

***S6 Instrument of Delegation – Members of Staff
(Planning and Environment Act 1987)***

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
CCSPP	Coordinator City Strategy and Place Planning
CUP	Coordinator Urban Planning
CPCES	Coordinator Planning Customer Experience and Support
DPP	Director Planning and Place
DSAL	Director Sustainability, Assets and Leisure
CPD	Coordinator Permits and Development
MCF	Manager City Futures
MSI	Manager Sustainability and Infrastructure
MPBS	Manager Planning and Building Services
SPEO	Senior Planning Enforcement Officer
PPEO	Principal Planning Enforcement Officer
PCESO	Planning Customer Experience and Support Officer
PStratP	Principal Strategic Planner
PUP	Principal Urban Planner
PUPS	Principal Urban Planner (Subdivisions)
SO	Subdivision Officer
SP	Student Planner
Specific Planning Officers	CCSPP, CUP, DPP, MCF, MPBS, PStratP, PUP, PUPS, SO, SUP, StratP, SStratP, SP and UP
SStratP	Senior Strategic Planner
StratP	Strategic Planner
SUP	Senior Urban Planner
UP	Urban Planner

3. declares that:
 - 3.1 this Instrument of Delegation is authorised by resolution of Council passed on 23 July 2024;
 - 3.2 the delegation:
 - 3.2.1 comes into force immediately after the passing of the resolution of Council described at 3.1 above;
 - 3.2.2 remains in force until varied or revoked by resolution of Council;

- 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 a delegated committee.

SCHEDULE

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	Specific Planning Officers	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	Specific Planning Officers	
s 4H	Duty to make amendment to Victorian Planning Provisions available in accordance with public availability requirements	Specific Planning Officers	
s 4I(2)	Duty to make a copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	Specific Planning Officers	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	Specific Planning Officers	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	Not delegated	
s 8A(5)	Function of receiving notice of the Minister's decision	Specific Planning Officers	
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	DPP MPBS MCF	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	Not delegated	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	Specific Planning Officers	
s 12B(1)	Duty to review planning scheme	DPP MPBS MCF	
s 12B(2)	Duty to review planning scheme at direction of Minister	DPP MPBS MCF	
s 12B(5)	Duty to report findings of review of planning scheme to Minister without delay	DPP MPBS MCF	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	Specific Planning Officers	
s 17(1)	Duty of giving copy amendment to the planning scheme	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 17(2)	Duty of giving copy s 173 agreement	Specific Planning Officers	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	Specific Planning Officers	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	Specific Planning Officers	Until the proposed amendment is approved or lapsed
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	DPP MPBS MCF	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	Specific Planning Officers	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 s 19	Specific Planning Officers	Where Council is a planning authority
s 21(2)	Duty to make submissions available in accordance with public availability requirements	Specific Planning Officers	Until the end of 2 months after the amendment comes into operation or lapses
s 21A(4)	Duty to publish notice	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 22(1)	Duty to consider all submissions received before the date specified in the notice	Specific Planning Officers	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 22(2)	Power to consider a late submission Duty to consider a late submission, if directed by the Minister	Specific Planning Officers	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	Specific Planning Officers	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	Not delegated	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	Specific Planning Officers	
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	Specific Planning Officers	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	Specific Planning Officers	During the inspection period
s 27(2)	Power to apply for exemption if panel's report not received	Not delegated	
s 28(1)	Duty to notify the Minister if abandoning an amendment	Specific Planning Officers	Note: the power to make a decision to abandon an amendment cannot be delegated
s 28(2)	Duty to publish notice of the decision on Internet site	Specific Planning Officers	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	Specific Planning Officers	

s 30(4)(a)	Duty to say if amendment has lapsed	Specific Planning Officers	
s 30(4)(b)	Duty to provide information in writing upon request	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 32(2)	Duty to give more notice if required	Specific Planning Officers	
s 33(1)	Duty to give more notice of changes to an amendment	Specific Planning Officers	
s 36(2)	Duty to give notice of approval of amendment	Specific Planning Officers	
s 38(5)	Duty to give notice of revocation of an amendment	Specific Planning Officers	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	Specific Planning Officers	
s 40(1)	Function of lodging copy of approved amendment	Specific Planning Officers	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	Specific Planning Officers	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	Specific Planning Officers	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	Specific Planning Officers	
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	Not applicable	Where Council is a responsible public entity and is a planning authority Note: this provision is not yet in force, and will commence

			on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils
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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46AW	Function of being consulted by the Minister	DPP MPBS MCF	Where Council is a responsible public entity
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	Not delegated	Where Council is a responsible public entity
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	DPP MPBS MCF	Where Council is a responsible public entity
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	DPP MPBS MCF	Where Council is a responsible public entity
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	Not delegated	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	DPP MPBS MCF	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	DSAL DPP MSI MPBS MCF	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	DSAL DPPM PBS MCF	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	DSAL DPP MSI MPBS MCF	
s 46GP	Function of receiving a notice under s 46GO	DSAL DPP MSI MPBS MCF	Where Council is the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	DSAL DPPM MSI MPBS MCF	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	DSAL DPP MSI MPBS MCF	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	DSAL DPP MSI MPBS MCF	
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	DSAL DPP MSI MPBS MCF	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DSAL DPPM MSI MPBS MCF	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	DSAL DPP MSI MPBS MCF	
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	DSAL DPP MSI MPBS MCF	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	DSAL DPP MSI MPBS MCF	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DSAL DPPM MSI MPBS MCF	
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	DSAL DPP MSI MPBS MCF	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	DSAL DPP MSI MPBS MCF	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)	DSAL DPP MSI MPBS MCF	Where Council is the development agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DSAL DPPM MSI MPBS MCF	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	Specific Planning Officers	
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	DSAL DPP MSI MPBS MCF	Where Council is the collecting agency
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	DSAL DPP MSI MPBS MCF	Where Council is the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	DSAL DPP MSI MPBS MCF	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	DSAL DPP MSI MPBS MCF	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	DSAL DPP MSI MPBS MCF	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	DSAL DPP MSI MPBS MCF	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is that planning authority

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(2)(a)	Function of receiving the monetary component	DSAL DPP MPBS MCF	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	DSAL DPP MSI MPBS MCF	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
s 46GZ(2)(b)	Function of receiving the monetary component	DSAL DPP MSI MPBS MCF	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)	DSAL DPP MSI MPBS MCF	Where Council is the collecting agency under an approved infrastructure contributions plan
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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DSAL DPPMSI MPBS MCF	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	DSAL DPP MSI MPBS MCF	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	DSAL DPP MSI MPBS MCF	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	DSAL DPPM MSI MPBS MCF	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	DSAL DPP MSI MPBS MCF	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	DSAL DPP MSI MPBS MCF	Where Council is a development agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZA(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	DSAL DPP MSI MPBS MCF	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)	DSAL DPP MSI MPBS MCF	Where Council is a development agency under an approved infrastructure contributions plan
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	DSAL DPP MSI MPBS MCF	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)	DSAL DPP MSI MPBS MCF	Where Council is the development agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	DSAL DPP MSI MMPB S MCF	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)	DSAL DPP MSI MPBS MCF	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	DSAL DPP MSI MPBS MCF	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	DSAL DPP MSI MPBS MCF	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZE(3)	Duty, 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)	DSAL DPP MSI MMPB S MCF	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	DSAL DPP MSI MPBS MCF	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)	DSAL DPP MSI MPBS MCF	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Function of receiving proceeds of sale	DSAL DPP MSI MPBS MCF	Where Council is the collection agency under an approved infrastructure contributions plan This provision does not apply where Council is also the development agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	DSAL DPP MSI MPBS MCF	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	DSAL DPP MSI MPBS MCF	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	DSAL DPP MSI MPBS MCF	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	DSAL DPP MSI MPBS MCF	Where Council is a collecting agency or development agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	Not delegated	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)	DSAL DPP MSI MPBS MCF	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	Specific Planning Officers	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	Specific Planning Officers	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	Specific Planning Officers	
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	Specific Planning Officers	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	Specific Planning Officers	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	DSAL DPP MSI MPBS MCF	
s 46Q(1)	Duty to keep proper accounts of levies paid	Specific Planning Officers	
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	Specific Planning Officers	
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	DSAL DPP MPBS MCF	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	DPP MPBS MCF	Only applies when levy is paid to Council as a 'development agency'

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	DPP MPBS MCF	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	Specific Planning Officers	Must be done in accordance with Part 3
s 46Q(4)(e)	Duty to expend that amount on other works etc.	DPP	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	Specific Planning Officers	
s 46QD	Duty to prepare report and give a report to the Minister	DSAL DPP MSI MPBS MCF	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 in accordance with the public availability requirements, during the inspection period	not relevant	The Melbourne Airport environs strategy plan is not in the GE planning scheme
s 46V(4)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with s 197B of the Act and on payment of the prescribe fee, after the inspection period	not relevant	The Melbourne Airport environs strategy plan is not in the GE planning scheme

s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	not relevant	The Melbourne Airport environs strategy plan is not in the GE planning scheme
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public available requirements	not relevant	The Melbourne Airport environs strategy plan is not in the GE planning scheme
s 46Y	Duty to carry out works in conformity with the approved strategy plan		The Melbourne Airport environs strategy plan is not in the GE planning scheme

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 47	Power to decide that an application for a planning permit does not comply with that Act	Specific Planning Officers	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	CPCES Specific Planning Officers	
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	CPCES Specific Planning Officers	
s 50(4)	Duty to amend application	Specific Planning Officers	
s 50(5)	Power to refuse to amend application	Specific Planning Officers	
s 50(6)	Duty to make note of amendment to application in register	CPCES PCESO Specific Planning Officers	
s 50A(1)	Power to make amendment to application	CPCES Specific Planning Officers	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 50A(4)	Duty to note amendment to application in register	CPCES Specific Planning Officers	
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	CPCES Specific Planning Officers	
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	Specific Planning Officers	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	Specific Planning Officers	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	Specific Planning Officers	
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	Specific Planning Officers	
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	Specific Planning Officers	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	Specific Planning Officers	
s 52(3)	Power to give any further notice of an application where appropriate	Specific Planning Officers	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	Specific Planning Officers	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	Specific Planning Officers	
s 54(1)	Power to require the applicant to provide more information	Specific Planning Officers	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	Specific Planning Officers	
s 54(1B)	Duty to specify the lapse date for an application	Specific Planning Officers	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	Specific Planning Officers	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	Specific Planning Officers	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	DPP MPBS MCF CUP	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	Specific Planning Officers	
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	Specific Planning Officers	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	Specific Planning Officers	
s 57A(5)	Power to refuse to amend application	Specific Planning Officers	
s 57A(6)	Duty to note amendments to application in register	CPCES Specific Planning Officers	
s 57B(1)	Duty to determine whether and to whom notice should be given	Specific Planning Officers	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 57C(1)	Duty to give copy of amended application to referral authority	CPCES Specific Planning Officers	
s 58	Duty to consider every application for a permit	Specific Planning Officers	
s 58A	Power to request advice from the Planning Application Committee	DPP MPBS MCF	
s 60	Duty to consider certain matters	Specific Planning Officers	
s 60(1A)	Duty to consider certain matters	Specific Planning Officers	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	Specific Planning Officers	<p>The exercise of this power is limited to the following circumstances:</p> <ul style="list-style-type: none"> a) there have been no more than five objections lodged; b) the application has not been referred to the Council or the Delegated Planning Forum for determination; and c) the application has not been called-in by a Councillor for determination at a Council meeting. <p>a) The power cannot be exercised where an application is for use of land for gaming machines.</p> <p>The permit must not be inconsistent with a Cultural Heritage Management Plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>The power to refuse a permit can only be exercised where the delegate considers that:</p> <ul style="list-style-type: none"> a) the application is contrary to law; or b) the application is inconsistent with policy; or c) a referral authority has directed refusal; or d) the applicant has failed to carry out a direction pursuant to the <i>Planning and Environment Act 1987</i> or Planning Scheme.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DPP MPBS MCF CUP	<p>The exercise of this power is limited to the following circumstances:</p> <ul style="list-style-type: none"> a) the delegation may only be exercised where there have been more than five objections but no more than 15 objections lodged; b) the delegation may only be exercised at a Delegated Planning Forum (including a Delegated Planning Forum conducted virtually); and c) the application has not been called-in by a Councillor for determination at a Council meeting. <p>a) The power cannot be exercised where an application is for use of land for gaming machines.</p> <p>The permit must not be inconsistent with a Cultural Heritage Management Plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>The power to refuse a permit can only be exercised where the delegate considers that:</p> <ul style="list-style-type: none"> a) the application is contrary to law; or b) the application is inconsistent with policy; or c) a referral authority has directed refusal; or d) the applicant has failed to carry out a direction pursuant to the <i>Planning and Environment Act 1987</i> or Planning Scheme.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	Specific Planning Officers	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	Specific Planning Officers	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Specific Planning Officers	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	Specific Planning Officers	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	Specific Planning Officers	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	Specific Planning Officers	
s 62(2)	Power to include other conditions	Specific Planning Officers	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	Specific Planning Officers	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	Specific Planning Officers	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	Specific Planning Officers	
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)	Specific Planning Officers	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	Specific Planning Officers	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	Specific Planning Officers	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	Specific Planning Officers	This provision applies also to a decision to grant an amendment to a permit – see s 75
s 64(3)	Duty not to issue a permit until after the specified period	Specific Planning Officers	This provision applies also to a decision to grant an amendment to a permit – see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	Specific Planning Officers	This provision applies also to a decision to grant an amendment to a permit – see s 75

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	Specific Planning Officers	This provision applies also to a decision to grant an amendment to a permit – see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	Specific Planning Officers	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	Specific Planning Officers	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	Specific Planning Officers	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)	Duty to give a recommending referral authority notice of its decision to refuse a permit	Specific Planning Officers	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	Specific Planning Officers	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 69(1)	Function of receiving application for extension of time of permit	Specific Planning Officers	
s 69(1A)	Function of receiving application for extension of time to complete development	Specific Planning Officers	
s 69(2)	Power to extend time	Specific Planning Officers	
s 70	Duty to make copy permit available in accordance with public availability requirements	CPCES Specific Planning Officers	
s 71(1)	Power to correct certain mistakes	Specific Planning Officers	
s 71(2)	Duty to note corrections in register	CPCES Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 73	Power to decide to grant amendment subject to conditions	Specific Planning Officers	<p>The exercise of this power is limited to the following circumstances:</p> <ul style="list-style-type: none"> a) there have been no more than five objections lodged; and b) the application/amending plan has not been referred to the Council or the Delegated Planning Forum for determination; and c) the application has not been called-in by a Councillor for determination at a Council meeting. <p>The power cannot be exercised where an application/amending plan is for use of land for gaming machines.</p> <p>The amended permit must not be inconsistent with a Cultural Heritage Management Plan under the <i>Aboriginal Heritage Act 2006</i></p> <p>The power to refuse a permit can only be exercised where the delegate considers that:</p> <ul style="list-style-type: none"> a) the application is contrary to law; or b) the application is inconsistent with policy; or c) a referral authority has directed refusal; or d) the applicant has failed to carry out a direction pursuant to the <i>Planning and Environment Act 1987</i> or Planning Scheme.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
S 73	Power to decide to grant amendment subject to conditions	DPP MPBS MCF CUP	<p>The exercise of this power is limited to the following circumstances:</p> <ul style="list-style-type: none"> a) the delegation may only be exercised where there have been more than five objections, but no more than 15 objections lodged; b) the delegation may only be exercised at a Delegated Planning Forum (including a Delegated Planning Forum conducted virtually); and c) the application has not been called-in by a Councillor for determination at a Council meeting. <p>The power cannot be exercised where an application is for use of land for gaming machines.</p> <p>The permit must not be inconsistent with a Cultural Heritage Management Plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>The power to refuse a permit can only be exercised where the delegate considers that:</p> <ul style="list-style-type: none"> a) the application is contrary to law; or b) the application is inconsistent with policy; or c) a referral authority has directed refusal; or d) the applicant has failed to carry out a direction pursuant to the <i>Planning and Environment Act 1987</i> or Planning Scheme.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 74	Duty to issue amended permit to applicant if no objectors	Specific Planning Officers	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Specific Planning Officers	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	CPCES Specific Planning Officers	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	Specific Planning Officers	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	Specific Planning Officers	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 s 64 or 76	Specific Planning Officers	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	Specific Planning Officers	
s 83	Function of being respondent to an appeal	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 83B	Duty to give or publish notice of application for review	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DPP MPBS MCF CUP	<p>The exercise of this power is limited to the following circumstances:</p> <ul style="list-style-type: none"> a) there have been no more than five objections lodged; and b) the application/amending plan has not been referred to the Council or the Delegated Planning Forum for determination; and c) the application has not been called-in by a Councillor for determination at a Council meeting. <p>The power cannot be exercised where an application/amending plan is for use of land for gaming machines.</p> <p>The amended permit must not be inconsistent with a Cultural Heritage Management Plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>The power to refuse a permit can only be exercised where the delegate considers that:</p> <ul style="list-style-type: none"> a) the application is contrary to law; or b) the application is inconsistent with policy; or c) a referral authority has directed refusal; or d) the applicant has failed to carry out a direction pursuant to the <i>Planning and Environment Act 1987</i> or Planning Scheme.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
S 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DPP MPBS MCF CUP	<p>The exercise of this power is limited to the following circumstances:</p> <ul style="list-style-type: none"> a) the delegation may only be exercised where there have been more than 5 objections but no more than 15 objections lodged; b) the delegation may only be exercised at a Delegated Planning Forum (including a Delegated Planning Forum conducted virtually); and c) the application has not been called-in by a Councillor for determination at a Council meeting. <p>The power cannot be exercised where an application is for use of land for gaming machines.</p> <p>The permit must not be inconsistent with a Cultural Heritage Management Plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>The power to refuse a permit can only be exercised where the delegate considers that:</p> <ul style="list-style-type: none"> a) the application is contrary to law; or b) the application is inconsistent with policy; or c) a referral authority has directed refusal; or d) the applicant has failed to carry out a direction pursuant to the <i>Planning and Environment Act 1987</i> or Planning Scheme.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	Specific Planning Officers	
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	Specific Planning Officers	
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	Specific Planning Officers	
s 84AB	Power to agree to confining a review by the Tribunal	Specific Planning Officers	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	Specific Planning Officers	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	DPP MPBS MCF CCSPP CUP	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 91(2)	Duty to comply with the directions of VCAT	Specific Planning Officers	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	Specific Planning Officers	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	Specific Planning Officers	
s 93(2)	Duty to give notice of VCAT order to stop development	Specific Planning Officers	
s 95(3)	Function of referring certain applications to the Minister	Specific Planning Officers	
s 95(4)	Duty to comply with an order or direction	Specific Planning Officers	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	Specific Planning Officers	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	DPP	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	Specific Planning Officers	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96F	Duty to consider the panel's report under s 96E	Not delegated	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	Specific Planning Officers	
s 96H(3)	Power to give notice in compliance with Minister's direction	Specific Planning Officers	
s 96J	Duty to issue permit as directed by the Minister	Specific Planning Officers	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	Specific Planning Officers	
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	Specific Planning Officers	
s 97C	Power to request Minister to decide the application	Not delegated	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	Specific Planning Officers	
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	Specific Planning Officers	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with public availability requirements	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 97L	Duty to include Ministerial decisions in a register kept under s 49	PCSSO Specific Planning Officers	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	Specific Planning Officers	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	DPP MPBS MCF	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	Specific Planning Officers	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	Specific Planning Officers	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	Specific Planning Officers	
s 97Q(4)	Duty to comply with directions of VCAT	Specific Planning Officers	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	Specific Planning Officers	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	Specific Planning Officers	
s 101	Function of receiving claim for expenses in conjunction with claim	Specific Planning Officers	
s 103	Power to reject a claim for compensation in certain circumstances	DPP MPBS	
s 107(1)	Function of receiving claim for compensation	Specific Planning Officers	
s 107(3)	Power to agree to extend time for making claim	DPP MPBS	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	DPP MPBS	

s 114(1)	Power to apply to the VCAT for an enforcement order	Specific Planning Officers PPEO SPEO	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	Specific Planning Officers PPEO SPEO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	Specific Planning Officers PPEO SPEO	
s 123(1)	Power to carry out work required by enforcement order and recover costs	DPP MPBS	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	DPPS MPBS	Except Crown Land
S 125(1)	Power to apply to any court of competent jurisdiction or to the tribunal for an injunction restraining any person from contravening an enforcement order or an interim enforcement order.	DPP MPBS CUP PPEO	Section 123 of the <i>Victorian Civil and Administrative Tribunal Act 1998</i> applies on an application to the Tribunal.
s 129	Function of recovering penalties	Specific Planning Officers PPEO SPEO	

s 130(5)	Power to allow person served with an infringement notice further time	Specific Planning Officers PPEOSPEO	
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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 149A(1)	Power to refer a matter to the VCAT for determination	Specific Planning Officers PPEOSPEO	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s 173 agreement	Specific Planning Officers PPEO SPEO	
S 149B	Power to apply to the Tribunal for a declaration	DPP MPBS CUP	
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B) power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	DPP MPBS MCF	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	Specific Planning	

		Officers	
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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 171(2)(g)	Power to grant and reserve easements	DPP DSAL MPBS MCF MSI CUP CPD PUPS	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	Not delegated	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)	Not delegated	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)	Not delegated	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 s 174	DSAL DPP MPBS MCF MSI	

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	DPP MPBS MCF	Where Council is the relevant responsible authority; and Except for where the agreement forms part of a planning scheme amendment or proposed planning scheme amendment
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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
---	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	Specific Planning Officers DSAL CPD MSI PPEO SPEO	
---	Power to give consent on behalf of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	Specific Planning Officers DSAL CPD MSI PPEOSPEO	
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DSAL DPP MPBS MCF MSI	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DSAL DPP MPBS MCF MSI	
s 178A(1)	Function of receiving application to amend or end an agreement	Specific Planning Officers	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	Specific Planning Officers	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Specific Planning Officers	
s 178A(5)	Power to propose to amend or end an agreement	DSAL DPP MPBS	

		MCF MSI	
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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	Specific Planning Officers	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	Specific Planning Officers	
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	Specific Planning Officers	
s 178C(4)	Function of determining how to give notice under s 178C(2)	Specific Planning Officers	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	Specific Planning Officers	
s 178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	DSAL DPP MPBS MCF MSI CUP	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DSAL DPP MPBS MCF MSI CUP	If no objections are made under s 178D Must consider matters in s 178B

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178E(2)(c)	Power to refuse to amend or end the agreement	DSAL DPP MPBS MCF MSI CUP	If no objections are made under s 178D Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	DSAL DPP MPBS MCF MSI CUP	After considering objections, submissions and matters in s 178B
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DSAL DPP MPBS MCF MSI CUP	After considering objections, submissions and matters in s 178B

s 178E(3)(c)	Power to amend or end the agreement in a manner that is substantively different from the proposal	DSAL DPP MPBS MCF MSI CUP	After considering objections, submissions and matters in s 178B
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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178E(3)(d)	Power to refuse to amend or end the agreement	DSAL DPP MPBS MCF MSI CUP	After considering objections, submissions and matters in s 178B
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	Specific Planning Officers	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	Specific Planning Officers	
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	Specific Planning Officers	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	DSAL DPP MPBS MCF MSI	

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	DSAL Specific Planning Officers MSI	
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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Specific Planning Officers DSAL MSI	
s 179(2)	Duty to make a copy of each agreement available in accordance with the public availability requirements	DSAL MSI Specific Planning Officers	
s 181	Duty to apply to the Registrar of Titles to record the agreement	DSAL MSI Specific Planning Officers	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	DSAL MSI Specific Planning Officers	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	DSAL MSI Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 182	Power to enforce an agreement	DSAL MSI Specific Planning Officers PPEOSPEO	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	DSAL MSI Specific Planning Officers	
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	DSAL DPP MPBS MCF MSI CUP	
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	DSAL MSI Specific Planning Officers	

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	DSAL MSI Specific Planning Officers	
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	DSAL MSI Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 184G(2)	Duty to comply with a direction of the Tribunal	DSAL MSI Specific Planning Officers	
s 184G(3)	Duty to give notice as directed by the Tribunal	DSAL MSI Specific Planning Officers	
s 185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	CPCES Specific Planning Officers	
s 198(1)	Function to receive application for planning certificate	CPCES Specific Planning Officers	
s 199(1)	Duty to give planning certificate to applicant	CPCES Specific Planning Officers	
s 201(1)	Function of receiving application for declaration of underlying zoning	Specific Planning Officers	
s 201(3)	Duty to make declaration	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
-	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	Specific Planning Officers	
	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	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
-	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	Specific Planning Officers	
-	Power to give written authorisation in accordance with a provision of a planning scheme	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
-	Power to request that the Minister prepare, adopt and approve amendments to a planning scheme in relation to Interim Heritage Overlays, including by exercising powers under section 20(4)	DPP MPBS MCF	This power can only be exercised in relation to Interim Heritage Overlays, and where all of the following requirements are met: <ul style="list-style-type: none"> (a) a relevant citation for the site or precinct has been prepared; (b) the heritage project forms part of a heritage review previously approved by Council; (c) a request for demolition has been submitted to Council under section 29A of the <i>Building Act</i> 1993 or a planning application has been submitted which involves demolition or substantial alterations to building and/or works; the proposed demolition or planning application is for a proposed heritage place, including an individually significant building or a contributory building within a proposed or revised heritage precinct; and (d) the proposed demolition or planning application will have an adverse impact on the cultural heritage significance of the site/precinct and is considered to have the potential to undermine the approval of the proposed heritage overlay.
-	Power to request that the Minister prepare, adopt and approve prescribed amendments to a planning scheme as set out in section 20A, including by exercising powers under section 20(4)	CEO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	CPCES Specific Planning Officers	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	CPCES Specific Planning Officers	

PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 6	Function of receiving notice, under s 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	CPCES Specific Planning Officers	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 s 54 of the Act	Specific Planning Officers	
r 25(a)	Duty to make copy of matter considered under s 60(1A)(g) available in accordance with the public availability requirements	CPCES Specific Planning Officers	Where Council is the responsible authority
r 25(b)	Function of receiving a copy of any document considered under s 60(1A)(g) by the responsible authority and duty to make the document available in accordance with the public availability requirements	CPCES Specific Planning Officers	Where Council is not the responsible authority but the relevant land is within Council's municipal district
r 42	Function of receiving notice under s 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	CPCES Specific Planning Officers	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			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	CCSPP CUP DPP MPBS MCF	
r20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	CCSPP CUP DPP MPBS MCF	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r19 or 20	CPCES Specific Planning Officers	

GLEN EIRA PLANNING SCHEME			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
All provisions of the Glen Eira Planning Scheme unless otherwise identified	Exercise Council's powers, discretions and authorities, carry out Council's duties and perform Council's functions	Specific Planning Officers	Delegate must comply with any conditions or limitations imposed by Council where the action involves exercising a power, duty or function delegated under the Planning and Environment Act 1987 or regulations under that Act.
43.04-4	Power to approve a development plan	Not delegated	
43.04-4	Power to allow a development plan to be prepared and implemented in stages Power to amend a development plan	DPP MPBS CUP	
52.06-1	Power to reduce or waive carparking Power to decide on an adequate number of car spaces to be provided for uses which are not specified in the table at clause 52.06-5	Specific Planning Officers	The power to reduce or waive car parking in the table in Clause 52.06-5 is limited to a reduction of up to ten car spaces. An application involving a reduction of more than ten car spaces may only be determined by DPP, MPBS, MCF or CUP.
52.28	Power to grant a permit for gaming machines	Not delegated	