



**Instrument of Delegation  
of Powers Prescribed by  
Legislation to the Chief  
Executive Officer to  
Members of Council Staff**

## Instrument of Delegation

In exercise of the power conferred by section 47(2) of the *Local Government Act 2020* and section 188 of the *Planning and Environment Act 1987*, I, as Chief Executive Officer of Hume City Council and the responsible authority for the administration and enforcement of the Hume Planning scheme as set out in clause 72.01 of that scheme, by this instrument of delegation -

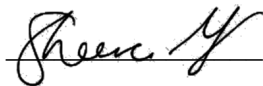
1. delegates each power, duty or function described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position respectively described in column 3 of the Schedule;
2. record that a reference in the Schedule to

<b>All Statutory Planning</b>	includes	All Statutory Planning staff
<b>All Strategic Planning</b>	includes	All Strategic Planning staff
<b>CFO</b>	means	Chief Financial Officer
<b>CGOV</b>	means	Coordinator Governance
<b>CIO</b>	means	Chief Information Officer
<b>CKNOM</b>	means	Coordinator Knowledge Management
<b>CONS</b>	means	Contract Supervisor
<b>CREV</b>	means	Coordinator Revenue
<b>CRISM</b>	means	Coordinator Risk Management
<b>CSTAP</b>	means	Coordinator Statutory Planning
<b>CSTPB</b>	means	Coordinator Streamlining (Planning and Building)
<b>DCPP</b>	means	Director City Planning & Places
<b>DCSL</b>	means	Director City Services & Living
<b>DCUS</b>	means	Director Customer & Strategy
<b>EMERC</b>	means	Emergency Recovery Coordinator
<b>MCITS</b>	means	Manager City Safety
<b>MCST</b>	means	Manager City Strategy
<b>MCOMH</b>	means	Manager Community Health & Wellbeing
<b>MEMO</b>	means	Municipal and Emergency Management Officer
<b>MFAMY</b>	means	Manager Family, Youth & Children
<b>MFIN</b>	means	Manager Finance
<b>MGOV</b>	means	Manager Governance
<b>MPLAD</b>	means	Manager Planning and Development
<b>PITO</b>	means	Planning Investigations Technical Officer
<b>PRIPL</b>	means	Principal Planner
<b>SPIO</b>	means	Senior Planning Investigations Officer
<b>SSUBO</b>	means	Senior Subdivisions Officer
<b>STOWP</b>	means	Senior Town Planner
<b>SUBO</b>	means	Subdivisions Officer
<b>TLPI</b>	means	Team Leader Planning Investigations
<b>TPLAN</b>	means	Town Planner

3. record that on the coming into force of this Instrument of Delegation each delegation under the Instrument of Delegation dated 19/12/2022 and executed by Sheena Frost is revoked.
4. declares 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 5, and in the Schedule; and
  - 4.4. must be read in accordance with any guidelines or policies which Council from time to time adopts; and
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 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 policy; or strategy 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 section Division 7 Section 47 (1) of the *Local Government Act 2020* or section 188 of the *Planning and Environment Act 1987* or otherwise; or
  - 5.4. 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.

**This instrument of delegation** is dated 27/09/2023 and is made by the Chief Executive Officer under section Division 7 Section 47 (1) of the *Local Government Act 2020* and section 188 of the *Planning and Environment Act 1987*.

**SIGNED** by Sheena Frost

  
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in the presence of:

  
\_\_\_\_\_  
Witness Signature

Stefani Chorley

Witness Name

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## SCHEDULE

CHILD WELLBEING AND SAFETY ACT 2005			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 29(3)	Power to consent to inspection of relevant premises without written notice by the Commission for Children and Young People	DCSL/MFAMY	

<b>EMERGENCY MANAGEMENT ACT 2013</b>			
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 54(1)(a)(vii)	Power to nominate a person, position or role to be a member of the Regional Emergency Management Planning Committee	MEMO/EMERC	Note: this provision commences on 1 December 2020, unless proclaimed earlier
s 59B(1)(b)	Power to nominate a member of Council staff to be the chairperson of the Municipal Emergency Management Planning Committee	MEMO/EMERC	Note: this provision commences on 1 December 2020, unless proclaimed earlier  Delegates cannot nominate themselves

FINES REFORM ACT 2014			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.175(1)(b)	power to certify that exceptional circumstances apply requiring Council not to provide required information	CFO/MGOV	

FIRE SERVICES PROPERTY LEVY ACT 2012			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.66	power to disclose information in capacity as a collection agency unless that information will or is likely to identify a particular person	CFO/MFIN/CREV	Section 66 does not apply if the disclosure is permitted by, or is necessary for the administration of, this Act
s.68 (1) (b)	power to authorise the secondary disclosure of information obtained under, or in relation to the administration of, this Act	CFO/MFIN/CREV	



FREEDOM OF INFORMATION ACT 1982			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 61GA(3)	Power to apply for extension	CFO/MGOV/CGOV/CRISM	
s 61H	Power to reach an agreement with a complaint	CFO/MGOV/CGOV/CRISM	
s 61I(2)	Power to make submissions in relation to a complaint	CFO/MGOV/CGOV/CRISM	
s 61L(5)	Power to comment on and response to a draft recommendation or draft comment	CFO/MGOV/CGOV/CRISM	
s 61R(4)	Power to respond to adverse material	CFO/MGOV/CGOV/CRISM	
s 63BA(1)	Power to apply to the Supreme Court for a determination	NOT DELEGATED	
s 63BA(4)(a)	Power to make an application	CFO/MGOV/CGOV/CRISM	
s 63E(3)(b)	Power to give written consent to a disclosure	CFO/MGOV/CGOV/CRISM	

INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION ACT 2011			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.41	power of receiving information acquired by the Independent Broad-based Anti-corruption Commission (IBAC)	NOT DELEGATED	
s.73	power of receiving a complaint pertaining to Council staff, under circumstances in which it would be more appropriate for Council to conduct the investigation	NOT DELEGATED	
s.159	power of receiving IBAC recommendations about the action to be taken following an IBAC investigation	NOT DELEGATED	
s.162 (2)	power of receiving and responding to an IBAC special report that includes matters pertaining to Council	NOT DELEGATED	
s.163(3)	power of receiving written information about the commencement, conduct or results of an IBAC investigation pertaining to Council	NOT DELEGATED	
s.165 (2)	power of receiving and responding to IBAC material that includes matters pertaining to Council, to be published in the IBAC annual report	NOT DELEGATED	

LOCAL GOVERNMENT ACT 2020			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 48(1)	Power to appoint as many members of Council staff as are required to enable the functions of the Council under this Act or any other Act to be performed	ALL DIRECTORS	Subject to section 48(6) prohibiting appointment of a person who has been a Councillor of the Council within 2 years after the person ceases to hold that office
s 105	Power to designate a person as a Principal Accounting Officer	NOT DELEGATED	
s 132(1)	Power to nominate a 'nominated officer'	NOT DELEGATED	
s 246(2)	Power to refuse enrolment and duty to give written reasons for refusal application for enrolment	CFO/MFIN/CREV	
s 246(3)	Power to request information orally or in writing to enable her or him to determine a person's eligibility for enrolment	CFO/MFIN/CREV	
s 246(4)	Power to require information to be given in writing and signed by the person giving the information	CFO/MFIN/CREV	
s 247(3)	Power to decide whether address should be placed on voters' roll and to then take action accordingly	CFO/MFIN/CREV	
s 248(2)	Power to include in the list supplied to the Victorian Electoral Commission people whose address on the rate notice is outside of the municipal district	CFO/MFIN/CREV	For the purposes of section 243
s 254(1)	Power to use the Council voters' roll for communicating or consulting the local community on the performance of the Council's functions	ALL DIRECTORS	Subject to section 254(2)(a) and (b)

LOCAL GOVERNMENT ACT 2020			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 254(4)	Power to request the Victorian Electoral Commission to provide a copy of the voters' roll	CFO/MFIN/CREV	
s 313(2)	Power to represent the Council in all respects as though the person was the party concerned in any proceedings in which the Council is a party or has an interest	NOT DELEGATED	
s 324(2)	Power to sign a certificate certifying any matter relating to the contents of any document kept by a Council	NOT DELEGATED	

LOCAL GOVERNMENT (ELECTORAL) REGULATIONS 2020			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 15 (2)	Power to exchange relevant information to enrolment entitlements with the VEC	CFO/MFIN/CREV/MGOV	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.50(4)	Duty to amend an application	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	
s.50(5)	Power to refuse to amend an application	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.
s.50(6)	Duty to make note of an amendment to application in register	ALL STATUTORY PLANNING	
s.50A(1)	Power to make an amendment to an application	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.
s.50A(3)	Power to require an applicant to notify the owner and make a declaration that notice has been given	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.
s.50A(4)	Duty to note an amendment to an application in the register	ALL STATUTORY PLANNING	
s 51	Duty to make a copy of every application and the prescribed information supplied in respect of the application available for inspection	ALL STATUTORY PLANNING	

## PLANNING AND ENVIRONMENT ACT 1987

PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	Notice requirements under s 52(1)(a), (b), (c) 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	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	Notice requirements under s 52(1)(a), (b), (c) 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	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	Notice requirements under s 52(1)(a), (b), (c) and (d) are exempt Other notice requirements apply
s.52(3)	Power to give any further notice of an application where appropriate	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.
s.53(1)	Power to require the applicant to give notice under section 52(1) to persons specified by it	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	Notice requirements under s.52(1)(a), (b), (c) and (d) are exempt. Other notice requirements apply.  This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.

## PLANNING AND ENVIRONMENT ACT 1987

PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.53(1A)	Power to require the applicant to give the notice under section 52(1AA)	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	<p>Notice requirements under s.52(1)(a), (b), (c) and (d) are exempt. Other notice requirements apply.</p> <p>This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.</p>
s.54(1)	Power to require the applicant to provide more information	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	<p>Note: delegates cannot require an applicant to provide more information than what is listed in new Clause 93 (state) and schedule to Clause 95 (local) of the planning scheme.</p> <p>This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.</p>
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	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	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	
s.54A(3)	Power to decide to extend the time or refuse to extend the time to give required information	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.



## PLANNING AND ENVIRONMENT ACT 1987

PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.54A(4)	Power to give written notice of a decision to extend or refuse to extend the time under section 54A(3)	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.
s.57(2A)	Power to reject objections considered made primarily for the commercial advantage for the objector	DCPP/MPLAD/CSTPB /CSTAP	This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	ALL STATUTORY PLANNING	
s 57(5)	Duty to make available for inspection copy of all objections	ALL STATUTORY PLANNING	
s.57A(4)	Duty to amend an application in accordance with the applicant's request, subject to section 57A(5)	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	
s.57A(5)	Power to refuse to amend an application	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.
s 57A(6)	Duty to note amendments to application in register	ALL STATUTORY PLANNING	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.57B(1)	Duty to determine whether and to whom notice should be given	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/ SSUBO/PRIPL	
s.57B(2)	Duty to consider certain matters in determining whether notice should be given	DCPP/MPLAD /STOWP/TPLAN/CSTAP /CSTPB/PRIPL	
s 57C(1)	Duty to give copy of amended application to referral authority	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	
s.58	Duty to consider every application for a permit	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	
s.58A	Power to request advice from the Planning Application Committee	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.
s 59(1)	Power to decide an application without delay	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	
s.60(1)(a)	Duty to consider the relevant planning scheme	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	Note: VicSmart applications are exempt from the requirements of s.60(1)(b), (c), (e) and (f).
s.60(1)(d)	Duty to consider any decision and comments of a referral authority which has been received	DCPP/ MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	

## PLANNING AND ENVIRONMENT ACT 1987

PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s. 60(1A)(a)	Power to consider certain matters before deciding on an application any significant social and economic effects of the use or development for which the application is made	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	<p>Note: VicSmart applications are exempt from the requirements of s.60(1A)(b) – (h) and (j).</p> <p>This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.</p>
s.60(1A)(i)	Power to consider any agreement made pursuant to section 173	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	<p>Note: VicSmart applications are exempt from the requirements of s.60(1A)(b) – (h) and (j).</p> <p>This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.</p>
s.61(1)	Power to determine a permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	<p>The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006.</p> <p>This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.</p>

## PLANNING AND ENVIRONMENT ACT 1987

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 the granting of a permit	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	
s.61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.
s.61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without the Minister's consent	Not applicable (Hume does not have any "coastal Crown land")	
s.61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	Not applicable (Hume does not have any "coastal Crown land")	
s.61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	Not applicable (Hume does not have any "coastal Crown land")	
s.62(1)	Duty to include certain conditions in deciding to grant a permit	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	
s.62(2)	Power to include other conditions	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	
s.62(5)(a)	Power to include a permit condition to implement an approved development contributions plan	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.  .
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 a section 173 agreement	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.
s.62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.
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)	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/ SSUBO/PRIPL	

## PLANNING AND ENVIRONMENT ACT 1987

PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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)	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	
s.63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	
s.64(5)	Duty to give each objector a copy of an exempt decision	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	
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	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	This provision applies also to a decision to grant an amendment to a permit - see section 75A.  This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	
s 66(1)	Duty to give notice under ss 64 or 65 and copy permit to relevant determining referral authorities	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	

## PLANNING AND ENVIRONMENT ACT 1987

PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	
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)	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	
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	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	
s 69(1)	Function of receiving application for extension of time of permit	ALL STATUTORY PLANNING	
s 69(1A)	Function of receiving application for extension of time to complete development	ALL STATUTORY PLANNING	
s.69(2)	Power to extend time	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.
S 70	Duty to make copy permit available for inspection	ALL STATUTORY PLANNING	
s.71(1)	Power to correct certain mistakes	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 71(2)	Duty to note corrections in register	ALL STATUTORY PLANNING	
s.73	Power to decide to grant amendment subject to conditions	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.
s.74	Duty to issue amended permit to applicant if no objectors	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	
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	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	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)	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	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



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
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	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	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	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	
s 83	Function of being respondent to an appeal	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	
s 83B	Duty to give or publish notice of application for review	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	
s.84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.
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	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	
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	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PR IPL	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.84(6)	Duty to issue permit on receipt of advice	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	
s 84AB	Power to agree to confining a review by the Tribunal	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL  ALL STRATEGIC PLANNING	
s.86	Duty to issue a permit at order of Tribunal	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	
s.87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	DCPP/MPLAD/CSTPB /CONS	This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.
s.90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/ SSUBO/PRIPL  ALL STRATEGIC PLANNING	
s.91(2)	Duty to comply with the directions of VCAT	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL ALL STRATEGIC PLANNING	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.91(2A)	Duty to issue amended permit to owner if the Tribunal so directs	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	
s.92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	
s.93(2)	Duty to give notice of VCAT order to stop development	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/SPIO /PRIPL/TLPI/PITO	
s 140	Power to certify copies of instruments, documents, maps or plans under this Act	DCPP/ MCST/MPLAD	Where the Council is the relevant responsible authority
s 141	Power to provide evidentiary statement pertaining to land use and permits under this Act	DCPP/ MCST/MPLAD	Where the Council is the relevant responsible authority
s 142	Power to provide evidentiary statement pertaining to s 173 agreements under this Act	DCPP/ MCST/MPLAD	Where the Council is the relevant responsible authority

PLANNING AND ENVIRONMENT REGULATIONS 2015			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	
r.22	Power of responsible authority to require verification of information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in application for permit or to amend a permit or any information provided under section 54 of the Act	DCPP/MPLAD/CSTPB /CSTAP/STOWP/TPLAN /SUBO/SSUBO/PRIPL	This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DCPP/MPLAD/CSTPB /CSTAP	This power is only to be used when considering and deciding VicSmart planning permit applications, under the power delegated to the Chief Executive Officer in Clause 72 of the Hume Planning Scheme.
r.21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under regulation 19 or 20	ALL STATUTORY PLANNING	

PUBLIC RECORDS ACT 1973			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s. 13	<p>The officer in charge of a public office—</p> <p>(a) shall cause to be made and kept full and accurate records of the business of the office;</p> <p>(b) shall be responsible, with the advice and assistance of the Keeper of Public Records, for the carrying out within the office of a programme of records management in accordance with the standards established under section 12 by the Keeper of Public Records; and shall take all action necessary for the recovery of any public records unlawfully removed from the office.</p>	DCUS/CIO/CKNOM	

PUBLIC HEALTH AND WELLBEING ACT 2008			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.226(2)	Power to sign evidentiary certificates under this Act	DCSL/MCITS	

<b>SHERIFF ACT 2009</b>			
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.54	Power to exempt Council from providing information to the Sheriff otherwise authorised by a warrant if exceptional circumstances apply	NOT DELEGATED	

<b>TOBACCO ACT 1987</b>			
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.36	Power to nominate a person to be appointed as an inspector	D CSL/MCITS/CPUBH	

<b>LOCAL GOVERNMENT (LAND INFORMATION) REGULATIONS 2021</b>			
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.5(2)	Power to sign a land information certificate	CFO/MFIN/CREV	