



Surf Coast Shire Council

## Instrument of Delegation

s16 Instrument of Delegation for Bushfire Reconstruction  
Applications under the Planning and Environment Act 1987

# S16 Instrument of Delegation for Bushfire Reconstruction Applications under the Planning and Environment Act 1987

## Instrument of Delegation

By this Instrument of Delegation, in exercise of the power conferred by s 47 of the Local Government Act 2020 and s 188 of the Planning and Environment Act 1987, I, as Chief Executive Officer of the Surf Coast Shire Council and responsible authority for considering and determining planning permit applications to which cl 52.10-2 of Surf Coast Planning Scheme applies, 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 references in the Schedule are as follows:

Abbreviation	Position
AOPD	Administration Officer Planning and Development
AOPlan	Administrative Officer
CPC	Coordinator Planning Compliance
CRMg	Compliance Resolution Manager
CSLUP	Coordinator Strategic/Land Use Planning
CSP	Coordinator Statutory Planning
GMPME	General Manager Place Making and Environment
MIP	Manager Integrated Planning
MPCo	Manager Planning & Compliance
PAO	Planning Administration Officer
PCSASO	Planning Customer Service and Administration Support Officer
PO	Planning Officer
PPIO	Principal Investigations Officer
PPO	Para Planning Officer
PSO	Project Support Officer
PStaP	Principal Statutory Planner
PStrP	Principal Strategic Planner
SP	Statutory Planner

Abbreviation	Position
SPIO	Senior Planning & Development Investigations Officer
SPP	Senior Statutory Planner
TLPP	Team Leader Para Planning
TLPPS	Team Leader Para Planning and Subdivisions
VSP	VicSmart Planner

3. record that on the coming into force of this Instrument of Delegation each delegation under the Instrument of Delegation dated 30 January 2022 is revoked;
4. declare that this Instrument of Delegation –
  - 4.1. comes into force immediately upon its execution;
  - 4.2. remains in force until varied or revoked;
  - 4.3. is subject to any conditions and limitations set out in paragraph 4, and in the Schedule; and
  - 4.4. must be read in accordance with any guidelines or policies which Council from time to time adopts.
5. declare that the delegate must not determine the issue, take the action or do the act or thing if:
  - 5.1. the issue, action, act or thing is an issue, action, act or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
  - 5.2. 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
    - 5.2.1. policy; or
    - 5.2.2. strategy
    - 5.2.3. adopted by Council; or
  - 5.3. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 188 of the Planning and Environment Act 1987 of the Act or otherwise.

This Instrument of Delegation is made by the Chief Executive Officer.

DocuSigned by:

*Robyn Seymour*

Robyn Seymour

Chief Executive Officer

9/10/2022

Dated

## S16 Instrument of Delegation for Bushfire Reconstruction Applications under the Planning and Environment Act 1987

### Delegations

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50(4)	Duty to amend application	PO, CSLUP, CSP, PStaP, AOPD, PCSASO, PPO, PSO, VSP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 50(5)	Power to refuse to amend application	PO, CSLUP, CSP, PStaP, VSP, SPP, PStrP, TLPPS, SP, MIP, MPCo	
s 50(6)	Duty to make note of amendment to application in register	PO, CSLUP, PStaP, PAO, AOPD, PCSASO, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 50A(1)	Power to make amendment to application	PO, CSLUP, CSP, PStaP, VSP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	

<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 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	PO, CSLUP, CSP, PStaP, VSP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 50A(4)	Duty to note amendment to application in register	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 51	Duty to make a copy of every application and the prescribed information supplied in respect of the application available for inspection	PO, CSLUP, CSP, SPP, PStrP, TLPPS, MIP, GMPME, MPCo	
s 52(1)(c)	Duty to give notice of the application to any person to whom the planning scheme requires it to give notice	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	Note: Notice requirements under s 52(1)(a), (b) and (d) are exempt Other notice requirements apply

<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 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	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	Note: Notice requirements under s 52(1)(a), (b) and (d) are exempt Other notice requirements apply
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	CSLUP, CSP, PStaP, PAO, AOPD, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	Note: Notice requirements under s 52(1)(a), (b) and (d) are exempt Other notice requirements apply
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	CSLUP, CSP, PStaP, PAO, AOPD, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	Note: Notice requirements under s 52(1)(a), (b) and (d) are exempt Other notice requirements apply
s 52(1A)	Power to refuse an application	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	

<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 52(3)	Power to give any further notice of an application where appropriate	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	CSLUP, CSP, PStaP, PAO, AOPD, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	Note: Notice requirements under s 52(1)(a), (b) and (d) are exempt Other notice requirements apply
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	Note: Notice requirements under s 52(1)(a), (b) and (d) are exempt Other notice requirements apply
s 54(1)	Power to require the applicant to provide more information	PO, CSLUP, CSP, PStaP, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	Note: delegates cannot require an applicant to provide more information than what is listed in schs 59 – 59.16 of the planning scheme

<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 54(1A)	Duty to give notice in writing of information required under s 54(1)	PO, CSLUP, CSP, PStaP, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	Note: delegates cannot require an applicant to provide more information than what is listed in schs 59 – 59.16 of the planning scheme
s 54(1B)	Duty to specify the lapse date for an application	PO, CSLUP, CSP, PStaP, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	PO, CSLUP, CSP, PStaP, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	PO, CSLUP, CSP, PStaP, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	The new lapse date must be included in the written notice of decision under subsections (5) and (6)
s 55(1)	Duty to give a copy of an application to referral authority	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, PStrP,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		TLPPS, SP, MIP, GMPME, MPCo	
s 57(2)	Function to receive an objection	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, SP, MIP, GMPME, MPCo	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	CSLUP, CSP, MIP, MPCo	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 57(5)	Duty to make available for inspection copy of all objections	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP,	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
		TLPPS, SP, MIP, GMPME, MPCo	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 57A(5)	Power to refuse to amend application	PO, CSLUP, CSP, PStaP, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 57A(6)	Duty to note amendments to application in register	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 57B(1)	Duty to determine whether and to whom notice should be given	PO, CSLUP, CSP, PStaP, PSO, VSP, SPP,	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
		PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	PO, CSLUP, CSP, PStaP, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 57C(1)	Duty to give copy of amended application to referral authority	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 58	Duty to consider every application for a permit	PO, CSLUP, CSP, PStaP, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 58A	Power to request advice from the Planning Application Committee	CSLUP, CSP, PStaP, PStrP, MIP, GMPME, MPCo	

<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 59(1)	Power to decide an application without delay	PO, CSLUP, CSP, PStaP, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 59(2)	Power to decide an application as soon as it gets the last of the replies from referral authorities	PO, CSLUP, CSP, PStaP, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 60(1)(a)	Duty to consider the relevant planning scheme	PO, CSLUP, CSP, PStaP, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 60(1)(b)	Duty to consider the objectives of planning in Victoria	PO, CSLUP, CSP, PStaP, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 60(1)(d)	Duty to consider any decision and comments of a referral authority which has been received	PO, CSLUP, CSP, PStaP, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	

<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 60(1)(e)	Duty to consider any significant effects which it considers the use or development may have on the environment or which it considers the environment may have on the use or development	PO, CSLUP, CSP, PStaP, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 60(1)(f)	Duty to consider any significant social effects and economic effects which it considers the use or development may have	PO, CSLUP, CSP, PStaP, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 60(1A)	Power to consider relevant matters	PO, CSLUP, CSP, PStaP, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 60(1B)	Duty to consider the number of objectors in considering whether use or development may have significant social effect	PO, CSLUP, CSP, PStaP, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
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	PO, CSLUP, CSP, PStaP, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006

<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 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	CSLUP, CSP, PStaP, PStrP, MIP, GMPME, MPCo	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	CSP, GMPME, MPCo	
s 61(3)(a)	Duty not to decide to grant a permit to use or develop marine and coastal Crown land without Minister's consent	CSLUP, CSP, MIP, GMPME, MPCo	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	CSLUP, CSP, MIP, GMPME, MPCo	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	CSLUP, CSP, MIP, GMPME, MPCo	
s 61A	Duty to delegate a power, duty or function to another council officer if there is a conflict of interest	MIP, GMPME, MPCo	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	PO, CSLUP, CSP, PStaP, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	

<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 62(2)	Power to include other conditions	PO, CSLUP, CSP, PStaP, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	PO, CSLUP, CSP, PStaP, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	PO, CSLUP, CSP, PStaP, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
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	PO, CSLUP, CSP, PStaP, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	PO, CSLUP, CSP, PStaP, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	

<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 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)	PO, CSLUP, CSP, PStaP, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
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)	PO, CSLUP, CSP, PStaP, VSP, PStrP, TLPPS, SP	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 64(5)	Duty to give each objector a copy of an exempt decision	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	Note: Bushire reconstructions 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



<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 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	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	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	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 66(1)	Duty to give notice under ss 64 or 65 and copy permit to relevant determining referral authorities	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
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	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP,	If the recommending referral authority objected to the grant of the permit or the responsible authority decided

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
		TLPPS, SP, MIP, GMPME, MPCo	not to include a condition on the permit recommended by the recommending referral authority
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)	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	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 ss 64 or 65	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	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
s 69(1)	Function of receiving application for extension of time of permit	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	

<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 69(1A)	Function of receiving application for extension of time to complete development	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 69(2)	Power to extend time	TLPP, CSLUP, CSP, PStaP, SPP, PStrP, MIP, GMPME, MPCo	
s 70	Duty to make copy permit available for inspection	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 71(1)	Power to correct certain mistakes	CSLUP, CSP, PStaP, PStrP, MIP, GMPME, MPCo	
s 71(2)	Duty to note corrections in register	PO, CSLUP, CSP, PStaP, PAO, AOPD,	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
		PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 73	Power to decide to grant amendment subject to conditions	PO, CSLUP, CSP, PStaP, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 74	Duty to issue amended permit to applicant if no objectors	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	

<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 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
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	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	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) & (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)	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	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 ss 64 or 76	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP,	If the recommending referral authority did not object to the amendment of the permit or the recommending

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
		TLPPS, SP, MIP, GMPME, MPCo	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	CSLUP, CSP, PStaP, PStrP, MIP, GMPME, MPCo	
s 83	Function of being respondent to an appeal	PO, CSLUP, CSP, PStaP, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 83B	Duty to give or publish notice of application for review	PO, CSLUP, CSP, PStaP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, PStrP, TLPPS, SP, MIP, GMPME, MPCo	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CSLUP, CSP, MIP, GMPME, MPCo	

<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 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	CSLUP, CSP, PStaP, PStrP, MIP, GMPME, MPCo	
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	CSP, PStaP, SPP, PStrP, TLPPS, MIP, GMPME, MPCo	
s 84(6)	Duty to issue permit on receipt of advice from presidential member of the Tribunal	CSLUP, CSP, PStaP, PStrP, MIP, GMPME, MPCo	
s 84AB	Power to agree to confining a review by the Tribunal	CSLUP, CSP, PStaP, PStrP, MIP, GMPME, MPCo	
s 86	Duty to issue a permit at order of Tribunal	PO, CSLUP, CSP, PStaP, VSP, PStrP, SP, MIP, GMPME, MPCo	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	CSLUP, CPC, CSP, CRMg, MIP, GMPME, MPCo	

<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 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	CSLUP, CPC, CSP, PStaP, PStrP, CRMg, MIP, GMPME, MPCo	
s 91(2)	Duty to comply with the directions of VCAT	CSLUP, CPC, CSP, SPIO, PStaP, PStrP, CRMg, MIP, GMPME, MPCo	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	CSLUP, CPC, CSP, PStaP, PStrP, CRMg, MIP, GMPME, MPCo	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	CSLUP, CPC, CSP, SPP, TLPPS, CRMg, MIP, GMPME, MPCo	
s 93(2)	Duty to give notice of VCAT order to stop development	CSLUP, CPC, CSP, PPIO, SPIO, PStaP, SPP, PStrP, TLPPS, CRMg, MIP, GMPME, MPCo	



<b>Planning and Environment Regulations 2015</b>			
<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	PO, CSLUP, CSP, PAO, AOPD, PCSASO, AOPlan, PPO, PSO, VSP, SPP, TLPPS, SP, MIP, GMPME, MPCo	

<b>Planning and Environment (Fees) Regulations 2016</b>			
<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	CSLUP, MIP, GMPME, MPCo	
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	CSLUP, CSP, MIP, GMPME, MPCo	