

Attachment 2

S6 Instrument of Delegation - Members of Staff

CHANGED Provisions: as recommended in the Maddocks July 2018 updates.

| # | Delegation Source | Section | Item Delegated / Authorisation | Conditions and Limitations | Delegate / Authorised Officer |
|--------|-----------------------------------|-------------|---|---|--|
| 173048 | Heritage Act 2017 | s.116 | power to sub-delegate Executive Director's functions, <u>duties or powers</u> | must first obtain Executive Director's written consent Council can only sub-delegate if the instrument of delegation from the Executive Director authorises sub-delegation | No delegate |
| 173091 | Planning and Environment Act 1987 | s.46AS(ac) | power to request the Victorian Planning Authority (<u>VPA</u>) to provide advice on any matter relating to land in Victoria or an objective of planning in Victoria | | GPO, MP, PTO, Sen Strat Plan Off, Strat Plan Coord, Strat Plan Off |
| 173103 | Planning and Environment Act 1987 | s.46Q(4)(c) | duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council <u>Council</u> as a development agency for plan preparation costs incurred by the council <u>Council</u> or for the provision by the council <u>Council</u> of works, services or facilities in an area under s.46Q(4)(a) | must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister | GPO, MP, PTO, Sen Stat Plan Off, Stat Plan Coord, Stat Plan Off |

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| 173157 | Planning and Environment Act 1987 | s.62(5)(a) | power to include a permit condition to implement an approved development contributions plan <u>or an approved infrastructure contributions plan</u> | | GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off |
| 173160 | Planning and Environment Act 1987 | 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 <u>sections ss.46N(1), 46GV(7) or 62(5) or section 46N</u> | | GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off |
| 173476 | Planning and Environment Act 1987 | s.46AZC(2) | <u>duty to prepare an amendment to comply a declared area planning scheme that is inconsistent with directions issued by the Minister</u> <u>declared area that is expressed to be binding on the responsible public entity</u> | where Council is a responsible public entity | GPO, MP, PTO, Sen Stat Plan Off, Strat Plan Coord, Strat Plan Off |
| 173477 | Planning and Environment Act 1987 | s.46AZK | duty <u>not to include</u> <u>act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a condition function or duty or exercising a power in a permit relating to</u> <u>matter the set declared out in s.46GG(c) and (d) area</u> | where Council is a responsible public entity | GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off |
| 173478 | Planning and Environment Act 1987 | s.46GI(2)(b)(i) | power to <u>require</u> <u>agree to a lower rate of standard levy for a class of development of a particular type of land than the</u> <u>payment rate of specified an amount of infrastructure levy to be secured to Council</u> <u>Minister's satisfaction</u> <u>direction</u> | where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency | GPO, MP, PTO, Sen Stat Plan Off, Sen Strat Plan Off, Stat Plan Coord, Stat Plan Off, Strat Plan Coord, Strat Plan Off |

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| 173479 | Planning and Environment Act 1987 | s.46GX(1) | power to accept the provision of land, works, services or facilities in part or full satisfaction of the amount <u>monetary component</u> of an infrastructure levy <u>contribution</u> payable | where Council is the collecting agency | GPO, MP, PTO, Sen Strat Plan Off, Stat Plan Coord, Strat Plan Coord, Strat Plan Off |
| 173480 | Planning and Environment Act 1987 | s.46GZ(2)(b) | duty to obtain forward the any agreement part of the relevant monetary development component agency that is agencies imposed specified in the approved infrastructure contributions plan before accepting for the provision of land, works, services or facilities by to the applicant development agency that is specified in the plan, as responsible for those works, services or facilities | where Council is the collecting agency under an approved infrastructure contributions plan <u>this provision does not apply where Council is also the relevant development agency</u> | GPO, MP, PTO, Sen Strat Plan Off, Stat Plan Coord, Strat Plan Coord, Strat Plan Off |
| 173481 | Planning and Environment Act 1987 | s.46GZ(5) | duty to keep forward proper any accounts part of any a land equalisation amount required for the acquisition of infrastructure outer levy public paid purpose to land it as a collecting agency or by a development agency underspecified part 2 of in the Planning approved and infrastructure Environment contributions Act plan 1987 to that development agency | where Council is the collecting agency under an approved infrastructure contributions plan <u>this provision does not apply where Council is also the relevant development agency</u> | GPO, MP, PTO, Sen Strat Plan Off, Stat Plan Coord, Strat Plan Coord, Strat Plan Off |
| 173482 | Planning and Environment Act 1987 | s.46GZ(9) | duty to forward transfer the estate in fee simple in the land to a development agency any part of an infrastructure levy paid to council which is imposed for plan preparation costs incurred by development agency or for carrying out of works, services or facilities on behalf of the development agency specified in the | if any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council | GPO, MP, PTO, Sen Strat Plan Off, Stat Plan Coord, Strat Plan Coord, Strat Plan Off |

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| | | | <u>approved infrastructure contributions plan as responsible for the use and development of that land</u> | under s.46GV(4) where Council is the collecting agency under an approved infrastructure contributions plan this duty does not apply where Council is also the development agency | |
| 173483 | Planning and Environment Act 1987 | s.46GZA(2) | duty to apply <u>keep</u> levy the amount account only and records in accordance with s.46GI(3) the (a) Local and Government (b) Act 1989 | where Council is a development agency under an approved infrastructure contributions plan | GPO, MP, PTO, Sen Strat Plan Off, Stat Plan Coord, Strat Plan Off |
| 173485 | Planning and Environment Act 1987 | s.46GZD(5) | duty to take <u>make</u> action payments described under s.46GZD(3) in s.46GI(5)(c) accordance with (c) where s.46GI ss.46GZD(5)(a) and 46GZD(5)(b) applies. | where Council is the collecting agency under an approved infrastructure contributions plan | MP, Stat Plan Coord, Strat Plan Coord |
| 173486 | Planning and Environment Act 1987 | s.46GZE(2) | power <u>duty to recover</u> forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any amount part of infrastructure levy and a equalisation amount paid or forwarded to a debt development due agency for acquiring outer public purpose land has not been expended by the development agency to Council acquire that land at the date on which the approved infrastructure contributions plan expires | where Council is the development agency under an approved infrastructure contributions plan this duty does not apply where Council is also the collecting agency | MP, Stat Plan Coord, Strat Plan Coord |

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| 173487 | Planning and Environment Act 1987 | s.46GZI | duty to prepare report and give a report to the Minister <u>at the times required by the Minister</u> | where Council is a collecting agency or development agency _____ | MP, Stat Plan Coord, Strat Plan Coord |