

**S14 INSTRUMENT OF DELEGATION**

**BY CEO**

**FOR VICSMART APPLICATIONS  
AND  
FUTURE HOMES APPLICATIONS  
UNDER THE  
PLANNING AND ENVIRONMENT ACT 1987**

**14 MARCH 2024**

## Instrument of Delegation by CEO for VicSmart Applications and Future Homes Applications under the Planning and Environment Act 1987

In exercise of the power conferred by s 47(2) of the Local Government Act 1989 and s 188 of the Planning and Environment Act 1987, I, as Chief Executive Officer of Kingston City Council and the responsible authority for the administration and enforcement of the Kingston Planning Scheme as set out in cl 72.01 of that scheme for the VicSmart Application and cl 53.24 for Future Homes Applications, by this Instrument of Delegation -

1. delegate each duty and/or function and/or power respectively 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 respectively described in column 3 of the Schedule;
  
2. record that a reference in the Schedule to

Abbreviation	Position	
CDTSA	City Development Technical & Systems Administrator	2665, 3566
CLAO	Customer Liaison and Administration Officer	1018, 1130, 1162, 1447, 1660, 1995, 2048, 2738, 2758, 3725
GMPP	General Manager Planning & Place (GMPP)	2774
MCD	Manager City Development (Planning & Place)	1721
PLAC	Planning Appeals Coordinator	3044
PP	Principal Planner	2585, 2586, 2919
SCLAO	Senior Customer Liaison and Administration Officer	2667, 2668
SPLEO	Senior Planning Liaison and Enforcement Officer	1715
SStatBP	Senior Statutory and Business Planner	1160, 1465, 1514, 1579, 1964
StatP	Statutory Planner	1415, 1816, 1889, 2735, 3039
TLCDA	Team Leader City Development Administration	1615
TLStatP	Team Leader Statutory Planning	1190, 1704, 2637, 3470
TLVC	Team Leader Vegetation and Compliance	2924
VSFTO	VicSmart / Fast Track Officer	3097

3. declare that this Instrument of Delegation -
  - 3.1 comes into force immediately upon its execution;
  - 3.2 remains in force until varied or revoked; and
  - 3.3 is subject to any conditions and limitations set out in paragraph 4, and in the Schedule;

4. declare that the delegate must not determine the issue, take the action or do the act or thing if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 188 Planning and Environment Act 1987 or otherwise.

This Instrument of Delegation is dated **14 March 2024** and is made by the Chief Executive Officer.

Signed by the Chief Executive Officer of Council

A handwritten signature in black ink, appearing to be 'Peter Bean', with a long horizontal stroke extending to the right.

Peter Bean

in the presence of

A handwritten signature in black ink, appearing to be 'Debbie Wilson', with a large circular flourish and a long horizontal stroke extending to the right.

Name: Debbie Wilson

Witness

## Delegation Sources

- Planning and Environment Act 1987
- Planning and Environment Regulations 2015
- Planning and Environment (Fees) Regulations 2016

<b>Planning and Environment Act 1987*</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 50(4)	Duty to amend application	TLVC, TLStatP, PP, CDTSA, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, TLVC, TLStatP and PLAC
s 50(5)	Power to refuse to amend application	TLVC, TLStatP, PP, CDTSA, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, TLVC, TLStatP and PLAC
s 50(6)	Duty to make note of amendment to application in register	TLVC, TLCDA, TLStatP, PP, SCLAO, CDTSA, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, TLVC, TLStatP and PLAC
s 50A(1)	Power to make amendment to application	TLVC, TLStatP, PP, CDTSA, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, TLVC, TLStatP and PLAC
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	TLVC, TLCDA, TLStatP, PP, SCLAO, CDTSA, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, TLVC, TLStatP and PLAC
s 50A(4)	Duty to note amendment to application in register	TLVC, TLCDA, TLStatP, PP, SCLAO, CDTSA, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, TLVC, TLStatP and PLAC
s 51	Duty to make a copy of every application and the prescribed information supplied in respect of the application available in accordance with the public availability requirements	TLVC, TLCDA, TLStatP, PP, SCLAO, CDTSA, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, TLVC, TLStatP and PLAC

**Planning and Environment Act 1987\***

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	Applicable for Future Homes Applications only  Note: VicSmart Applications are exempt from the notice requirements under s 52(1)(a), (b), (c) and (d).
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	Applicable for Future Homes Applications only  Note: VicSmart Applications are exempt from the notice requirements under s 52(1)(a), (b), (c) and (d).
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	Applicable for Future Homes Applications only  Note: VicSmart Applications are exempt from the notice requirements under s 52(1)(a), (b), (c) and (d).
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	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	Notice requirements under s 52(1)(a), (b), (c) and (d) are exempt. Other notice requirements apply.  If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP.
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	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	Notice requirements under s 52(1)(a), (b), (c) and (d) are exempt. Other notice requirements apply.  If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP.
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	Applicable for Future Homes Applications only  Note: VicSmart Applications are exempt from the notice requirements under s 52(1)(a), (b), (c) and (d).
s 52(3)	Power to give any further notice of an application where appropriate	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, TLVC, TLStatP and PLAC

**Planning and Environment Act 1987\***

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	TLVC, TLCDA, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC, TLStatP and PLAC
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	TLVC, TLCDA, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC, TLStatP and PLAC
s 54(1)	Power to require the applicant to provide more information	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	Note: for VicSmart applications, delegates cannot require an applicant to provide more information than what is listed in Schedules to clause 59 of the planning scheme If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	Note: for VicSmart applications, delegates cannot require an applicant to provide more information than what is listed in Schedules to clause 59 of the planning scheme If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 54(1B)	Duty to specify the lapse date for an application	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, TLVC, TLStatP and PLAC
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, TLVC, TLStatP and PLAC
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, TLVC, TLStatP and PLAC

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<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, TLVC, PLAC and TLStatP
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	TLVC, TLStatP, PP, CDTSA, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, TLVC, TLStatP and PLAC
s 57(5)	Duty to make a copy of every objection available in accordance with the public availability requirements	TLVC, TLCDA, TLStatP, PP, SCLAO, CDTSA, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	TLVC, TLStatP, PP, CDTSA, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 57A(5)	Power to refuse to amend application	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 57A(6)	Duty to note amendments to application in register	TLVC, TLCDA, TLStatP, PP, CDTSA, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 57B(1)	Duty to determine whether and to whom notice should be given	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP

**Planning and Environment Act 1987\***

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 57C(1)	Duty to give copy of amended application to referral authority	TLVC, TLCDA, TLStatP, PP, CDTSA, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 58	Duty to consider every application for a permit	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 58A	Power to request advice from the Planning Application Committee	TLStatP, PP, GMPP, MCD, PLAC	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 59(1)	Power to decide an application without delay	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 60	Duty to consider certain matters	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	Note: VicSmart applications are exempt from the requirements of s 60(1)(b), (c), (e) and (f).
s 60(1)(a)	Duty to consider the relevant planning scheme	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	Note: VicSmart applications are exempt from the requirements of s 60(1)(b), (c), (e) and (f).  If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 60(1)(d)	Duty to consider any decision and comments of a referral authority which has been received	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	Note: VicSmart applications are exempt from the requirements of s 60(1)(b), (c), (e) and (f).



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<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
			If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 60(1A)(i)	Power to consider any agreement made pursuant to s 173	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	Note: VicSmart applications are exempt from the requirements of s 60(1A)(b) - (h) and (j).  If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 60(1B)	Duty to consider the number of objectors in considering whether use or development may have significant social effect	TLStatP, PP, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
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	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006  If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP

**Planning and Environment Act 1987\***

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 62(1)	Duty to include certain conditions in deciding to grant a permit	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 62(2)	Power to include other conditions	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
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	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP

**Planning and Environment Act 1987\***

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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 s 46N(1), 46GV(7) or 62(5)	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
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)	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 64(5)	Duty to give each objector a copy of an exempt decision	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	Note: VicSmart and Future Home 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 s 75  If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
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	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	This provision applies also to a decision to grant an amendment to a permit - see s 75A  If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 66(1)	Duty to give notice under ss 64 or 65 and copy permit to relevant determining referral authorities	TLVC, TLCDA, TLStatP, PP, SCLAO, CLAO,	

**Planning and Environment Act 1987\***

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
		GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 66(2) & (3)	Duty to give a recommending referral authority notice of its decision to grant a permit in the specified circumstances, and include any conditions to which the permit will be subject	TLVC, TLCDA, TLStatP, PP, SCLAO, CLAO, GMPP, MCD, VSFTO, PLAC, SStatBP	<p>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</p> <hr/> <p>If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP</p>
s 66(4) & (5)	Duty to give a recommending referral authority notice of its decision to refuse to grant a permit in the circumstances specified, and include the information required under s 66(5)	TLVC, TLCDA, TLStatP, PP, SCLAO, CLAO, GMPP, MCD, VSFTO, PLAC, SStatBP	<p>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</p> <hr/> <p>If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP</p>
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 ss 64 or 65	TLVC, TLCDA, TLStatP, PP, SCLAO, CLAO, GMPP, MCD, VSFTO, PLAC, SStatBP	<p>If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend that a condition be included on the permit</p> <hr/> <p>If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP</p>
s 69(1)	Function of receiving application for extension of time of permit	TLVC, TLCDA, TLStatP, PP, SCLAO, CD TSA, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	<hr/> <p>If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP</p>
s 69(1A)	Function of receiving application for extension of time to complete development	TLVC, TLCDA, TLStatP, PP, SCLAO, CD TSA, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	<hr/> <p>If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP</p>

**Planning and Environment Act 1987\***

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 69(2)	Power to extend time	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 70	Duty to make a copy of every permit that it issues available in accordance with the public availability requirements	TLVC, TLCDA, TLStatP, PP, SCLAO, CDTSA, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 71(1)	Power to correct certain mistakes	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 71(2)	Duty to note corrections in register	TLVC, TLCDA, TLStatP, PP, SCLAO, CDTSA, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 73	Power to decide to grant amendment subject to conditions	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 74	Duty to issue amended permit to applicant if no objectors	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP

**Planning and Environment Act 1987\***

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 76A(2) & (3)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit in the circumstances specified, and include any conditions to which the permit will be subject	TLVC, TLCDA, TLStatP, PP, SCLAO, CLAO, GMPP, MCD, VSFTO, PLAC, SStatBP	<p>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</p> <hr/> <p>If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP</p>
s 76A(4) & (5)	Duty to give a recommending referral authority notice of its decision to refuse to grant an amendment to a permit in the circumstances specified, and include the information required under s 76A(5)	TLVC, TLCDA, TLStatP, PP, SCLAO, CLAO, GMPP, MCD, VSFTO, PLAC, SStatBP	<p>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</p> <hr/> <p>If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP</p>
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 ss 64 or 76	TLVC, TLCDA, TLStatP, PP, SCLAO, CLAO, GMPP, MCD, VSFTO, PLAC, SStatBP	<p>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</p> <hr/> <p>If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP</p>
s 76D	Duty to comply with direction of Minister to issue amended permit	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	<hr/> <p>If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP</p>
s 83	Function of being respondent to an appeal	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	<hr/> <p>If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP</p>
s 83B	Duty to give or publish notice of application for review	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	<hr/> <p>If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP</p>

**Planning and Environment Act 1987\***

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
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	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
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	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 84(6)	Duty to issue permit on receipt of advice	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 84AB	Power to agree to confining a review by the Tribunal	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 86	Duty to issue a permit at order of Tribunal	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	TLVC, TLStatP, PP, GMPP, MCD, PLAC	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP

**Planning and Environment Act 1987\***

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 91(2)	Duty to comply with the directions of VCAT	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, PLAC, SStatBP	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP
s 93(2)	Duty to give notice of VCAT order to stop development	TLVC, TLStatP, PP, SPLEO, GMPP, MCD, VSFTO, PLAC	If an application is made for building works under Clause 35.05-5 (Green Wedge A Zone) or Clause 35.04-5, (Green Wedge Zone) pursuant to Clause 93, delegation is limited to GMPP, MCD, PLAC, TLVC and TLStatP

**Planning and Environment Regulations 2015**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 21	Power of responsible authority to require a permit applicant to verify information in an application for a permit or to amend a permit or any information provided under s 54 of the Act	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	
r 25(a)	Duty to make copy of matter considered under s 60(1A)(g) in accordance with the public availability requirements	TLVC, TLStatP, PP, GMPP, MCD, VSFTO, StatP, PLAC, SStatBP	Applicable for Future Homes Applications only

**Planning and Environment (Fees) Regulations 2016**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	TLVC, TLStatP, GMPP, MCD, PLAC	



**Planning and Environment (Fees) Regulations 2016**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under rr 19 or 20	TLVC, TLCDA, TLStatP, SCLAO, GMPP, MCD, PLAC	