Council to Council Staff

January 2019 July 2020

ENVIRONMENT PROTECTION ACT 1970			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.53M(3)	power to require further information	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator- Health Compliance Environmental Health Officer Authorised Officer	
s.53M(4)	duty to advise applicant that application is not to be dealt with	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator- Health Compliance Environmental Health Officer Authorised Officer	
s.53M(5)	duty to approve plans, issue permit or refuse permit	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator- Health Compliance Environmental Health Officer Authorised Officer	refusal must be ratified by Council or it is of no effect
s.53M(6)	power to refuse to issue septic tank permit	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator- Health Compliance Environmental Health Officer Authorised Officer	refusal must be ratified by Council or it is of no effect

ENVIRONMENT PROTECTION ACT 1970			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.53M(7)	duty to refuse to issue a permit in circumstances in (a)-(c)	Chief Executive Officer Director – City Development Manager – City Safety & Health	refusal must be ratified by Council or it is of no effect

Instrument of Delegation

~~January 2019~~ July 2020

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator- Health Compliance Environmental Health Officer Authorised Officer	If section 19(1) applies
s.19(2)(b)	power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator- Health Compliance Environmental Health Officer Authorised Officer	If section 19(1) applies
s.19(3)	power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator- Health Compliance Environmental Health Officer Authorised Officer	If section 19(1) applies Only in relation to temporary food premises or mobile food premises
s.19(4)(a)	power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	Chief Executive Officer Director – City Development Manager – City Safety & Health	If section 19(1) applies

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19(6)(a)	duty to revoke any order under section 19 if satisfied that an order has been complied with	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	If section 19(1) applies
s.19(6)(b)	duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer	If section 19(1) applies
s.19AA(2)	power to direct, by written order, that a person must take any of the actions described in (a)-(c).	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	where Council is the registration authority
s.19AA(4)(c)	power to direct, in an order made under s.19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	Note: the power to direct the matters under s.19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s.19AA(7)	duty to revoke order issued under s.19AA and give written notice of revocation, if satisfied that that order has been complied with	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19CB(4)(b)	power to request copy of records	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer	where Council is the registration authority
s.19E(1)(d)	power to request a copy of the food safety program	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer	where Council is the registration authority
s.19GB	power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer	where Council is the registration authority
s.19M(4)(a) & (5)	power to conduct a food safety audit and take actions where deficiencies are identified	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator- Health Compliance Environmental Health Officer	where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19NA(1)	power to request food safety audit reports	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator- Health Compliance Environmental Health Officer Authorised Officer	where Council is the registration authority
s.19U(3)	power to waive and vary the costs of a food safety audit if there are special circumstances	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	
s.19UA	power to charge fees for conducting a food safety assessment or inspection	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39.
s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer Authorised Officer	where Council is the registration authority
s.19W(3)(a)	power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer Authorised Officer	where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19W(3)(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	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer Authorised Officer	where Council is the registration authority
---	power to register, renew or transfer registration	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	where Council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see section 58A(2))
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	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer Authorised Officer	Where Council is the registration authority
s.38AB(4)	power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	where Council is the registration authority
s.38A(4)	power to request a copy of a completed food safety program template	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer	where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer	where Council is the registration authority
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer Authorised Officer	where Council is the registration authority
s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer Authorised Officer	where Council is the registration authority
s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer Authorised Officer	where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer Authorised Officer	where Council is the registration authority
s.38D(3)	power to request copies of any audit reports	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer Authorised Officer	where Council is the registration authority
s.38E(2)	power to register the food premises on a conditional basis	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	where Council is the registration authority; not exceeding the prescribed time limit defined under subsection (5).
s.38E(4)	duty to register the food premises when conditions are satisfied	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer Authorised Officer	where Council is the registration authority
s.39A	power to register, renew or transfer food premises despite minor defects	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	where Council is the registration authority only if satisfied of matters in subsections (2)(a)-(c)
s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer	
s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	where Council is the registration authority
s.40D(1)	power to suspend or revoke the registration of food premises	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance	where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer	where Council is the registration authority
s.43F(7)	power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer	where Council is the registration authority
s.46(5)	power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	Chief Executive Officer Director – City Development Manager – City Safety & Health Coordinator – Health Compliance Environmental Health Officer	where Council is the registration authority



Knox City Council

Instrument of Delegation

to

The Chief Executive Officer



Instrument of Delegation

In exercise of the power conferred by section 11(1) of the *Local Government Act 2020 (the Act)* and all other powers enabling it, the Knox City Council (**Council**) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to ~~of~~ this Instrument of Delegation.

AND declares that

1. ~~This~~ this Instrument of Delegation is authorised by a Resolution of Council passed on 27 July 2020 ~~22 June 2020~~.
2. ~~The~~ the delegation
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2 is subject to any conditions and limitations set out in the Schedule;
 - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.4 remains in force until Council resolves to vary or revoke it.

The COMMON SEAL of KNOX CITY COUNCIL was hereunto affixed pursuant to a resolution of Council on ~~22 June~~ 27 July 2020 in the presence of:

Cr Nicole Seymour - Mayor

Tony Doyle - Chief Executive Officer

Date:



SCHEDULE

1. The power to
 - 1.1 determine any issue;
 - 1.2 take any action; or
 - 1.3 do any act or thing

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

CONDITIONS AND LIMITATIONS

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

1. if the issue, action, act or thing is an issue, action, act or thing which involves:
 - 1.1 Expenditure that is:
 - 1.1.1 a contract with a value exceeding \$1,000,000 (including GST) that is not a multi-year contract; or
 - 1.1.2 a multi-year contract with a value exceeding \$500,000 (including GST) per annum for each year of the contract, up to 5 consecutive years; or
 - 1.1.3 ~~Other~~ other expenditure exceeding \$1,000,000 (including GST).
 - 1.2 appointing an Acting Chief Executive Officer for a period exceeding 28 days;
 - 1.3 ~~election-electing~~ of a Mayor or Deputy Mayor;
 - 1.4 granting ~~of~~ a reasonable request for leave under section 35 of the Act;
 - 1.5 making any decision in relation to employment, dismissal or removal of the Chief Executive Officer;
 - 1.6 making, amending or revoking a Local Law;
 - 1.7 ~~approving or amending approval or amendment of~~ the Council Plan;
 - 1.8 ~~adopting or amending adoption or amendment of~~ any Policy that Council is required to adopt under the Act;
 - 1.9 ~~adopting or amending adoption or amendment~~ the Governance Rules;
 - 1.10 ~~appointment of~~ appointing the chair or the members to a delegated committee;
 - 1.11 ~~approval of~~ approving the Budget or ~~the~~ Revised Budget;



- 1.12 approving the borrowing of money;
 - 1.13 subject to s181H(1)(b) of the Local Government Act 1989, declaring general rates, municipal charges, service rates and charges and specified rates and charges;
 - 1.14 appointing ment of Councillor or community delegates or representatives to external organisations;
 - 1.15 the entering into of any contract for the sale, purchase or exchange of land, with or without consideration;
 - 1.16 the disposal of any land for any unpaid rates or charges;
 - 1.17 the exercise of entrepreneurial powers under Section 193(1) and (2) of the Local Government Act 1989 or the powers in relation to beneficial enterprises under Section 110(1) and 110(2) of the Local Government Act 2020;
 - 1.18 the establishment of any regional Corporation of which Council is intending to become a member;
 - 1.19 the waiving of a single debt above the value of \$10,000;
 - 1.20 the imposition, reduction, alteration or waiver of any fee or charge, including interest which the Council may lawfully impose, above the value of \$5,000; or
2. If the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution at a Council Meeting;
 3. If any issue, action, act or thing is an issue, action, act or thing which Council has previously designated as an issue, action, act or thing which must be subject to the Resolution of Council at a Council Meeting, Special Committee Meeting or a delegated Committee Meeting;
 4. If the determining of the issue, the 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
 - 4.1 policy; or
 - 4.2 strategy
 adopted by Council; ~~or~~
 5. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 11(2)(a)-(n) (inclusive) of the Act or otherwise; or
 6. 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.

7 Public Question Time

Following the completion of business relating to Item 6, City Development, the business before the Council Meeting will now be deferred to consider questions submitted by the public.