



## **Maroondah City Council**

### **Instrument of Delegation**

**to**

### **Members of Council Staff**

## Instrument of Delegation

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

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. declares that:
  - 2.1 this Instrument of Delegation is authorised by a resolution of Council passed on 17 September 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 by Council resolution;
    - 2.2.3 is subject to any conditions and limitations set out in sub-paragraph 2.3, and the Schedule;
    - 2.2.4 revokes all previous delegations under the Acts and Regulations set out in the Schedule;
    - 2.2.5 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 Council; 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 policy, or 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.

**THE COMMON SEAL** of **MAROONDAH** )  
**CITY COUNCIL** was affixed hereto on 17 )  
September 2018 in accordance with the )  
resolution of Council made on 17 September )  
2018 in the presence of )  
)

..... Councillor

..... Chief Executive Officer

# **SCHEDULE**

# DEFINITIONS

<p><b>All - means</b></p>		<ul style="list-style-type: none"> <li>▪ Director Development and Amenity</li> <li>▪ Director Strategy and Community</li> <li>▪ Manager Statutory Planning</li> <li>▪ Manager Integrated Planning</li> <li>▪ Team Leader Statutory Planning</li> <li>▪ Team Leader Strategic Planning &amp; Sustainability</li> <li>▪ Coordinator Statutory Planning</li> <li>▪ Coordinator Environmental Planning</li> <li>▪ Coordinator Administration and Business Systems</li> <li>▪ Senior Statutory Planner</li> <li>▪ Statutory Planner</li> <li>▪ Strategic Planner</li> <li>▪ Subdivision Officer</li> <li>▪ Planning Compliance Officer</li> <li>▪ Environmental Officer</li> <li>▪ Planning Administration Officer</li> </ul>
<p><b>All Planners - means</b></p>		<ul style="list-style-type: none"> <li>▪ Director Development and Amenity</li> <li>▪ Director Strategy and Community</li> <li>▪ Manager Statutory Planning</li> <li>▪ Manager Integrated Planning</li> <li>▪ Team Leader Statutory Planning</li> <li>▪ Team Leader Strategic Planning &amp; Sustainability</li> <li>▪ Coordinator Statutory Planning</li> <li>▪ Coordinator Environmental Planning</li> <li>▪ Senior Statutory Planner</li> <li>▪ Statutory Planner</li> <li>▪ Strategic Planner</li> <li>▪ Subdivision Officer</li> <li>▪ Environmental Officer</li> </ul>
<p><b>Senior - means</b></p>		<ul style="list-style-type: none"> <li>▪ Director Development and Amenity</li> <li>▪ Director Strategy and Community</li> <li>▪ Manager Statutory Planning</li> <li>▪ Manager Integrated Planning</li> <li>▪ Team Leader Strategic Planning &amp; Sustainability</li> <li>▪ Team Leader Statutory Planning</li> <li>▪ Coordinator Statutory Planning</li> <li>▪ Coordinator Environmental Planning</li> </ul>

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<b>PLANNING AND ENVIRONMENT ACT 1987</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.4B	power to prepare an amendment to the Victorian Planning Provisions	Senior	if authorised by the Minister The delegate must not be the author of Recommending Officer
s.4G	function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	All	
s.4H	duty to make amendment to Victorian Planning Provisions available	All	
s.4I	duty to keep Victorian Planning Provisions and other documents available	All	
s.8A(2)	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	Senior	The delegate must not be the author of Recommending Officer
s. 8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	Senior	The delegate must not be the author of Recommending Officer
s.8A(5)	function of receiving notice of the Minister's decision	All	
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	Senior	The delegate must not be the author of Recommending Officer
s.8B(2)	power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	Senior	The delegate must not be the author of Recommending Officer

**PLANNING AND ENVIRONMENT ACT 1987**

<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(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	Senior	The delegate must not be the author of Recommending Officer
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> )	All Planners	
s.12B(1)	duty to review planning scheme	All Planners	
s.12B(2)	duty to review planning scheme at direction of Minister	All Planners	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	All Planners	
s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	All Planners	
s.17(1)	duty of giving copy amendment to the planning scheme	All	
s.17(2)	duty of giving copy s.173 agreement	All	
s.17(3)	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	All	
s.18	duty to make amendment etc. available	All	

**PLANNING AND ENVIRONMENT ACT 1987**

<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	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	Senior	The delegate must not be the author of Recommending Officer
s.19	function of receiving notice of preparation of an amendment to a planning scheme	All	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	Senior	The delegate must not be the author of Recommending Officer
s.21(2)	duty to make submissions available	All	
s.21A(4)	duty to publish notice in accordance with section	All Planners	
s.22	duty to consider all submissions	All Planners	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	All Planners	
s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	All Planners	
s.24	function to represent Council and present a submission at a panel hearing (including a hearing referred to in section 96D)	All Planners	



**PLANNING AND ENVIRONMENT ACT 1987**

<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.26(1)	power to make report available for inspection	All Planners	
s.26(2)	duty to keep report of panel available for inspection	All	
s.27(2)	power to apply for exemption if panel's report not received	Senior	The delegate must not be the author of Recommending Officer
s.28	duty to notify the Minister if abandoning an amendment	All Planners	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	All Planners	
s.30(4)(b)	duty to provide information in writing upon request	All Planners	
s.32(2)	duty to give more notice if required	All Planners	
s.33(1)	duty to give more notice of changes to an amendment	All Planners	
s.36(2)	duty to give notice of approval of amendment	All Planners	
s.38(5)	duty to give notice of revocation of an amendment	All Planners	
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT	All Planners	
s.40(1)	function of lodging copy of approved amendment	All Planners	
s.41	duty to make approved amendment available	All	
s.42	duty to make copy of planning scheme available	All	

<b>PLANNING AND ENVIRONMENT ACT 1987</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.46AS(ac)	power to request the Victorian Planning Authority (VPA) to provide advice on any matter relating to land in Victoria or an objective of planning in Victoria	Senior	The delegate must not be the author of Recommending Officer
s.46AW	function of being consulted by the Minister	Senior	<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	All Planners	<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	Senior	<u>where Council is a responsible public entity</u>  The delegate must not be the author or Recommending Officer
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	All Planners	<u>where Council is a responsible public entity</u>
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	Senior	where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency  The Delegate must not be the author or Recommending Officer.

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<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.46GJ(1)	function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	All Planners	
s.46GK	duty to comply with a Minister's direction that applies to Council as the planning authority	All Planners	
s.46GN(1)	duty to arrange for estimates of values of inner public purpose land	All Planners	
s.46GO(1)	duty to give notice to owners of certain inner public purpose land	All Planners	
s.46GP	function of receiving a notice under s.46GO	All Planners	where Council is the collecting agency
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	All Planners	
s.46GR(1)	duty to consider every submission that is made by the closing date for submissions included in the notice under s.46GO	All Planners	
s.46GR(2)	power to consider a late submission  duty to consider a late submission if directed to do so by the Minister	Senior	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	Senior	The Delegate must not be the author or Recommending Officer.
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	Senior	The Delegate must not be the author or Recommending Officer.
s.46GT(2)	duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	Senior	
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	All Planners	
s.46GT(6)	function of receiving, from the valuer-general, written notice of a determination under s.46GT(5)	All	
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	Senior	The Delegate must not be the author or Recommending Officer.

**PLANNING AND ENVIRONMENT ACT 1987**

<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.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	Senior	where Council is the collecting agency
s.46GV(3)(b)	power to enter into an agreement with the applicant	All Planners	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)	All Planners	where Council is the development agency
s.46GV(4)(b)	function of receiving the inner public purpose land in accordance with s.46GV(5) and (6)	All Planners	where Council is the collecting 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	All Planners	
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	Senior	where Council is the collecting agency  The delegate must not be the author or Recommending Officer
s.46GX(1)	power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	Senior	where Council is the collecting agency  The delegate must not be the author or Recommending Officer

**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	All Planners	where Council is the collecting agency
s.46GY(1)	duty to keep proper and separate accounts and records	All	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>	All	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	Senior	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	Senior	where the Council is the planning authority this duty does not apply where Council is also the collecting agency
s.46GZ(2)(b)	duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan as responsible for those works, services or facilities	Senior	where Council is the collecting agency under an approved infrastructure contributions plan this provision does not apply where Council is also the relevant development agency

**PLANNING AND ENVIRONMENT ACT 1987**

<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.46GZ(2)(b)	function of receiving the monetary component	Senior	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)	Senior	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZ(5)	duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	Senior	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(5)	function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	Senior	where Council is the development agency specified in the approved infrastructure contributions plan this provision does not apply where Council is also the 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	Senior	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	Senior	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	Senior	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	All Planners	where Council is a development agency under an approved infrastructure contributions plan
s.46GZA(2)	duty to keep the accounts and records in accordance with the <i>Local Government Act 1989</i>	All Planners	where Council is a development agency under an approved infrastructure contributions plan
s.46GZB(3)	duty to follow the steps set out in s.46GZB(3)(a) – (c)	All Planners	where Council is a development agency under an approved infrastructure contributions plan



**PLANNING AND ENVIRONMENT ACT 1987**

<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.46GZB(4)	duty, in accordance with 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	All Planners	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)	All Planners	where Council is the development agency under an approved infrastructure contributions plan
s.46GZD(3)	duty to follow the steps set out in s.46GZD(3)(a) and (b)	All Planners	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 ss.46GZD(5)(a) and 46GZD(5)(b)	Senior	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	Senior	where Council is the development agency under an approved infrastructure contributions plan this duty does not apply where Council is also the collecting agency

<b>PLANNING AND ENVIRONMENT ACT 1987</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.46GZE(2)	function of receiving the unexpended land equalisation amount	Senior	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.46GZE(3)	duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s.46GZE(3)(a) and (b)	Senior	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	Senior	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)	Senior	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	Senior	where Council is the collection agency under an approved infrastructure contributions plan this provision does not apply where Council is also the development agency
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)	Senior	where Council is the collecting agency under an approved infrastructure contributions plan

<b>PLANNING AND ENVIRONMENT ACT 1987</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.46GZF(6)	duty to make the payments under s.46GZF(4) in accordance with s.46GZF(6)(a) and (b)	Senior	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	Senior	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	Senior	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	All Planners	where Council is a collecting agency or development agency
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)	Senior	
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	All Planners	
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	All Planners	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	Senior	The delegate must not be the author of Recommending Officer
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	Senior	The delegate must not be the author of Recommending Officer

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46Q(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	Senior	The delegate must not be the author of Recommending Officer
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	Senior	The delegate must not be the author of Recommending Officer
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	Senior	The delegate must not be the author of Recommending Officer
s.46Q(1)	duty to keep proper accounts of levies paid	All Planners	
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	Senior	
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	All Planners	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	Senior	only applies when levy is paid to Council as a 'development agency'
s.46Q(4)(c)	duty to pay amount to current owners of land in the area 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)	Senior	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

**PLANNING AND ENVIRONMENT ACT 1987**

<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.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	Senior	must be done in accordance with Part 3
s46Q(4)(e)	duty to expend that amount on other works etc.	Senior	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	Senior	The delegate must not be the author or Recommending Officer
s.46QD	duty to prepare report and give a report to the Minister	Senior	where Council is a collecting agency or development agency
s.46V(3)	duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	All	
s.46Y	duty to carry out works in conformity with the approved strategy plan	All Planners	
s.47	power to decide that an application for a planning permit does not comply with that Act	Senior	The Delegate must not be the author or Recommending Officer
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	All Planners	
s.49(2)	duty to make register available for inspection	All	
s.50(4)	duty to amend application	All Planners	

**PLANNING AND ENVIRONMENT ACT 1987**

<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.50(5)	power to refuse to amend application	Senior	The Delegate must not be the author or Recommending Officer
s.50(6)	duty to make note of amendment to application in register	All	
s.50A(1)	power to make amendment to application	All Planners	
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	All Planners	
s.50A(4)	duty to note amendment to application in register	All	
s.51	duty to make copy of application available for inspection	All	
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	All Planners	
s.52(1)(b)	duty to give notice of the application to other municipal Councils where appropriate	All Planners	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	All Planners	
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	All Planners	Notice requirements under s.52(1)(a), (b), (c) and (d) are exempt. Other notice requirements apply.

**PLANNING AND ENVIRONMENT ACT 1987**

<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.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	All Planners	Notice requirements under s.52(1)(a), (b), (c) and (d) are exempt. Other notice requirements apply.
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	All Planners	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	All Planners	Notice requirements under s.52(1)(a), (b), (c) and (d) are exempt. Other notice requirements apply.
s.52(3)	power to give any further notice of an application where appropriate	All Planners	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	All Planners	Notice requirements under s.52(1)(a), (b), (c) and (d) are exempt. Other notice requirements apply.
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	All Planners	Notice requirements under s.52(1)(a), (b), (c) and (d) are exempt. Other notice requirements apply.
s.54(1)	power to require the applicant to provide more information	All Planners	Note: delegates cannot require an applicant to provide more information than what is listed in new Clause 59 of the planning scheme.
s.54(1A)	duty to give notice in writing of information required under section 54(1)	All Planners	Note: delegates cannot require an applicant to provide more information than what is listed in new Clause 59 of the planning scheme.
s.54(1B)	duty to specify the lapse date for an application	All Planners	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	All Planners	

**PLANNING AND ENVIRONMENT ACT 1987**

<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.54A(4)	duty to give written notice of decision to extend or refuse to extend time und section 54A(3)	All Planners	
s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	All	
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	Senior	The Delegate must not be the author or Recommending Officer
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	All Planners	
s.57(5)	duty to make available for inspection copy of all objections	All	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to section 57A(5)	All	
s.57A(5)	power to refuse to amend application	Senior	The Delegate must not be the author or Recommending Officer
s.57A(6)	duty to note amendments to application in register	All	
s.57B(1)	duty to determine whether and to whom notice should be given	All Planners	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	All Planners	
s.57C(1)	duty to give copy of amended application to referral authority	All	



**PLANNING AND ENVIRONMENT ACT 1987**

<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.58	duty to consider every application for a permit	All Planners	
s.58A	power to request advice from the Planning Application Committee	Senior	
s.59(1)	power to decide an application without delay	All Planners	
s.60	duty to consider certain matters	All Planners	
s60(1A)	duty to consider certain matters.	All Planners	Note: VicSmart applications are exempt from the requirements of s.60(1)(b), (c), (e) and (f).
s.60(1)(d)	duty to consider any decision and comments of a referral authority which has been received	All Planners	Note: VicSmart applications are exempt from the requirements of s.60(1)(b), (c), (e) and (f).
s. 60(1A)(a)	power to consider certain matters before deciding on application any significant social and economic effects of the use or development for which the application is made	All Planners	Note: VicSmart applications are exempt from the requirements of s.60(1A)(b) – (h) and (j).
s. 60(1A)(i)	power to consider any agreement made pursuant to section 173	All Planners	Note: VicSmart applications are exempt from the requirements of s.60(1A)(b) – (h) and (j).
s.60(1B)	duty to consider number of objectors in considering whether use or development may have significant social effect	All Planners	

<b>PLANNING AND ENVIRONMENT ACT 1987</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.61(1)	power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	Senior	the permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>
s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	All Planners	
s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	Senior	The Delegate must not be the author or Recommending Officer
s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Senior	
s.61(3)(b)	duty to refuse to grant the permit without the Minister's consent	Senior	
s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	Senior	
s.62(1)	duty to include certain conditions in deciding to grant a permit	All Planners	
s.62(2)	power to include other conditions	All Planners	The Delegate must not be the author or Recommending Officer
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	All Planners	

**PLANNING AND ENVIRONMENT ACT 1987**

<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.62(5)(a)	power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	Senior	The Delegate must not be the author or Recommending Officer
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	Senior	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	Senior	
s.62(6)(a)	duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss.46N(1), 46GV(7) or 62(5)	All Planners	
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)	All Planners	
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	All Planners	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	All	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	All	this provision applies also to a decision to grant an amendment to a permit - see section 75

**PLANNING AND ENVIRONMENT ACT 1987**

<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.64(5)	duty to give each objector a copy of an exempt decision	All	Note: VicSmart applications are exempt from requirements of s.64(1), (2) and (3). This provision applies also to a decision to grant an amendment to a permit - see section 75
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	All Planners	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	All	
s.66(1)	duty to give notice under section 64 or section 65 and copy permit to relevant determining referral authorities	All	
s.66(2) and (3)	duty to give a recommending referral authority notice of its decision to grant a permit	All	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s.66(4) and (5)	duty to give a recommending referral authority notice of its decision to refuse a permit	All	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

**PLANNING AND ENVIRONMENT ACT 1987**

<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.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	All	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 Planners	
s.69(1A)	function of receiving application for extension of time to complete development	All Planners	
s.69(2)	power to extend time	Senior	
s.70	duty to make copy permit available for inspection	All	
s.71(1)	power to correct certain mistakes	All	
s.71(2)	duty to note corrections in register	All	
s.73	power to decide to grant amendment subject to conditions	Senior	
s.74	duty to issue amended permit to applicant if no objectors	All Planners	
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	All Planners	
s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	All	

**PLANNING AND ENVIRONMENT ACT 1987**

<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.76A(2) and (3)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	All	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) and (5)	duty to give a recommending referral authority notice of its decision to refuse a permit	All	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	All	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	All Planners	
s.83	function of being respondent to an appeal	All Planners	
s.83B	duty to give or publish notice of application for review	All Planners	
s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	Senior	
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	All Planners	

<b>PLANNING AND ENVIRONMENT ACT 1987</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.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	All Planners	
s.84(6)	duty to issue permit on receipt of advice within 3 working days	All Planners	
s.84AB	power to agree to confining a review by the Tribunal	All Planners	
s.86	duty to issue a permit at order of Tribunal within 3 working days	All Planners	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	Senior	The Delegate must not be the author or Recommending Officer
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	All Planners	
s.91(2)	duty to comply with the directions of VCAT	All	
s.91(2A)	duty to issue amended permit to owner if Tribunal so directs	All	
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	All Planners	
s.93(2)	duty to give notice of VCAT order to stop development	All	
s.95(3)	function of referring certain applications to the Minister	Senior	
s.95(4)	duty to comply with an order or direction	All	

<b>PLANNING AND ENVIRONMENT ACT 1987</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.96(1)	duty to obtain a permit from the Minister to use and develop its land	Senior	The Delegate must not be the author or Recommending Officer
s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	Senior	The Delegate must not be the author or Recommending Officer
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	Senior	The Delegate must not be the author or Recommending Officer
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	All Planners	The Delegate must not be the author or Recommending Officer
s.96F	duty to consider the panel's report under section 96E	All Planners	
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> )	Senior	The Delegate must not be the author or Recommending Officer
s.96H(3)	power to give notice in compliance with Minister's direction	All Planners	The Delegate must not be the author or Recommending Officer
s.96J	power to issue permit as directed by the Minister	All Planners	The Delegate must not be the author or Recommending Officer
s.96K	duty to comply with direction of the Minister to give notice of refusal	All Planners	
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 Planners	



**PLANNING AND ENVIRONMENT ACT 1987**

<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.97C	power to request Minister to decide the application	Senior	The Delegate must not be the author or Recommending Officer
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	All	
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	All Planners	
s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	All	
s.97L	duty to include Ministerial decisions in a register kept under section 49	All	
s.97MH	duty to provide information or assistance to the Planning Application Committee	All Planners	
s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	Senior	
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	Senior	
s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	All Planners	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	All Planners	

**PLANNING AND ENVIRONMENT ACT 1987**

<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.97Q(4)	duty to comply with directions of VCAT	All	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	All	
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	All Planners	
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	All Planners	
s.101	function of receiving claim for expenses in conjunction with claim	All Planners	
s.103	power to reject a claim for compensation in certain circumstances	Senior	
s.107(1)	function of receiving claim for compensation	All Planners	
s.107(3)	power to agree to extend time for making claim	Senior	
s.114(1)	power to apply to the VCAT for an enforcement order	Senior	
s.117(1)(a)	function of making a submission to the VCAT where objections are received	All Planners	
s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	Senior	

**PLANNING AND ENVIRONMENT ACT 1987**

<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.123(1)	power to carry out work required by enforcement order and recover costs	Senior	
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	Senior	except Crown Land The Delegate must not be the author or Recommending Officer
s.129	function of recovering penalties	All	
s.130(5)	power to allow person served with an infringement notice further time	Senior	
s.149A(1)	power to refer a matter to the VCAT for determination	Senior	
s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	Senior	
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)	Senior	where Council is the relevant planning authority
s.171(2)(f)	power to carry out studies and commission reports	Senior	
s.171(2)(g)	power to grant and reserve easements	Senior	

<b>PLANNING AND ENVIRONMENT ACT 1987</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.172C	power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	Senior	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)	Senior	where Council is a collecting agency specified in an approved infrastructure contributions plan
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)	Senior	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	Senior	The Delegate must not be the author or Recommending Officer
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	Senior	where Council is the relevant responsible authority  note: this provision is not yet in force and will commence on 1 June 2018, if not proclaimed earlier
---	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	Senior	The Delegate must not be the author or Recommending Officer

**PLANNING AND ENVIRONMENT ACT 1987**

<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>
---	power to give consent on behalf of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	Senior	The Delegate must not be the author or Recommending Officer
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	Senior	The Delegate must not be the author or Recommending Officer
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	Senior	The Delegate must not be the author or Recommending Officer
s.178A(1)	function of receiving application to amend or end an agreement	All Planners	
s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	All Planners	
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	All Planners	
s.178A(5)	power to propose to amend or end an agreement	Senior	The Delegate must not be the author or Recommending Officer
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	All Planners	
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	All Planners	

**PLANNING AND ENVIRONMENT ACT 1987**

<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.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	All Planners	
s.178C(4)	function of determining how to give notice under s.178C(2)	All Planners	
s.178E(1)	duty not to make decision until after 14 days after notice has been given	All Planners	
s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	Senior	if no objections are made under s.178D Must consider matters in s.178B The Delegate must not be the author or Recommending Officer
s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Senior	if no objections are made under s.178D Must consider matters in s.178B The Delegate must not be the author or Recommending Officer
s.178E(2)(c)	power to refuse to amend or end the agreement	Senior	if no objections are made under s.178D Must consider matters in s.178B The Delegate must not be the author or Recommending Officer

**PLANNING AND ENVIRONMENT ACT 1987**

<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.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	Senior	after considering objections, submissions and matters in s.178B The Delegate must not be the author or Recommending Officer
s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Senior	after considering objections, submissions and matters in s.178B The Delegate must not be the author or Recommending Officer
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	Senior	after considering objections, submissions and matters in s.178B The Delegate must not be the author or Recommending Officer
s.178E(3)(d)	power to refuse to amend or end the agreement	Senior	after considering objections, submissions and matters in s.178B The Delegate must not be the author or Recommending Officer
s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	All Planners	
s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	All Planners	
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	All Planners	

**PLANNING AND ENVIRONMENT ACT 1987**

<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.178G	duty to sign amended agreement and give copy to each other party to the agreement	Senior	
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	Senior	The Delegate must not be the author or Recommending Officer
s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	All Planners	
s.179(2)	duty to make available for inspection copy agreement	All Planners	
s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	All Planners	
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	All Planners	
s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	All Planners	
s.182	power to enforce an agreement	All Planners	The Delegate must not be the author or Recommending Officer
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	All Planners	
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	All	The Delegate must not be the author or Recommending Officer



**PLANNING AND ENVIRONMENT ACT 1987**

<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.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	All Planners	
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	All Planners	
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	All Planners	
s.184G(2)	duty to comply with a direction of the Tribunal	All Planners	
s.184G(3)	duty to give notice as directed by the Tribunal	All Planners	
s.198(1)	function to receive application for planning certificate	All	
s.199(1)	duty to give planning certificate to applicant	All	
s.201(1)	function of receiving application for declaration of underlying zoning	All Planners	
s.201(3)	duty to make declaration	Senior	
-	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	Senior	The Delegate must not be the author or Recommending Officer

**PLANNING AND ENVIRONMENT ACT 1987**

<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>
	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	Senior	The Delegate must not be the author or Recommending Officer
	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	Senior	The Delegate must not be the author or Recommending Officer
-	power to give written authorisation in accordance with a provision of a planning scheme	Senior	The Delegate must not be the author or Recommending Officer
s.201UAB(1)	function of providing the Victoria Planning Authority with information relating to any land within municipal district	All Planners	
s.201UAB(2)	duty to provide the Victoria Planning Authority with information requested under subsection (1) as soon as possible	All Planners	

**PLANNING AND ENVIRONMENT REGULATIONS 2015**

<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>
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 Planners	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	All Planners	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	All	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	All Planners	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	All Planners	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.

**PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016**

<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>
r.19	power to waive or rebate a fee relating to an amendment of a planning scheme	All Planners	The Delegate must not be the author or Recommending Officer.
r.20	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	All Planners	The Delegate must not be the author or Recommending Officer. VicSmart
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	All Planners	