



**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:

ASP	means	All Statutory Planning Staff (DPD/MSTA/CCI/CSPG/CSP/STP/TP/MPIP/SO/SPIO/SSO/TLPS/PSO)
ASTP	means	All Strategic Planning Staff (DPD/MSTR, CGAP, CIP, SSP, SLUP, SP)
CCI	means	Coordinator Continuous Improvement Planning and Building
CCIB	means	Coordinator Continuous Improvement & Building
CKM	means	Coordinator Knowledge Management
CR	means	Coordinator Revenue
CRM	means	Coordinator Risk Management
CSP	means	Coordinator Statutory Planning
CSPA	means	Coordinator Statutory Planning and Administration
CSPG	means	Coordinator Statutory Planning (Growth Areas)
CSPI	means	Coordinator Statutory Planning and Investigations
DCOR	means	Director Corporate Services
DPD	means	Director Planning and Development
MEMO	means	Municipal and Emergency Management Officer
MG	means	Manager Governance
MIS	means	Manager Information Services
MPIP	means	Major Projects and Investment Planner
MRM	means	Emergency Recovery Coordinator
MSTA	means	Manager Statutory Planning and Building Control Services
MFPD	means	Manager Finance and Property Development
SO	means	Subdivisions Officer
SPIO	means	Senior Planning Investigations Officer
SSO	means	Senior Subdivisions Officer
STP	means	Senior Town Planner
TP	means	Town Planner

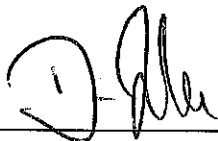
Effective as of 25 November 2020, a reference in the schedule to the position of Manager Finance and Property Development (MFPD) should be taken as a reference to the Chief Financial Officer (CFO) in the Hume City Council organisational structure. The title of the position of Manager Finance and Property Development was changed to Chief Financial Officer on 25 November 2020. This change of position title will be made in the schedule the next time that this instrument of delegation is updated.

3. record that on the coming into force of this Instrument of Delegation each delegation under the Instrument of Delegation dated **8/10/2019** and executed by Domenic Isola 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

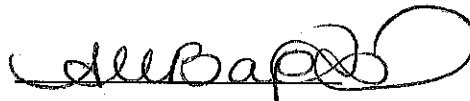
5. declare that the delegate must not determine the issue, take the action or do the act or thing if:
 - 5.1. the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a resolution of Council; or
 - 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 47 (2) of the *Local Government Act* 1989 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 3 10 2020 and is made by the Chief Executive Officer under section 47 (2) of the *Local Government Act* 1989 and section 188 of the *Planning and Environment Act* 1987.

SIGNED by Domenic Isola



in the presence of:



Witness Signature

AIDA MARIA BAPTISTA

Witness Name

This document was electronically signed in accordance with the COVID-19 Omnibus (Emergency Measures) (Electronic Signing and Witnessing) Regulations 2020.

TABLE OF CONTENTS

EMERGENCY MANAGEMENT ACT 2013 5

FINES REFORM ACT 2014..... 6

FIRE SERVICES PROPERTY LEVY ACT 2012 7

FREEDOM OF INFORMATION ACT 1982 8

INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION ACT 2011 9

LOCAL GOVERNMENT ACT 2020 10

LOCAL GOVERNMENT (ELECTORAL) REGULATIONS 2020 12

LOCAL GOVERNMENT ACT 1989 13

PLANNING AND ENVIRONMENT ACT 1987..... 14

PLANNING AND ENVIRONMENT REGULATIONS 2015 30

PUBLIC RECORDS ACT 1973..... 32

PUBLIC HEALTH AND WELLBEING ACT 2008..... 33

SHERIFF ACT 2009 34

SCHEDULE

EMERGENCY MANAGEMENT ACT 2013			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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/MRM	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/MRM	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	DCOR/MG	

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	DCOR/MFPD/CR	Section 66 does not apply if the disclosure is permitted by, or is necessary for the administration of, this Act
s.68	power to authorise the secondary disclosure of information obtained under, or in relation to the administration of, this Act	DCOR/MFPD/CR	

FREEDOM OF INFORMATION ACT 1982

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

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	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	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	Note: this provision commences on 1 July 2021] 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 132(1)	Power to nominate a 'nominated officer'	NOT DELEGATED	Note: this provision commences on 24 October 2020 unless proclaimed earlier]
s 246(2)	Power to refuse enrolment and duty to give written reasons for refusal application for enrolment	DCS/MFPD/CR	
s 246(3)	Power to request information orally or in writing to enable her or him to determine a person's eligibility for enrolment	DCOR/MFPD/CR	
s 246(4)	Power to require information to be given in writing and signed by the person giving the information	DCOR/MFPD/CR	
s 247(3)	Power to decide whether address should be placed on voters' roll and to then take action accordingly	DCOR/MFPD/CR	
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	DCOR/MFPD/CR	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	DCOR/MFPD/CR	
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	DCOR/MFPD/CR	Note: this provision will come into force on 13 July 2020

LOCAL GOVERNMENT ACT 1989

PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.68A(4)	Power to commence the holding of an election to fill extraordinary vacancy	NOT DELEGATED	Note: this provision will be repealed on 24 October 2020 unless proclaimed earlier
s.77(2)(c)	Power to designate information to be 'confidential information' for the purposes of section 77A	NOT DELEGATED	Note: this provision will be repealed on 24 October 2020 unless proclaimed earlier
s.80(1)(b)	Power to apply, in writing, to the Minister, after receiving written declarations of conflicts of interest from a majority of Councillors, for an exemption of those Councillors from any or all of the provisions of section 79	NOT DELEGATED	Note: this provision will be repealed on 24 October 2020 unless proclaimed earlier
s.81(1)	Power to nominate a 'nominated officer'	NOT DELEGATED	
s.94A(2)	Power to appoint members of Council staff to enable the statutory functions of the Council or the Chief Executive Officer to be carried-out	ALL DIRECTORS	Note: this provision will be repealed on 1 July 2021
s.94B(1)	Power to appoint a senior officer (as defined in section 3 of the <i>Local Government Act 1989</i>)	NOT DELEGATED	Note: this provision will be repealed on 1 July 2021

PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.50(4)	Duty to amend an application	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
s.50(5)	Power to refuse to amend an application	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	<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 61 of the Hume Planning Scheme.</p> <p>To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.</p>
s.50(6)	Duty to make note of an amendment to application in register	ASP	
s.50A(1)	Power to make an amendment to an application	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	<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 61 of the Hume Planning Scheme.</p> <p>To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.</p>
s.50A(3)	Power to require an applicant to notify the owner and make a declaration that notice has been given	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	<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 61 of the Hume Planning Scheme.</p>

PLANNING AND ENVIRONMENT ACT 1987

			To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.
s.50A(4)	Duty to note an amendment to an application in the register	ASP	
s 51	Duty to make a copy of every application and the prescribed information supplied in respect of the application available for inspection	ASP	
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	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	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	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	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	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	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	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	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 61 of the Hume Planning Scheme. To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.
s.53(1)	Power to require the applicant to give notice under section 52(1) to persons specified by it	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	Notice requirements under s.52(1)(a), (b), (c) and (d) are exempt. Other notice requirements apply.

PLANNING AND ENVIRONMENT ACT 1987

			<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 61 of the Hume Planning Scheme.</p> <p>To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.</p>
s.53(1A)	Power to require the applicant to give the notice under section 52(1AA)	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	<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 61 of the Hume Planning Scheme.</p> <p>To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.</p>
s.54(1)	Power to require the applicant to provide more information	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	<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 61 of the Hume Planning Scheme.</p>

PLANNING AND ENVIRONMENT ACT 1987

			To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	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	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
s.54A(3)	Power to decide to extend the time or refuse to extend the time to give required information	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	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 61 of the Hume Planning Scheme. To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.
s.54A(4)	Power to give written notice of a decision to extend or refuse to extend the time under section 54A(3)	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	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 61 of the Hume Planning Scheme. To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.
s.57(2A)	Power to reject objections considered made primarily for the commercial advantage for the objector	DPD/MSTA/CCI/ CSPG/CSP	This power is only to be used when considering and deciding VicSmart planning permit applications, under the power

PLANNING AND ENVIRONMENT ACT 1987

			delegated to the Chief Executive Officer in Clause 61 of the Hume Planning Scheme. To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	ASP	
s 57(5)	Duty to make available for inspection copy of all objections	ASP	
s.57A(4)	Duty to amend an application in accordance with the applicant's request, subject to section 57A(5)	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
s.57A(5)	Power to refuse to amend an application	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	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 61 of the Hume Planning Scheme. To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.
s 57A(6)	Duty to note amendments to application in register	ASP	
s.57B(1)	Duty to determine whether and to whom notice should be given	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	

PLANNING AND ENVIRONMENT ACT 1987

s.57B(2)	Duty to consider certain matters in determining whether notice should be given	DPD/MSTA/CSPA/CSPG/ CSPI/STP/TP/CSP/CCIB/ MPIP	
s 57C(1)	Duty to give copy of amended application to referral authority	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SS)	
s.58	Duty to consider every application for a permit	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
s.58A	Power to request advice from the Planning Application Committee	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	<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 61 of the Hume Planning Scheme.</p> <p>To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.</p>
s 59(1)	Power to decide an application without delay	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
s.60(1)(a)	Duty to consider the relevant planning scheme	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	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	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	

PLANNING AND ENVIRONMENT ACT 1987

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	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	<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 61 of the Hume Planning Scheme.</p> <p>To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.</p>
s.60(1A)(i)	Power to consider any agreement made pursuant to section 173	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	<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 61 of the Hume Planning Scheme.</p> <p>To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.</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	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	<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</p>

PLANNING AND ENVIRONMENT ACT 1987

			delegated to the Chief Executive Officer in Clause 61 of the Hume Planning Scheme. To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.
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	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
s.61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	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 61 of the Hume Planning Scheme. To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.
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")	

PLANNING AND ENVIRONMENT ACT 1987

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	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
s.62(2)	Power to include other conditions	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/SSO	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 61 of the Hume Planning Scheme. To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.
s.62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/SSO	
s.62(5)(a)	Power to include a permit condition to implement an approved development contributions plan	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	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 61 of the Hume Planning Scheme. To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.

PLANNING AND ENVIRONMENT ACT 1987

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	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	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 61 of the Hume Planning Scheme. To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.
s.62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	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 61 of the Hume Planning Scheme. To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.
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)	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
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)	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
s.63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	

PLANNING AND ENVIRONMENT ACT 1987

s.64(5)	Duty to give each objector a copy of an exempt decision	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
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	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	<p>This provision applies also to a decision to grant an amendment to a permit - see section 75A.</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 61 of the Hume Planning Scheme.</p> <p>To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.</p>
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
s 66(1)	Duty to give notice under ss 64 or 65 and copy permit to relevant determining referral authorities	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
s 66(2) & (3)	Duty to give a recommending referral authority notice of its decision to grant a permit in the	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	

PLANNING AND ENVIRONMENT ACT 1987

	specified circumstances, and include any conditions to which the permit will be subject		
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)	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
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	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
s 69(1)	Function of receiving application for extension of time of permit	ASP	
s 69(1A)	Function of receiving application for extension of time to complete development	ASP	
s.69(2)	Power to extend time	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	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 61 of the Hume Planning Scheme. To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.
S 70	Duty to make copy permit available for inspection	ASP	
s.71(1)	Power to correct certain mistakes	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	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 61 of the Hume Planning Scheme.

PLANNING AND ENVIRONMENT ACT 1987

			To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.
s 71(2)	Duty to note corrections in register	ASP	
s.73	Power to decide to grant amendment subject to conditions	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	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 61 of the Hume Planning Scheme. To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.
s.74	Duty to issue amended permit to applicant if no objectors	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
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	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	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

PLANNING AND ENVIRONMENT ACT 1987

			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)	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	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	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	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	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
s 83	Function of being respondent to an appeal	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
s 83B	Duty to give or publish notice of application for review	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
s.84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	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 61 of the Hume Planning Scheme. To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.

PLANNING AND ENVIRONMENT ACT 1987

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	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
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	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
s.84(6)	Duty to issue permit on receipt of advice	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
s 84AB	Power to agree to confining a review by the Tribunal	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO/ASTP	
s.86	Duty to issue a permit at order of Tribunal	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
s.87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	DPD/MSTA/CCI/ CSPG/CS	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 61 of the Hume Planning Scheme. To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.
s.90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO/ASTP	

PLANNING AND ENVIRONMENT ACT 1987

s.91(2)	Duty to comply with the directions of VCAT	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO/ASTP	
s.91(2A)	Duty to issue amended permit to owner if the Tribunal so directs	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
s.92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
s.93(2)	Duty to give notice of VCAT order to stop development	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO/SPIO	
s 140	Power to certify copies of instruments, documents, maps or plans under this Act	DPD/MSTR/MSTA	Where the Council is the relevant responsible authority
s 141	Power to provide evidentiary statement pertaining to land use and permits under this Act	DPD/MSTR/MSTA	Where the Council is the relevant responsible authority
s 143	Power to provide evidentiary statement pertaining to s 173 agreements under this Act	DPD/MSTR/MSTA	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	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	
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	DPD/MSTA/CCI/ CSPG/CSP/STP/ TP/MPIP/SO/ SSO	<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 61 of the Hume Planning Scheme.</p> <p>To be in accordance with the Statutory Planning Procedures Manual for Making Decisions Under Delegated Authority.</p>

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	DPD/MSTA/CCI/ CSPG/CSP	<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 61 of the Hume Planning Scheme.</p> <p>To be in accordance with the Statutory Planning Procedures Manual for Making Decision Under Delegated Authority.</p>
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	ASP	

PUBLIC RECORDS ACT 1973

PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s. 13	<p>The officer in charge of a public office—</p> <ul style="list-style-type: none">(a) shall cause to be made and kept full and accurate records of the business of the office;(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.	DCOR/MIS/CKM	

PUBLIC HEALTH AND WELLBEING ACT 2008

PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.226(2)	Power to sign evidentiary certificates under this Act	DCOR/MG	

SHERIFF ACT 2009

PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.54	Power to exempt Council from providing information to the Sheriff otherwise authorised by a warrant if exceptional circumstances apply	NOT DELEGATED	