



Merri-bek
City Council

*S14 Instrument of Delegation by CEO for VicSmart
Applications and Future Homes Applications under
the Planning and Environment Act 1987*

Instrument of Delegation

by

the Chief Executive Officer

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

In exercise of the power conferred by s 47(2) of the Local Government Act 2020 and s 188 of the Planning and Environment Act 1987, I, as Chief Executive Officer of Merri-bek City Council and the responsible authority for the administration and enforcement of the Merri-bek Planning Scheme as set out in cl 72.01 of that scheme for the VicSmart Application and cl 53.24 for Future Homes Applications, by this Instrument of Delegation –

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

2. record that a reference in the Schedule to

CCIAS	means	Coordinator Continuous Improvement & Administration Support
CDASTL	means	City Development Administration Support Team Leader
CDSO	means	City Development Support Officer
GMCD	means	Group Manager City Development
PC	means	Planning Coordinator
PEC	means	Planning Enforcement Coordinator
PEO	means	Planning Enforcement Officer
PSO	means	Principal Subdivision Officer
PUP	means	Principal Urban Planner
SCDSO	means	Senior City Development Support Officer
SO	means	Subdivision Officer
SPEO	means	Senior Planning Enforcement Officer
StUP	means	Student Urban Planner
SUP	means	Senior Urban Planner
SUPCP	means	Senior Urban Planner Commercial Priority
UP	means	Urban Planner
UPFT	means	Urban Planner Fast Track
UMUP	means	Unit Manager Urban Planning

3. declare that this Instrument of Delegation -

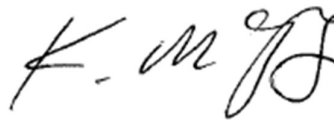
3.1 comes into force immediately upon its execution;

3.2 revokes the Instrument of Delegation executed by the Chief Executive Officer on 30 July 2025 (D23/401676);

- 3.3 remains in force until varied or revoked; and
- 3.4 is subject to any conditions and limitations set out in paragraph 4, and in the Schedule;
4. declare that the delegate must not determine the issue, take the action or do the act or thing if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 188 *Planning and Environment Act 1987* or otherwise.

This Instrument of Delegation is dated 10 September 2026 and is made by the Chief Executive Officer.

Signed by Kate McCaughey,
Chief Executive Officer of
Merri-bek City Council:



in the presence of



Sarah Lionakis, Executive Officer Civic and CEO Office
Witness

SCHEDULE

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PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 50(4)	Duty to amend application	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, SPEO, PEO, PEC	
s 50(5)	Power to refuse to amend application	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, SPEO, PEO, PEC	
s 50(6)	Duty to make note of amendment to application in register	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, SPEO, PEO, PEC, CDASTL, SCDSO, CDSO	
s 50A(1)	Power to make amendment to application	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	

¹ All provisions are applicable for both VicSmart and Future Home applications, unless stated otherwise.

PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
s 50A(4)	Duty to note amendment to application in register	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL, SCDSO, CDSO	
s 51	Duty to make a copy of every application and the prescribed information supplied in respect of the application available in accordance with the public availability requirements	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL, SCDSO, CDSO	
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	Applicable for Future Homes Applications only Note: VicSmart Applications are exempt from the notice requirements under s 52(1)(a), (b), (c) and (d).

PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	Applicable for Future Homes Applications only Note: VicSmart Applications are exempt from the notice requirements under s 52(1)(a), (b), (c) and (d).
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	Applicable for Future Homes Applications only Note: VicSmart Applications are exempt from the notice requirements under s 52(1)(a), (b), (c) and (d).
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
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	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	

PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	Applicable for Future Homes Applications only Note: VicSmart Applications are exempt from the notice requirements under s 52(1)(a), (b), (c) and (d).
s 52(3)	Power to give any further notice of an application where appropriate	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	

PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54(1)	Power to require the applicant to provide more information	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	Note: for VicSmart applications, clause 71.06 of the planning scheme provides that delegates cannot require an applicant to provide more information than what is listed in clauses 59.01 – 59.16 of the planning scheme, which ever clause is relevant to the application.
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	Note: for VicSmart applications, clause 71.06 of the planning scheme provides that delegates cannot require an applicant to provide more information than what is listed in clauses 59.01 – 59.16 of the planning scheme, which ever clause is relevant to the application.
s 54(1B)	Duty to specify the lapse date for an application	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	

PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL, SCDSO, CDSO	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL, SCDSO, CDSO	

PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 57(5)	Duty to make a copy of every objection available in accordance with the public availability requirements	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL, SCDSO, CDSO	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
s 57A(5)	Power to refuse to amend application	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
s 57A(6)	Duty to note amendments to application in register	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL, SCDSO, CDSO	

PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 57B(1)	Duty to determine whether and to whom notice should be given	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
s 57C(1)	Duty to give copy of amended application to referral authority	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL , SCDSO, CDSO	
s 58	Duty to consider every application for a permit	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL , SCDSO, CDSO	

PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 58A	Power to request advice from the Planning Application Committee	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
s 59(1)	Power to decide an application without delay	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	

s 60	Duty to consider certain matters	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	Note: VicSmart applications are exempt from: - The requirements of s 60(1)(b), (c), (e) and (f) and (1A) (b) to (h) and (j) of the Act. - The Municipal Planning Strategy and Planning Policy Framework unless the decision guidelines for the relevant class of application specify otherwise. - The decision guidelines of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, unless the decision guidelines for the relevant class of application specify otherwise - The decision guidelines in clause 65. Note: for Future homes applications: The requirements of clauses 45.09, 52.06 and 52.34 of the planning scheme do not apply to a development under this clause. An application is exempt from any application requirement in the General Residential Zone or any application requirements specified in a schedule to the General Residential Zone or the Housing Choice and Transport Zone.
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PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			An application is exempt from and is not required to meet the requirements of clauses 55, 57 and 58. Matters to be considered In deciding an application, the responsible authority must not consider, and is exempt from considering: - The Municipal Planning Strategy and Planning Policy Framework. - The purpose of the General Residential Zone or the Housing Choice and Transport Zone. - Any decision guideline in the General Residential Zone, or a schedule to the General Residential Zone or the Housing Choice and Transport Zone. - The decision guidelines in clause 65.

s 60(1)(a)	Duty to consider the relevant planning scheme	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	Note: VicSmart applications are exempt from: - The requirements of section 60(1)(b), (c), (e) and (f) and (1A) (b) to (h) and (j) of the Act. - The Municipal Planning Strategy and Planning Policy Framework unless the decision guidelines for the relevant class of application specify otherwise. - The decision guidelines of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, unless the decision guidelines for the relevant class of application specify otherwise - The decision guidelines in clause 65. Note: for Future homes applications: The requirements of clauses 45.09, 52.06 and 52.34 of the planning scheme do not apply to a development under this clause. An application is exempt from any application requirement in the General Residential Zone or any application requirements specified in a schedule to the General Residential Zone or the Housing Choice and Transport Zone.
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PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			An application is exempt from and is not required to meet the requirements of clauses 55, 57 and 58. Matters to be considered In deciding an application, the responsible authority must not consider, and is exempt from considering: - The Municipal Planning Strategy and Planning Policy Framework. - The purpose of the General Residential Zone or the Housing Choice and Transport Zone. - Any decision guideline in the General Residential Zone, or a schedule to the General Residential Zone or the Housing Choice and Transport Zone. - The decision guidelines in clause 65.

s 60(1)(d)	Duty to consider any decision and comments of a referral authority which has been received	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	Note: VicSmart applications are exempt from: - The requirements of section 60(1)(b), (c), (e) and (f) and (1A) (b) to (h) and (j) of the Act. - The Municipal Planning Strategy and Planning Policy Framework unless the decision guidelines for the relevant class of application specify otherwise. - The decision guidelines of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, unless the decision guidelines for the relevant class of application specify otherwise. - The decision guidelines in clause 65. Note: for Future homes applications: The requirements of clauses 45.09, 52.06 and 52.34 of the planning scheme do not apply to a development under this clause. An application is exempt from any application requirement in the General Residential Zone or any application requirements specified in a schedule to the General Residential Zone or the Housing Choice and Transport Zone.
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PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			An application is exempt from and is not required to meet the requirements of clauses 55, 57 and 58. Matters to be considered In deciding an application, the responsible authority must not consider, and is exempt from considering: - The Municipal Planning Strategy and Planning Policy Framework. - The purpose of the General Residential Zone or the Housing Choice and Transport Zone. - Any decision guideline in the General Residential Zone, or a schedule to the General Residential Zone or the Housing Choice and Transport Zone. - The decision guidelines in clause 65.

s 60(1A)(i)	Power to consider any agreement made pursuant to s 173	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	Note: VicSmart applications are exempt from: - The requirements of section 60(1)(b), (c), (e) and (f) and (1A) (b) to (h) and (j) of the Act. - The Municipal Planning Strategy and Planning Policy Framework unless the decision guidelines for the relevant class of application specify otherwise. - The decision guidelines of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, unless the decision guidelines for the relevant class of application specify otherwise. - The decision guidelines in clause 65. Note: for Future homes applications: The requirements of clauses 45.09, 52.06 and 52.34 of the planning scheme do not apply to a development under this clause. An application is exempt from any application requirement in the General Residential Zone or any application requirements specified in a schedule to the General Residential Zone or the Housing Choice and Transport Zone.
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PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			An application is exempt from and is not required to meet the requirements of clauses 55, 57 and 58. Matters to be considered In deciding an application, the responsible authority must not consider, and is exempt from considering: - The Municipal Planning Strategy and Planning Policy Framework. - The purpose of the General Residential Zone or the Housing Choice and Transport Zone. - Any decision guideline in the General Residential Zone, or a schedule to the General Residential Zone or the Housing Choice and Transport Zone. - The decision guidelines in clause 65.
s 60(1B)	Duty to consider the number of objectors in considering whether use or development may have significant social effect	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	

PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Not applicable to Merri-bek	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	Not applicable to Merri-bek	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	

PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 62(1)	Duty to include certain conditions in deciding to grant a permit	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
s 62(2)	Power to include other conditions	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	Note: The scope of approved infrastructure contributions plans has been expanded by the <i>Planning Amendment (Better Decisions Made Faster) Act 2026 (No. 3 of 2026)</i> to include works outside the ICP plan area, plan administration costs, and relevant land acquisitions.

PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
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)	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
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)	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL, SCDSO, CDSO	

PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 64(5)	Duty to give each objector a copy of an exempt decision	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL , SCDSO, CDSO	Note: VicSmart and Future Homes 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
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	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL , SCDSO, CDSO	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	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL , SCDSO, CDSO	

PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 66(1)	Duty to give notice under ss 64 or 65 and copy permit to relevant determining referral authorities	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL , SCDSO, CDSO	
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	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL , SCDSO, CDSO	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4) & (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)	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL , SCDSO, CDSO	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

PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL, SCDSO, CDSO	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	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL, SCDSO, CDSO	
s 69(1A)	Function of receiving application for extension of time to complete development	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL, SCDSO, CDSO	
s 69(2)	Power to extend time	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	

PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 70	Duty to make a copy of every permit that it issues available in accordance with the public availability requirements	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL , SCDSO, CDSO	
s 71(1)	Power to correct certain mistakes	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL , SCDSO, CDSO	
s 71(2)	Duty to note corrections in register	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL , SCDSO, CDSO	
s 73	Power to decide to grant amendment subject to conditions	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	

PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 74	Duty to issue amended permit to applicant if no objectors	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL , SCDSO, CDSO	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL , SCDSO, CDSO	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL , SCDSO, CDSO	

PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL , SCDSO, CDSO	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)	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL , SCDSO, CDSO	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	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL , SCDSO, CDSO	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

PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 76D	Duty to comply with direction of Minister to issue amended permit	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL , SCDSO, CDSO	
s 83	Function of being respondent to an appeal	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP,	
s 83B	Duty to give or publish notice of application for review	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
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	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	

PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
s 84(6)	Duty to issue permit on receipt of advice	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL , SCDSO, CDSO	
s 84AB	Power to agree to confining a review by the Tribunal	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	
s 86	Duty to issue a permit at order of Tribunal	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL , SCDSO, CDSO	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	DPE, GMCD, UMUP, PC	

PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, SPEO, PEO, PEC	
s 91(2)	Duty to comply with the directions of VCAT	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, SPEO, PEO, PEC	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL , SCDSO, CDSO	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, SPEO, PEO, PEC CDASTL , SCDSO, CDSO	

PLANNING AND ENVIRONMENT ACT 1987 ¹			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 93(2)	Duty to give notice of VCAT order to stop development	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, SPEO, PEO, PEC	

PLANNING AND ENVIRONMENT INTERIM REGULATIONS 2026			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND 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	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP	Note: the <i>Planning and Environment Interim Regulations 2026</i> will be revoked on 8 May 2027, it is anticipated that new regulations will commence prior to this date.
r 25(a)	Duty to make copy of matter considered under s 60(1A)(g) in accordance with the public availability requirements	DPE, GMCD, UMUP, PC, SUP, SUPCP, UP, UPFT, SO, PSO, CCIAS, PUP, StUP, CDASTL, SCDSO, CDSO	Applicable for Future Homes Applications only Note: the <i>Planning and Environment Interim Regulations 2026</i> will be revoked on 8 May 2027, it is anticipated that new regulations will commence prior to this date.

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DPE, GMCD, UMUP	
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	DPE, GMCD, UMUP, PC, CCIAS, CDASTL , SCDSO, CDSO	