

***S6 Instrument of Delegation - Members of Staff  
(Various Legislation)***

**Glen Eira City Council**

**Instrument of Delegation**

**to**

**Members of Council Staff**

## Instrument of Delegation

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

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

Reference	Meaning
<b>CCC</b>	Coordinator Civic Compliance
<b>CEO</b>	Chief Executive Officer
<b>CPH</b>	Coordinator Public Health
<b>CSBS</b>	Coordinator Statutory Building Services
<b>CTES</b>	Coordinator Transport Engineering and Safety
<b>DMBS</b>	Deputy Municipal Building Surveyor
<b>DPP</b>	Director Planning and Place
<b>DSAL</b>	Director Sustainability, Assets and Leisure
<b>EHO</b>	Environmental Health Officer
<b>MPBS</b>	Manager Planning and Building Services
<b>MCSC</b>	Manager Community Safety and Compliance
<b>MPS</b>	Manager Parks Services
<b>MSA</b>	Manager Sustainability and Assets
<b>MWD</b>	Manager Works Depot
<b>PRC</b>	Manager Legal, Risk & Governance, General Counsel, Coordinator Legal and Governance, Senior Legal and Governance Officer or Legal and Governance Officer
<b>MBS</b>	Municipal Building Surveyor
<b>SIPL</b>	Strategic Infrastructure Planning Lead
<b>TLPH</b>	Team Leader Public Health

3. declares that:
  - 3.1 this instrument of Delegation is authorised by resolution of Council passed on 25 February 2025 and
  - 3.2 the delegation:
    - 3.2.1 comes into force immediately after the passing of the resolution of Council described in part 3.1;
    - 3.2.2 remains in force until varied or revoked;
    - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
    - 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

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

# **SCHEDULE**

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<b>DOMESTIC ANIMALS ACT 1994</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
s 41A(1)	Power to declare a dog to be a menacing dog	MCSC CCC	Council may delegate this power to a Council authorised officer

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	CPH TLPH MCSC	If s 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	CPH TLPH MCSC	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	CEO	If s 19(1) applies
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, (ia) displayed at any point of sale, (ib) be published on the food business's Internet site and (ii) inform the public by notice in a published newspaper, on the Internet site or otherwise	CEO	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under s 19 if satisfied that an order has been complied with	CEO CPH TLPH MCSC	If s 19(1) applies

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 19(6)(b)	Duty to give written notice of revocation under s 19(6)(a) if satisfied that an order has been complied with	CEO CPH TLPH MCSC	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	CEO CPH TLPH MCSC	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	CEO CPH TLPH MCSC	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 or CEO
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	CEO CPH TLPH MCSC	Where Council is the registration authority



s 19CB(4)(b)	Power to request copy of records	CPH TLPH MCSC	Where Council is the registration authority
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<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 19E(1)(d)	Power to request a copy of the food safety program	CPH TLPH EHO MCSC	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	CPH TLPH EHO MCSC	Where Council is the registration authority
s 19FA(1)	Power to direct a proprietor of a food premises to revise the food safety program for the premises or comply with any requirements specified in the food safety program	CPH TLPH	Where Council is the registration authority Only in relation to temporary food premises or mobile food premises Subject to s 19FA(2), which requires a time limit for compliance to be specified
s 19FA(3)(a)	Power to refuse to approve an application for registration or renewal of the premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	CPH TLPH	Where Council is the registration authority Only in relation to temporary food premises or mobile food premises Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 19FA(3)(b)	Power to revoke a registration granted in respect of premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	CPH TLPH	Where Council is the registration authority Only in relation to temporary food premises or mobile food premises

s 19FA(3)(c)	Power to suspend the registration of the premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	CPH TLPH	Where Council is the registration authority  Only in relation to temporary food premises or mobile food premises
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	CPH TLPH EHO MCSC	Where Council is the registration authority
s 19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant	CPH  TLPH  EHO  MCSC	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	CPH  TLPH  MCSC	Where Council is the registration authority  Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s19IA(3))
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	CPH TLPH EHO MCSC	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	CPH TLPH EHO MCSC	Where Council is the registration authority

s 19NA(1)	Power to request food safety audit reports	CPH TLPH EHO MCSC	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	CPH TLPH MCSC	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	CPH TLPH MCSC	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	CPH TLPH MCSC	Where Council is the registration authority

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	CPH TLPH MCSC	Where Council is the registration authority
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	CPH TLPH MCSC	Where Council is the registration authority
---	Power to register or renew the registration of a food premises	CPH TLPH MCSC	Where Council is the registration authority  Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	CPH TLPH MCSC	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	CPH TLPH MCSC	Where Council is the registration authority
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	CPH TLPH	Where Council is the registration authority

		EHO MCSC	
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<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	CPH	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	CPH TLPH EHO MCSC	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	CPH TLPH EHO MCSC	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	CPH TLPH EHO MCSC	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	CPH TLPH EHO MCSC	Where Council is the registration authority

s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	CPH TLPH EHO MCSC	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	CPH TLPH EHO MCSC	Where Council is the registration authority



<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 38D(3)	Power to request copies of any audit reports	CPH TLPH EHO MCSC	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditionalbasis	CPH TLPH MCSC	Where Council is the registration authority; not exceeding the prescribed time limit definedunder s 38E(5)
s 38E(4)	Duty to register the food premises when conditionsare satisfied	CPH TLPH MCSC	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply withrequirements of this Act	CPH TLPH MCSC	Where Council is the registration authority
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	CPH TLPH MCSC	Where Council is the registration authority
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	CPH TLPH	Where Council is the registration authority

		EHO MCSC	
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	CPH TLPH MCSC	Where Council is the registration authority
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	CPH TLPH EHO MCSC	Where Council is the registration authority
s 39A	Power to register or renew the registration of food premises despite minor defects	CPH TLPH MCSC	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 39A(6)	Duty to comply with a direction of the Secretary	CPH TLPH MCSC	Where Council is the registration authority
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	CPH TLPH MCSC	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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>	CPH TLPH MCSC	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	CPH TLPH MCSC	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	CEO	Where Council is the registration authority
s 40E	Duty to comply with direction of the Secretary	CEO CPH TLPH MCSC	
s 40F	Power to cancel registration of food premises	CPH TLPH MCSC	Where Council is the registration authority
s 43	Duty to maintain records of registration	CPH TLPH	Where Council is the registration authority

		EHO MCSC	
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering or renewing registration of a component of a food business	CPH TLPH  EHO  MCSC	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	CPH TLPH  MCSC	Where Council is the registration authority  Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 45AC	Power to bring proceedings	CPH  TLPH  EHO  MCSC	

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
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	CPH TLPH EHO MCSC	Where Council is the registration authority

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	CEO DPP	Must first obtain Executive Director's written consent  Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 185L(4)	Power to declare and levy a cladding rectification charge	CEO <sup>1</sup>	

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

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	MPBS CSBS DMBS MBS	



RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 522(1)	Power to give a compliance notice to a person	MPBS MCSC CSBS DMBS  MBS  CPH TLPH EHO	
s 525(2)	Power to authorise an officer to exercise powers in s526 (either generally or in a particular case)	CEO  DPP MPBS MCSC DMBS  MBS  CSBS CPH	
s 525(4)	Duty to issue identity card to authorised officers	MCSC  CPH	

s 526(5)	Duty to keep record of entry by authorised officer under s 526	MCSC CPH	
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RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 526A(3)	Function of receiving report of inspection	MCSC	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CEO DPP MCSC CPH TLPH	

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	Not delegated	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	Not delegated	
s 11(9)(b)	Duty to advise Registrar	DSAL	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	DSAL	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	DSAL	Where Council is the coordinating road authority

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 12(10)	Duty to notify of decision made	DSAL	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	DSAL	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	DSAL	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	DSAL	

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
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	DSAL	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	DSAL	
s 15(2)	Duty to include details of arrangement in public roads register	DSAL MSA SIPL	
s 16(7)	Power to enter into an arrangement under s 15	DSAL	
s 16(8)	Duty to enter details of determination in public roads register	DSAL	
s 17(2)	Duty to register public road in public roads register	DSAL MSA SIPL	Where Council is the coordinating road authority

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 17(3)	Power to decide that a road is reasonably required for general public use	DSAL DPP MSA SIPL	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	DSAL MSA SIPL	Where Council is the coordinating road authority
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	DSAL DPP	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	DSAL MSA SIPL	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	DSAL MSA SIPL	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s18(2)

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 18(3)	Duty to record designation in public roads register	DSAL MSA SIPL	Where Council is the coordinating road authority
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	DSAL MSA SIPL	
s 19(4)	Duty to specify details of discontinuance in public roads register	DSAL MSA SIPL	
s 19(5)	Duty to ensure public roads register is available for public inspection	DSAL MSA SIPL	
s 21	Function of replying to request for information or advice	DSAL	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	DSAL	



<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	DSAL MSA SIPL	
s 22(5)	Duty to give effect to a direction under s 22	DSAL MSA SIPL	
s 40(1)	Duty to inspect, maintain and repair a public road.	DSAL MSA MWD SIPL	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	DSAL  MSA  MWD  SIPL	

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	DSAL MSA SIPL MWD	
s 42(1)	Power to declare a public road as a controlled accessroad	Not delegated	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	DSAL	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	DSAL	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	DSAL	Where Council is the coordinating road authority If road is a municipal road or part thereof and where road is to be specified a freight road
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	DSAL	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 s 48M	DSAL	

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 49	Power to develop and publish a road management plan	DSAL	
s 51	Power to determine standards by incorporating the standards in a road management plan	DSAL	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	DSAL	
s 54(2)	Duty to give notice of proposal to make a road management plan	DSAL	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	DSAL MSA SIPL	
s 54(6)	Power to amend road management plan	DSAL MSA SIPL	
s 54(7)	Duty to incorporate the amendments into the road management plan	DSAL MSA SIPL	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	DSAL	
s 63(1)	Power to consent to conduct of works on road	DSAL DPP MPBS MCSC CCC CSBS DMBS  MBS  MSA  MWD  SIPL MPS	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	DSAL DPP  MSA  MPS MWD	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 cl 13 of sch 7	DSAL DPP MSA SIPL MWD	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	DSAL DPP MPBS MCSC MSA SIPL MWD CSBS DMBS MBS CCC	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	DPP DSAL MSA MCSC SIPL MWD CCC	Where Council is the coordinating road authority
s 67(3)	Power to request information	DPP DSAL MSA MCSC SIPL MWD CCC	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	DPP DSAL MSA MCSC SIPL MWD CCC	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	CEO DSAL DPP	
s 72	Duty to issue an identity card to each authorised officer	DSAL DPP	
s 85	Function of receiving report from authorised officer	DSAL DPP MSA SIPL MWD	

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 s 85 matters	DSAL DPP MSA SIPL MWD	
s 87(1)	Function of receiving complaints	DSAL DPP MSA SIPL MWD	
s 87(2)	Duty to investigate complaint and provide report	DSAL DPP MSA SIPL MWD	



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96	Power to authorise a person for the purpose of instituting legal proceedings	CEO	
s 112(2)	Power to recover damages in court	DSAL DPP MCSC PRC CSBS DMBS MBS CCC	

s 116	Power to cause or carry out inspection	DSAL DPP MD MSA MPS MCSC CSBS DMBS MBS CCC	
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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	DSAL DPP MSA SIPL CTES MWD	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	DSAL MSA CTES SIPL MWD	
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	DSAL CTES SIPL MWD	

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	DSAL MSA CTES MWD SIPL	
s 122(1)	Power to charge and recover fees	DSAL DPP MWD MSA SIPL	
s 123(1)	Power to charge for any service	DSAL MSA SIPL MWD	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	DSAL DPP	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	Not delegated	

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	Not delegated	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	DSAL DPP	
sch 2 cl 5	Duty to publish notice of declaration	DSAL DPP	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	DSAL DPP MSA MWD MPBS	Where Council is the infrastructure manager or works manager
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	DSAL DPP MSA MWD	Where Council is the infrastructure manager or works manager

sch 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	DSAL DPP MSA MWD	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
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<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	DSAL DPP MSA MWD	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	DSAL DPP MSA SIPL CTES MWD	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	DSAL DPP MSA SIPL MWD	Where Council is the coordinating road authority

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	DSAL DPP MSA MWD MPS	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	DSAL DPP MSA MWD MPS	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	DSAL DPP MSA SIPL MWD MPS	Where Council is the coordinating road authority



<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	DSAL DPP MSA SIPL MWD	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	DSAL DPP MSA SIPL MWD	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	DSAL DPP MSA SIPL MWD	Where Council is the infrastructure manager

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
sch 7 cl 16(1)	Power to consent to proposed works	DSAL DPP MSA SIPL MWD	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	DSAL DPP MSA SIPL CTES MPS	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	DSAL DPP MSA MWD	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	DSAL DPP MSA	Where Council is the coordinating road authority

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
sch 7 cl 16(8)	Power to include consents and conditions	DSAL DPP MSA	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	DSAL DPP MSA	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	DSAL	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	DSAL DPP MSA MWD	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	DSAL DPP MWD	Where Council is the coordinating road authority

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DSAL DPP MSA SIPL MWD	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	DSAL DPP MSA MWD	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7A cl 3(1)(d)	Duty to pay installation and operation costs of streetlighting - where road is not an arterial road	DSAL MSA MWD	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting – where road is a service road on an arterialroad and adjacent areas	DSAL MSA MWD	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operationcosts of street lighting – for arterial roads in accordance with cls 3(2) and 4	DSAL MSA MWD	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2024			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 7	Power to enter into a written agreement with a caravan park owner	MPBS MCSC CSBS DMBS MBS CPH TLPH EHO	
r 10	Function of receiving application for registration	MPBS MCSC CSBS DMBS MBS CPH TLPH EHO	

r 11	Function of receiving application for renewal of registration	MPBS MCSC CSBS DMBS  MBS  CPH TLPH EHO	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	MPBS MCSC DMBS  MBS  CSBS  CPH TLPH	
r 12(1)	Power to refuse to grant the registration if not satisfied that the caravan park complies with these regulations	MPBS MCSC DMBS  MBS  CSBS  CPH TLPH	

r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	MPBS MCSC DMBS  MBS  CSBS CPH TLPH	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	MPBS MCSC DMBS  MBS  CSBS CPH TLPH	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	MPBS MCSC DMBS  MBS  CSBS CPH TLPH	

r 12(4) & (5)	Duty to issue certificate of registration	MPBS MCSC CSBS DMBS  MBS  CPH TLPH	
r 14(1)	Function of receiving notice of transfer of ownership	MPBS MCSC CSBS DMBS  MBS  CPH TLPH EHO	
r 14(3)	Power to determine where notice of transfer is displayed	MPBS MCSC CSBS DMBS  MBS  CPH TLPH	



r 15(1)	Duty to transfer registration to new caravan park owner	MPBS MCSC CSBS DMBS  MBS  CPH TLPH	
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RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2024			
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	MPBS MCSC CSBS DMBS MBS CPH TLPH	
r 15(3)	Power to determine where certificate of transfer of registration is displayed	MPBS MCSC CSBS DMBS MBS CPH TLPH	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	MPBS MCSC CSBS DMBS MBS CPH TLPH	

r 17	Duty to keep register of caravan parks	MPBS MCSC CSBS DMBS  MBS  CPH TLPH	
r 21(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	MCSC	
r 21(2)	Duty to consult with relevant emergency services agencies	MPBS MCSC CSBS DMBS  MBS  CPH  TLPH EHO	
r 22	Power to determine places in which caravan park owner must display a copy of emergency procedures	MPBS MCSC CSBS DMBS  MBS  CPH	

		TLPH EHO	
r 23	Power to determine places in which caravan park owner must display copy of public emergency warnings	MPBS MCSC CSBS DMBS  MBS  CPH TLPH EHO	
r 24(2)	Power to consult with relevant floodplain management authority	MPBS MCSC CSBS DMBS MBS	
r 26(b)(i)	Power to approve system for the discharge of sewage and wastewater from a movable dwelling		
r 38	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	MPBS MCSC CSBS DMBS  MBS  CPH	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2024			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 38(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	MPBS MCSC CSBS DMBS MBS CPH TLPH EHO	
r 39(3)	Function of receiving installation certificate	MPBS MCSC CSBS DMBS MBS CPH TLPH EHO	
r 45(3)	Power to determine places in which caravan park owner must display name and telephone number of an emergency contact person	MPBS MCSC CSBS DMBS MBS	

		CPH TLPH EHO	
r 45(5)	Power to determine places in which caravan park owner must display the certificate of registration or certificate of renewal of registration, the plan of the caravan park and a copy of the caravan park rules	MPBS MCSC CSBS DMBS MBS CPH TLPH EHO	

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	DSAL MSA SIPL MPS MWD	
r 9(2)	Duty to produce written report of review of road management plan and make report available	DSAL MSA SIPL	

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)	DSAL	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 s 41 of the Act	DSAL MSA SIPL	
r 13(1)	Duty to publish notice of amendments to road management plan	DSAL MSA SIPL	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 13(3)	Duty to record on road management plan the substance and date of effect of amendment	DSAL MSA SIPL	
r 16(3)	Power to issue permit	DSAL DPP  MSA MPBS MCSC CSBS DMBS  MBS CCC MPS MWD	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	DSAL	Where Council is the coordinating road authority



r 23(2)	Power to make submission to Tribunal	DPP MPBS MCSC CSBS DMBS MBS	Where Council is the coordinating road authority
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ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	DSAL DPP MPBS  MSA  MWD  MCSC  CSBS DMBS  MBS CCC MPS	Where Council is the coordinating road authority

r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	DSAL DPP MPBS MCSC MSA MWD MPS CSBS DMBS MBS CCC	Where Council is the responsible road authority
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ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	DSAL DPP	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	DSAL	

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 cl13(1) of sch 7 of the Act to give notice as to the completion of those works	DSAL	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	DSAL	Where Council is the coordinating road authority