

INSTRUMENT OF DELEGATION

INSTRUMENT OF DELEGATION UNDER THE ROADS (OPENING AND CLOSING) ACT 1991

31 OCTOBER 2022



CITY OF
MITCHAM

Delegation Sources

- Roads (Opening and Closing) Act 1991

Positions

Abbreviation	Position	Name
General Manager Corporate Services and Innovation	General Manager Corporate Services and Innovation	
GM Engineering and Horticulture	General Manager Engineering and Horticulture	
Manager Engineering	Manager Engineering	
Manager Property and Facilities	Manager Property and Facilities	

Instrument of Delegation under the Roads (Opening and Closing) Act 1991

Roads (Opening and Closing) Act 1991				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 5	Commence a road process in relation to a road or a proposed road	GM Engineering and Horticulture, Manager Engineering		council
section 11(a)(ii)	Lodge a caveat with the Registrar-General forbidding any dealing with the land without the consent of the council	GM Engineering and Horticulture, Manager Engineering		council
section 11(b)(iii)	Lodge a copy of the notice of the proposed road opening at the General Registry Office	GM Engineering and Horticulture, Manager Engineering		council
section 11(b)(iii)	Serve a notice on any person requiring the person to deliver up to the Registrar-General any instrument evidencing the person's interest in the land	GM Engineering and Horticulture, Manager Engineering		council

Roads (Opening and Closing) Act 1991

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 12(1)	Make agreements for exchange or transfer in relation to land subject to a proposed road closure with the owners of land adjoining that land	GM Engineering and Horticulture, Manager Property and Facilities, Manager Engineering		council
section 18(1)	Make an order as part of a road process order for the granting of an easement over land subject to the road closure	GM Engineering and Horticulture, Manager Property and Facilities, Manager Engineering		relevant authority
section 33(1)	Acquire additional land adjoining or near the land to which the proposed road opening relates with the approval of the Minister	GM Engineering and Horticulture, Manager Property and Facilities, Manager Engineering		council
section 33(4)	Sell or otherwise deal with additional land acquired under section 33	GM Engineering and Horticulture, General Manager Corporate Services and Innovation		council