

S12 INSTRUMENT OF DELEGATION AND AUTHORISATION

by the Municipal Building Surveyor

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Instrument of Delegation and Authorisation

by the Municipal Building Surveyor


Instrument of Delegation and Authorisation

In exercise of the powers conferred by ss 216B and 228A of the *Building Act 1993* (Act), **by this Instrument of Delegation and Authorisation, I, Simon Flahavin, as Municipal Building Surveyor of Campaspe Shire Council –**

1. delegate each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff, or person engaged by Council described opposite each such duty a
2. and/or function and/or power in column 3 of the Schedule;
3. record that a reference in the Schedule to:

“DMBS” means Deputy Municipal Building Surveyor
“BS” means Building Surveyor; and
“BI” means Building Inspector
“BO” means Building Officer
4. appoint the following persons to be authorised persons for the purposes of exercising the powers of the municipal building surveyor under Division 2 of Part 13 of the Act:
 - 4.1 **Hannah Dittrich** as a Deputy Municipal Building Surveyor (DMBS)
 - 4.2 **Andrew Garlick** as a Deputy Municipal Building Surveyor (DMBS)
 - 4.3 **Luke Morrice** as a Building Inspector (BI)
 - 4.4 **Roimata Adams** as a Building Officer (BO)
5. record that on the coming into force of this Instrument of Delegation and Authorisation each delegation under any previous Instrument of Delegation executed by a Municipal Building Surveyor that was appointed, employed or contracted by Campaspe Shire Council is revoked;
6. declares that this Instrument of Delegation and Authorisation –
 - 6.1 comes into force immediately upon its execution;
 - 6.2 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 6.3 is subject to any conditions and limitations set out in the Schedule.

Dated01 August 2024.....

Signed by Simon Flahavin, Municipal Building Surveyor, in the presence of:	
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David Gay *David Gay*
 Witness

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SCHEDULE

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BUILDING ACT 1993			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 10(2)	Power to be satisfied and to certify in writing that substantial progress was made on the design of a building before a building regulation or amendment commenced	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 10(4)	Power to agree with owner of building or land that a building regulation or amendment is to apply	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 11(2)	Duty to publish notice in a newspaper if regulation under Part 2 ceases to have effect	DMBS	
s 18B(2)	Duty to give notice of an application which satisfies s 18B(1), to the Commissioner of State Revenue	Not delegated	Where the municipal building surveyor is the relevant building surveyor
s 18D(2)	Duty to, within 14 days after receiving an application, give to the Secretary to the Department of Environment, Land, Water and Planning a notice of the application, a copy of the application and any documents that accompany the application	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 19	Duty to decide application for building permit by either issuing permit, issuing permit with conditions or refusing permit	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 21(1)	Duty to specify in building permit whether occupancy permit is required under s 21(2) for the whole or part of the building	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 21(2)	Duty to consider whether building work is minor or does not compromise the suitability of the building for occupation	DMBS	Where the municipal building surveyor is the relevant building surveyor

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BUILDING ACT 1993			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 23	Duty to notify the reporting authority of permit and give the reporting authority a copy of the permit, where issues a building permit which differs from or fails to implement the recommendations in the reporting authority's report under Schedule 2 on the application for the permit	DMBS	Where the municipal building surveyor is the relevant building surveyor Does not apply to classes of buildings set out in r 281 of the <i>Building Regulations 2018</i>
s 24(1)	Power to issue building permit where satisfied of matters set out in s 24(1), subject to s 24A	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 24(2)	Duty to not issue building permit that imposes on the applicant lesser or greater standards or requirements than those prescribed by this Act or building regulations, unless permitted to do so by this Act or the building regulations	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 24(3)	Power to issue building permit for the carrying out of building work for which notice is required to be given to Development Victoria under section 18A where the requirements of s 24(3) are met (relating to notice given by Development Victoria).	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 24(4)	Power to issue a building permit for the carrying out of building work on land in respect of which there is a GAIC recording (within the meaning of Part 9B of the <i>Planning and Environment Act 1987</i>) where the requirements of s 24(4) are met	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 24(4A)	Power to issue a building permit for the carrying out of building work on land in respect of which there is a levy recording (within the meaning of the <i>Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020</i> (Vic)) where the requirements of s 24(4A) are met	DMBS	Where the municipal building surveyor is the relevant building surveyor

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BUILDING ACT 1993			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 24(5)	Power to issue building permit in respect of building work where satisfied that any community infrastructure levy payable under Part 3B of the <i>Planning and Environment Act 1987</i> has been paid to the relevant agency or an agreement has been entered for payment	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 24(6)	Power to issue a building permit in relation to building work where satisfied by the applicant of the criteria set out in s 24(6)(a) and (b)	DMBS	Where the municipal building surveyor is the relevant building surveyor Subject to r 269 of the <i>Building Regulations 2018</i>
s 24(7)	Power to issue a building permit in relation to building work where satisfied by the applicant of the criteria set out in s 24(7)(a) and (b)	DMBS	Where the municipal building surveyor is the relevant building surveyor Subject to r 269 of the <i>Building Regulations 2018</i>
s 24A(1)	Power to issue permit where satisfied of the matters set out in s 24A(1)(a) – (d)	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 25	Duty to notify applicant for a permit in writing without delay of refusal of permit and reasons refusal	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 25AA(1)	Function of receiving notification that the person is the new owner of the land	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 25A	Function of receiving notice of changes to the engagement of a building practitioner, an endorsed building engineer or an architect	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 25AB	Function of receiving notice of the subsequent engagement of the building practitioner, an endorsed building engineer or an architect	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 25AC	Power to change the builder named on a building permit if satisfied of the relevant requirements under ss 24A and 24B	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 25AD	Duty to give notice written notice to Council and the Authority of the occurrence of each prescribed event	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 25AD(1)	Function of receiving written notice of the occurrence of each prescribed event and the prescribed information relating to that event	DMBS	
s 25BE	Function of receiving the building permit number and the information given to the Victorian Building Authority (Authority) by the relevant building surveyor under s 18AA in relation to the application for the building permit number	DMBS, BS, BI, BO	
s 28(3)	Duty to take into account certain matters in deciding application for a building permit in respect of a building to which s 28(1) applies	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 29(1)	Power to refuse to issue building permit for construction of a building in certain circumstances	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 29(2)	Duty to not refuse to issue building permit on the sole ground that the owner may without notice to the Council dispose of the land to the Crown or a public statutory body	DMBS	Where the municipal building surveyor is the relevant building surveyor

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 29A	Function of giving consent to building permit for demolition in its capacity as responsible authority under the <i>Planning and Environment Act 1987</i>	DMBS	
s 29B(1) and (3)	Function of receiving notice from the responsible authority	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 29B(2)	Duty to suspend consideration of application for building permit upon receipt of notice under s 29B(1)	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 29B(5)	Duty, in making decision under s 24, to consider the requirements of the relevant planning scheme as amended when given notice of amendment under s 29B(3)(c)	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 30	Function of receiving copy permit, plans and other documents	DMBS, BS, BI, BO	
s 30(1)	Duty to give Council a copy of permit, plans and other documents lodged with permit application	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 30(1A)	Duty to give a copy of any other prescribed documents, relating to the application for the building permit or the permit, to the relevant council	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 30B	Function of receiving checklist confirming all relevant documents to be provided by building surveyor	DMBS, BS, BI, BO	
s 30B(a)	Duty to certify documents and lodgement fees paid on approved checklist	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor Only applies to building permits issued on or after 4 July 2016

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 30B(b)	Duty to give certified checklist to Council at same time as giving documents required under s 30	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor Only applies to building permits issued on or after 4 July 2016
s 31(1)	Duty to keep register of building permits	DMBS	
s 31(2)	Duty to make register available for inspection	DMBS	
s 32	Duty to keep documents	DMBS	
s 32A(2)	Duty to provide Development Victoria notice setting out information in s 32A(3) and a copy of any relevant planning permit within 14 days after being given a copy of building permit under s 30(1), in certain circumstances where s 32A(1) applies	DMBS, BS, BI, BO	
s 33(1)	Function of being notified after completion of each mandatory notification stage of building work for which a permit has been issued under Part 3	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 33(2)	Power to direct person to stop carrying out work after completion of mandatory notification stage	DMBS,	Where the municipal building surveyor is the relevant building surveyor
s 34	Duty to cause building work to be inspected in person upon being notified of completion of mandatory notification stage of building work for which a building permit has been issued under Part 3	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 35	Power to cause building work for which permit issued under Part 3 to be inspected at any time, whether or not mandatory notification stage completed	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 35A(1)	Duty to ensure that a record of the inspection is made upon completion of an inspection under ss 34 or 35	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 35A(2)	Duty to give a copy of the record made under s 35A(1) upon written request	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 35A(2)(b)	Function to request and receive a copy of a record made under s 35A(1)	DMBS, BS, BI, BO	Where the municipal building surveyor is the municipal building surveyor for the municipal district in which the building work was inspected
s 35B	Duty not to cause a person to carry out an inspection under ss 34 or 35 unless the criteria in ss 35B(a) or 35B(b) is met	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 37A(2)	Duty to give a direction to fix building work to relevant person where reasonable belief that building work fails to comply with this Act, building regulations or building permit	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 37A(3)	Power to authorise building surveyor or relevant building inspector to give oral direction to fix building work to relevant person	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 37D(2)	Duty to give written direction to fix building work where not satisfied at the end of prescribed period following an oral direction that building work complies with this Act, building regulations or building permit	DMBS	Where the municipal building surveyor is the relevant building surveyor

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 37G(1)	Function of receiving request to extend period to comply with building direction	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 37G(3)	Power to grant extension of period for compliance with direction to fix building work received under s 37G(2)	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 37G(4)	Duty to give written notice of extension of time granted under s 37G(3) to builder	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 37HA	Power to stay operation of a direction to fix building work where subject of conciliation	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 37I(1)	Power to revoke direction to fix building work	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 37I(2)	Duty to give written notice of revocation of direction to fix building work	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 37J	Duty to give prescribed documents in relation to direction to fix building work to relevant owner and any other prescribed person	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 37J	Function of receiving documents	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor and in turn a prescribed person
s 37K(1)	Duty to give written notice to VBA and relevant owner of failure to comply with a written direction to fix building work within 7 days of failure to comply	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38(1)	Duty to issue notice of final inspection following inspection of final mandatory notification stage, if occupancy permit not required and all directions complied with	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 41	Function of receiving application for occupancy permit	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 41B(1)	Power to approve a draft building manual accompanying an application for an occupation permit if satisfied that the draft building manual meets all the requirements	DMBS	Where the municipal building surveyor is the relevant building surveyor Provision commences on 1 February 2024, unless proclaimed earlier
s 41B(2)	Duty to record the approval of the draft building manual in the approved building manual	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor Provision commences on 1 February 2024, unless proclaimed earlier
s 41B(3)	Duty to give a copy of the approved building manual to the applicant for the occupancy permit at the same time at which the relevant building surveyor issues the occupation permit to the applicant	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor Provision commences on 1 February 2024, unless proclaimed earlier
s 43	Duty to decide application for occupancy permit under Division 1 of Part 5 by either issuing permit, issuing permit with conditions or refusing permit	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 44	Duty to not issue occupancy permit in certain circumstances	DMBS	Where the municipal building surveyor is the relevant building surveyor

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 47	Duty to notify the reporting authority without delay and give copy of permit to the reporting authority, if issues occupancy permit which differs from or fails to implement recommendations in the reporting authority's report under Schedule 2	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor Does not apply to classes of building set out in r 1805 of the <i>Building Regulations 2018</i>
s 48	Duty to notify applicant of refusal of permit under Division 1 of Part 5 and reasons for refusal	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 53	Function of receiving application for an occupancy permit	DMBS, BS, BI, BO	
s 55	Duty to not issue occupancy permit under Division 2 of Part 5 unless the place to which the permit applies is suitable for occupation for the public entertainment or class of public entertainment for which the permit is sought	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 56	Duty to decide application for occupancy permit under Division 2 of Part 5 by either issuing permit, issuing permit with conditions or refusing permit	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 57(1)(a)	Power to approve the siting of a temporary structure	DMBS	
s 59	Power to issue combined occupancy permit if requirements of Division 1 and Division 2 of Part 5 are satisfied	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 60	Duty to notify the reporting authority without delay and give copy of permit to the reporting authority, if issues occupancy permit which differs from or fails to implement recommendations in the reporting authority's report under Schedule 2	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 62	Duty to notify applicant of refusal of permit under Division 2 of Part 5 and reasons for refusal	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 63	Power to cause any place of public entertainment for which an occupancy permit has been issued under Division 2 of Part 5 to be inspected from time to time to determine whether or not the permit is being complied with	DMBS, BS, BI, BO	
s 64	Power to approve occupation on a temporary basis of a building for which there is not or could not be issued an occupancy permit appropriate to the use of the building	DMBS	
s 66	Power to approve form of application under Division 3 of Part 5	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 67	Duty to decide application for approval to occupy a building on a temporary basis by either issuing approval, issuing approval with conditions or refusing approval	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 69	Duty to notify applicant in writing of refusal and reason for refusal of approval to occupy building on temporary basis	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 70	Power to amend a permit or approval issued under Part 5, on an application by the owner of the building or land or if the amendment is necessary in the public interest	DMBS, BS, BI, BO	
s 71	Power to cancel a permit or approval if obtained by fraud or misrepresentation	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 72	Power to cancel occupancy permit issued under Division 1 of Part 5 in certain situations	DMBS, BS, BI	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 73	Function of receiving copy permit, plans and other documents	DMBS, BS	
s 73(1)	Duty to give Council a copy of permit, approval, amendment, plans or other documents lodged with application	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 73(1A)	Duty to give Council a copy of other prescribed documents relating to application	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 74(1)	Duty to keep register of occupancy permits, temporary approvals and amendments	DMBS	
s 74(2)	Duty to make register available for inspection	DMBS	
s 75	Duty to keep documents	DMBS	
s 80	Function of receiving notification of appointment	DMBS	
s 80A(3)(a)	Function of receiving written notice of designated building surveyor referred to in s 80A(2)	DMBS	
s 80A(4)(a)	Function of receiving notice of the new designated building surveyor	DMBS	
s 80C(4)(c)	Function of receiving a copy of the transfer form	DMBS	
s 80D(6)(b)	Function of receiving notification of functions being transferred from an employee building surveyor or a designated building surveyor in accordance with a direction under s 80D(1) or (2)	DMBS	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 81(2)	Function of receiving notification for work terminated	DMBS, BS, BI, BO	
s 81(4)	Duty to not complete the first private building surveyor's functions in respect of the building work without the written consent of the VBA, where the appointment of a private building surveyor is terminated under s 81(3)	DMBS, BS, BI, BO	
s 82	Duty to comply with direction of the VBA where appointment of private building surveyor is terminated and the MBS is to complete the private building surveyor's functions	DMBS, BS, BI, BO	
s 83F	Function of receiving notice of appointment of manager for private building surveyor's business from the Authority	DMBS, BS, BI, BO	
s 83T(2)	Function of receiving information from manager appointed by the VBA under s 83B	DMBS, BS, BI, BO	
s 84(1)	Function of receiving notification of proposed building work where owner is required to undertake protection work in respect of an adjoining property before or during the carrying out of building work for which a building permit is required must	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 85(1)(b)	Function of receiving notice from adjoining building owner regarding proposed protection works	DMBS,	Where the municipal building surveyor is the relevant building surveyor

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 87(1)	Duty to examine the proposal for protection work and determine the appropriateness or otherwise of the work upon receipt of notice under s 85(1)(b)	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 87(2)(a)	Power, in the case of notice under s 85(b)(ii), to ask owner for more information before making determination under s 87(1)	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 87(2)(b)	Duty to make copy of information available to adjoining owner	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 87(3)	Power make any inquiries and not to give any person a hearing	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 87(4)	Duty to give notice of determination under s 87	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 92	Duty to make available to adjoining owner, on request, for inspection, without charge, plans, drawings and specifications of proposed building work at any time after notice of intention to commence building work is given under Part 7	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 101(1)	Function of receiving plans, drawings and specifications showing protection work	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 101(2)	Duty to give a copy of documents received under subsection (1) to Council	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 102	Power to make an emergency order under Division 1 of Part 8 if the MBS is of the opinion that the order is necessary because of danger arising out of the condition or	DMBS	

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BUILDING ACT 1993			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	use or proposed use of a building, land on which building work is carried out or a place of public entertainment		
s 103(2)	Power to permit any person to enter, use or occupy a building, land or a place of public entertainment	DMBS	
s 104(5)	Function of receiving the results of the destructive testing of the building product or material from an owner or builder referred to in s 104(4)	DMBS, BS, BI, BO	
s 105(2)	Duty to cause an emergency order to be served on the person to whom it is directed without delay after it is made	DMBS	
s 105(3)	Duty to give a copy of an emergency order to any private building surveyor appointed to perform a function in relation to a building, land or place to which the order relates	DMBS, BS, BI, BO	
s 105B	Power to cancel an emergency order in some circumstances, by giving a written notice to the person to whom the notice was directed	DMBS	
s 106	Power to cause a building notice to be served on an owner of a building, land or place of public entertainment if believes that one of the circumstances specified in s 106(a) – (d) exists	DMBS	s 118A: must only cause building notice to be served if direction to fix building work not complied with, or satisfied it is not possible or appropriate to give a direction to fix the building work
s 110	Power to cancel building notice after considering any representations made by owner under s 109	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 111(1)	Power to make building order under s 111 after the end of the time allowed by the building notice for making representations	DMBS	s 118A: must only make building order if direction to fix building work not complied with, or satisfied it is not possible or appropriate to give a direction to fix the building work
s 111(2)	Duty to consider any representations made by the owner concerned before making an order	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 111(4)	Power to permit a person entering, using or occupying a building, land or place of public entertainment	DMBS	
s 111(9)	Function of receiving the results of the destructive testing of the building product or materials from the owner or builder referred to in s 111(8)	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 112(1)	Power to make a building order that requires an owner or other person to stop building work	DMBS	Subject to s 107
s 112(6)	Power to exempt any part of the building work from a building order under s 112, if the relevant building surveyor considers that it is necessary for the building work to be carried out in accordance with s 112(6)(a)-(c)	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 113	Power to make a building order requiring the owner of a building, land on which building work is being or is proposed to be carried out or a place of public entertainment, to carry out work without first serving a building notice, if it is believed that the work required to be carried out is of a minor nature	DMBS	Subject to s 107
s 114(2)	Duty to cause building order to be served on person to whom it is directed without delay	DMBS	Where the municipal building surveyor is the relevant building surveyor

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 116(2)	Power to amend or cancel a building order or refuse to amend or cancel a building order after considering request under s 116(1)	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 116(4)	Duty to inform the owner in writing, without delay, of the relevant building surveyor's decision under s 116(2)	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 119	Power to direct a person to obtain a building permit, or to comply with the Regulations, when carrying out work in accordance with an emergency order or building order in force under Part 8 of the Act	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 120(2)	Duty to inspect work notified as completed under s 120(1) and either report to Council that emergency order or building order has been fully complied with or require that order be fully complied with	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 120(2)(a)	Function of receiving notification that an order is complied with	DMBS, BS, BI, BO	
s 121	Power to cause work to be carried out if an owner fails to carry out work as required by an emergency order or building order	DMBS, BS, BI	
s 122	Duty to take necessary action if required by Minister	DMBS, BS, BI, BO	
s 124	Power to request assistance of a police officer, to evacuate a building, land or place of entertainment in accordance with emergency order, or in removing persons from	DMBS, BS, BI, BO	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	building, land or place in which work is being carried out in accordance with emergency order		
s 125(1)	Duty to give a copy of notice or order to Council	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 125(2)	Duty to give a written notice of the compliance, amendment or cancellation to Council	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 126(1)	Duty to keep register of emergency orders, building notices and building orders	DMBS, BS, BI, BO	
s 126(2)	Duty to make register available for inspection	DMBS, BS, BI, BO	
s 138(5)	Power to appeal to the Building Appeals Board	DMBS	Where Council is a prescribed reporting authority
s 150	Power to refer to Building Appeals Board any dispute with owner about exercise of powers under s 228D(6)(ab)	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 156	Power to refer to Building Appeals Board any dispute about estimate of costs of work	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 157	Power to refer to Building Appeals Board a dispute about a building, building work or proposed building work which concerns the application or effect of any provision of the building regulations or whether any provision of the building regulations is or has been complied with	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 160	Power to make application to the Building Appeals Board for a determination that a provision of the building	DMBS, BS, BI, BO	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	regulations does not apply or applies with the modifications or variations specified in the application		
s 160A	Power to make application to the Building Appeals Board for a determination that a particular design of a building or an element of a building complies with this Act, the building regulations or any document applied, adopted or incorporated in the building regulations	DMBS,	Where the municipal building surveyor is the relevant building surveyor
s 162(1)(a)(iii) and (c)	Function of being consulted by Building Appeals Board	DMBS, BS, BI, BO	
s 164(1)	Power to agree to terminate or vary agreement	DMBS	
s 164(2)	Power to terminate or vary agreement	DMBS	
s 164(4)	Power to apply for approval	DMBS	
s 165(1)(a)	Duty to lodge copy or give notice	DMBS	
s 165(1)(b)	Duty to apply to agreement made in the Register	DMBS	
s 176A(g)	Power to request that a registered building practitioner or, in the case of a registered body corporate, the nominee director of the registered building practitioner, produce their certificate of registration for inspection	DMBS, BS, BI, BO	
s 187O	Power to request a licensed building employee to produce their licence certificate for inspection	DMBS, BS, BI, BO	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 188AA(3)	Duty to comply with any relevant direction issued under s 188AA(1) in carrying out a function under the <i>Building Act 1993</i> and <i>Building Regulations 2018</i>	DMBS, BS, BI, BO	
s 192A(7)	Function of receiving a copy of the map prepared by the Minister	DMBS	
s 192A(8)	Duty to make a copy of the most recent map available for inspection by members of the public without charge, during business hours, at Council's offices	DMBS, BS, BI, BO	
s 205HA	Duty to refuse building permit application if the circumstances described in s 205HA(a) and (b) apply	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 205I(1)	Duty to estimate the cost of the building work and without delay give the VBA and applicant written notice of the estimate	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 205I(2)	Duty to estimate the cost of the whole of the building work, estimate the cost of the stage of the building work and, without delay, give the VBA and applicant written notice of the matters specified in s 205I(3)	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 205I(4)(a)(i) and (ii)	Duty to estimate the cost of the building work (including the cost of labour and material) that relates to the class or classes of building referred to in s 205G(2A) and a class 1, 9 or 10 and for which the building permit is sought, having regard to the information given under s 205H(1AAA)	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 205J(1)	Duty to keep certain records, make those records available, forward the amounts received to the VBA and give periodic returns to the VBA	DMBS, BS, BI, BO	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 205M	Duty to follow a direction given by the VBA	DMBS, BS, BI, BO	
s 205M(4)	Power to make submissions to the VBA about the proposed direction or recommendation	DMBS	
s 205M(5)	Function of receiving a copy of a direction or recommendation from the VBA	DMBS, BS, BI, BO	
s 216C(1)(a)	Function of issuing building permits where appointed for land outside the municipal district	DMBS, BS, BI	
s 216C(1)(b)	Function of carrying out inspections of buildings and building work under Part 4 where appointed for land outside the municipal district	DMBS, BS, BI	
s 216C(1)(c)	Function of issuing occupancy permits and temporary approvals under Part 5 where appointed for land outside the municipal district	DMBS	
s 216(3)	Power to use the title of municipal building surveyor in carrying out functions under s 216 of the Act	DMBS	Power of a MBS appointed under s 216C(1) of the Act in respect of land outside the municipal district
s 216C(2) & (4)	Power to carry out outside the municipal district any function, other than those specified in s 216C(1), conferred on a private building surveyor by this Act or the regulations	DMBS, BS, BI	Power of a MBS appointed under s 216C(1) of the Act in respect of land outside the municipal district
s 216D(2)	Duty to establish and maintain a register of swimming pools located in Council's municipal district	DMBS, BS, BI, BO	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 216D(5)(a)	Duty to submit, on request, all or any part of the information, record and document recorded in the register to the Authority	DMBS, BS, BI, BO	
s 216D(5)(b)	Duty to submit, on request, all or any part of the information, record and document recorded in the register to any other prescribed person, agency or body	DMBS	
s 225(d)	Duty to assist the Minister and obey all directions given by the Minister in the exercise of any of the powers of the Minister under s 224	DMBS, BS, BI, BO	
s 227E(1)	Power to inspect, either separately or jointly with chief officer, any safety or emergency installations, equipment or services or any records or reports relating to the operation and maintenance of any safety or emergency installations, equipment or services	DMBS, BS, BI	
s 227E(2)	Function of receiving from chief officer a report of an inspection by the chief officer under s 227E(1)	DMBS, BS, BI, BO	
s 227E(3)	Duty to ensure that owner of building or place of public entertainment that has been inspected under s 227E(1) is provided with inspection report signed by the MBS, within 10 business days of inspection	DMBS, BS, BI, BO	
s 228A(1)	Power to authorise a person to exercise all or any of the powers under Part 13 Division 2 where satisfied that the person to be authorised is appropriately qualified or has successfully completed appropriate training	DMBS, BS, BI, BO	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 228A(3)	Power to authorise a person to exercise all or any of the powers under Part 13 Division 2 Subdivision 4 where satisfied that the person to be authorised is appropriately qualified or has successfully completed appropriate training	DMBS, BS, BI, BO	
s 228B(1)	Duty to issue documentation that complies with s 228B(4) to a person authorised by the MBS under s 228A	DMBS, BS, BI, BO	
s 230(2)	Duty to keep a register containing the prescribed information relating to the exercise of a power of entry under Subdivision 5 by any of the authorised persons referred to in s 230(2)(a) and (b)	DMBS, BS, BI, BO	
s 230(7)(a)	Duty to keep the prescribed information relating to each exercise of a power of entry under Subdivision 5 for 10 years after the date of the entry	DMBS	
s 230(7)(b)	Duty to make the register required under s 230(2) available for inspection by the Authority on request, and at a time agreed to between Council and the Authority	DMBS, BS, BI, BO	
s 230(7)(c)	Duty to provide an extract under s 230(6), if requested	DMBS	
s 232	Power to receive complaints about the exercise of a power under Part 13 Division 2 by Council's municipal building surveyor, or a person authorised by Council's municipal building surveyor to act on behalf of the municipal building surveyor	DMBS	
s 234E(2)	Power to apply for an injunction	Not delegated	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 236(7)	Function of providing consent to remove or deface an order or notice put up under ss 236(4) or 236(4A)	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
s 238(1)	Power to rely on certificate by a registered building practitioner in a prescribed category, class of practitioners or an endorsed building engineer that building work or proposed building work of a prescribed class complies with any provision of the <i>Building Act 1993</i> or the regulations	DMBS	
s 242	Function of receiving funds recovered through prosecution	DMBS	
s 252(1)	Power to determine whether to apply to the Magistrates' Court for a warrant under s 252 of the Act if a person refuses to vacate a building or land when required to do so by order under the Act pursuant to s 252(1) of the Act	DMBS	
s 259AB(1)	Function of entering an information sharing arrangement with the Authority	DMBS	Subject to s 259AB(2) Where Council is a relevant agency
s 259AB(3)	Power to request and receive information held by the Authority, and power to disclose information to the Authority	DMBS	Only to the extent that the information is reasonably necessary to assist in the exercise of functions under this Act, or the functions of Council Where Council is a relevant agency
s 259AB(4)(a)	Function of being referred, by the Authority, any matter (including any complaint) with respect to building work, plumbing work or architectural services	DMBS	Where Council is a building regulator
s 259AB(4)(b)	Function of receiving from the Authority any matter of a type described in s 259AB(4)(a)	DMBS	Where Council is a building regulator

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 259AB(4)(c)	Function of conducting a joint investigation with the Authority into any matter of a type described in s 259AB(4)(a)	DMBS	Where Council is a building regulator
s 259AB(5)	Power to, despite any other Act or law of the State, refer a matter referred to in s 259AB(4) to the Authority, or to conduct an investigation into the matter jointly with the Authority	DMBS	Where Council is a building regulator
sch 2, cl 2(1)	Power to require applicant to provide additional information or documents or to amend application before dealing with or dealing further with application	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
sch 2, cl 3(1)	Power to refuse application if additional information or document or amended application is not supplied within the time specified	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
sch 2, cl 3(2)	Duty to give applicant 30 days notice in writing of intention to refuse application	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
sch 2, cl 4(1)	Duty to not decide an application that is required by this Act or regulations to be reported on or consented to, without obtaining report or consent from the reporting authority	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
sch 2, cl 4(2)	Duty to give copy of application to each reporting authority within prescribed time	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
sch 2, cl 4(3)	Duty to forward to a reporting authority with the copy of an application, any fees paid to the building surveyor under clause 1(e)	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 2 cl 4A(2)(b)	Duty to give the owner of the allotment an opportunity to make a submission in respect of the possible detriment	DMBS	Where Council is the reporting authority
sch 2, cl 5(3)	Power not to obtain a report or consent from a reporting authority if the applicant notifies that they have applied for or intends to apply for that report or consent, or supplies a copy of the report made in the last 12 months or of the consent	DMBS	Where the municipal building surveyor is the relevant building surveyor
sch 2, cl 6(1)	Power to proceed to decide an application without a report being obtained if a copy of the report is not supplied by the reporting authority (other than a Council or an officer of a Council) within the prescribed time	DMBS	Where the municipal building surveyor is the relevant building surveyor
sch 2, cl 6A(2)	Power to proceed to decide an application without a report being obtained if a copy of the report is not supplied by a responsible authority under the <i>Planning and Environment Act 1987</i> within the prescribed time	DMBS	Where the municipal building surveyor is the relevant building surveyor
sch 2, cl 7(1)	Duty to consider any report of a reporting authority supplied under Schedule 2 before deciding the relevant application for a permit	DMBS	Where the municipal building surveyor is the relevant building surveyor
sch 2, cl 7(2)	Duty to implement recommendations of a prescribed reporting authority in relation to a prescribed matter, in deciding application	DMBS	Where the municipal building surveyor is the relevant building surveyor
sch 2, cl 7(3)	Power to not implement any of the recommendations in a report by a reporting authority, except as provided under cl 7(2)	DMBS	Where the municipal building surveyor is the relevant building surveyor

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 13(1)	Duty to determine the classification of a building when performing a function under the Act or the Regulations	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 13(2)	Duty to classify the building as belonging to the class it most closely resembles	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 25(3)	Power to reasonably require additional copies of documents set out in r 25(1)	DMBS, BS, BI	Where the municipal building surveyor is the relevant building surveyor
r 26(2)	Power to reasonably require additional copies of documents set out in r 26(1)	DMBS, BS, BI	Where the municipal building surveyor is the relevant building surveyor
r 27	Power to exempt an application for a building permit in respect of building work from any requirement under rr 25 or 26	DMBS, BS, BI	Where the municipal building surveyor is the relevant building surveyor
r 29	Power to request additional information to accompany application for permit	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 36A	Power to examine an extract of the major domestic building contract and a copy of the certificate of insurance	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 37(3)	Duty to include the things specified in rr 37(3)(a) and 37(3)(b) on the building permit	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 38	Duty to document determination of performance solution	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 39	Duty to provide copy of building permit	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 42	Function of being notified of changes by the owner of a building or land to which a building permit relates	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 43	Function of being notified of any change in the name or address of the building practitioner specified in the permit	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 44	Function of receiving documents	DMBS, BS, BI, BO	Where Council is the relevant council
r 47	Duty to provide information to the VBA in the approved form within 7 days after the end of each month	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 49	Duty to keep documents in any manner specified by the Keeper of Public Records until the building is demolished or removed from the allotment	DMBS, BS, BI, BO	Where Council is the relevant council
r 50	Duty to make documents available on request	DMBS, BS, BI, BO	Where Council is the relevant council
r 51	Function of providing information	DMBS, BS, BI, BO	Where Council is the relevant council
r 56	Duty to give notice of an imminent lapse of building permit – commencement of work	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 57	Duty to give notice of an imminent lapse of building permit – completion of work	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 58	Duty to cause a copy of the notice of imminent lapse of building permit to be provided	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 59(1)	Function of receiving an application for an extension of the commencement date or the completion date of building work	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 59(3)	Power to extend the commencement date or completion date of the building work	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 59(4)	Duty to notify the applicant if an extension is granted under r 59(3) without delay	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 60(1)	Function of receiving an application	DMBS, BS, BI, BO	Where the municipal building surveyor is appointed by the relevant Council
r 62	Power to request more information	DMBS, BS, BI, BO	
r 63(1)	Power to refuse an application if information not provided	DMBS, BS, BI, BO	
r 63(2)	Duty, before refusing an application under r 63(1) to give the applicant 30 days notice in writing of the municipal building surveyor's intention to refuse the application	DMBS, BS, BI, BO	
r 64(1)	Power to determine or refuse to determine that a combined allotment can be treated as one allotment for the purposes of the <i>Building Act 1993</i> and the Regulations	DMBS	On receiving an application under r 60(1)
r 64(4)	Duty to give a copy of the determination to the applicant	DMBS, BS, BI, BO	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 64(5)	Duty to notify the applicant of refusal to make a determination	DMBS, BS, BI, BO	
r 66(1)	Power to revoke a determination	DMBS	
r 66(2)	Duty to give each owner of land in the combined allotment written notice of the revocation	DMBS, BS, BI, BO	
r 73(2)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 74(4)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 75(4)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 76(4)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 77(3)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 78(6)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 79(6)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 80(6)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 81(6)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 82(5)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 83(3)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 84(9)	Power of providing report and consent	DMBS	Where Council is the relevant council

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r 85(3)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 86(3)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 87(2)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 89(3)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 90(2)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 91(5)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 92(2)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 94(6)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 95(3)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 96(3)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 97(2)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 109(1)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 109(2)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 109(3)	Power to give consent under rr 109(1) or 109(2)	DMBS	Where Council is the relevant council if it considers that the projection of the part of the building beyond the street alignment will not be detrimental to the safety of the public

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r 111(1)	Power to determine if protection work is required	DMBS	Where the municipal building surveyor is the relevant building surveyor
r 111(2)	Duty to determine whether protection work is required when deciding an application for a building permit in relation to proposed building work	DMBS	Where the municipal building surveyor is the relevant building surveyor
r 111(3)	Power to, at any time, determine that protection work is required	DMBS	Where the municipal building surveyor is the relevant building surveyor
r 111(5)	Duty to provide a copy of the determination within 7 days after making a determination under r 111	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 112	Duty to have regard to the items in rr 112(a) – 112(i) when determining if protection work is required	DMBS	Where the municipal building surveyor is the relevant building surveyor
r 116(1)	Power to require precautions to be taken before and during building work to protect the safety of the public	DMBS	Where the municipal building surveyor is the relevant building surveyor
r 116(2)	Duty to approve the precautions made under r 116(1)	DMBS,	Where the municipal building surveyor is the relevant building surveyor
r 116(4)	Power of providing report and consent	DMBS, BS, BI, BO	Where Council is the relevant council
r 117(1)(a)	Power to inspect and approve precautionary measures	DMBS	Where the municipal building surveyor is the relevant building surveyor
r 117(1)(b)	Power to direct the hours during which any external wall on or within 3 m of a street alignment may be pulled down	DMBS	Where the municipal building surveyor is the relevant building surveyor

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r 117(1)(c)	Power to require protective outriggers to be installed	DMBS	Where the municipal building surveyor is the relevant building surveyor
r 117(2)	Power to exempt minor demolition work from the requirements of r 117(1)	DMBS	Where the municipal building surveyor is the relevant building surveyor
r 118(2)	Power to exempt requirement that all water be removed or diverted from excavations before the laying of footings	DMBS, BS, BI	Where the municipal building surveyor is the relevant building surveyor
r 119(1)	Power to require the owner of an allotment to provide retaining walls or other means of maintaining the stability of the soil	DMBS, BS, BI	
r 120(1)	Power to require that the owner or builder carrying out building work, for which a building permit has been issued, arrange for the testing of any material used in the building work	DMBS, BS, BI	Where the municipal building surveyor is the relevant building surveyor
r 120(2)	Power to, as a result of the tests, prohibit the use of any material which meets the criteria in rr 120(2)(a) and 120(2)(b)	DMBS	Where the municipal building surveyor is the relevant building surveyor
r 121	Duty not to determine that a performance solution complies with a fire performance requirement of the BCA unless the municipal building surveyor meets the criteria in rr 121(a) – 121(h)	DMBS	Where the municipal building surveyor is the relevant building surveyor
r 124(2)	Function of receiving a copy of the record prepared under r 124(1) from a registered building practitioner	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 127(b)	Function of inspecting the records of all pile-driving operations	DMBS, BS, BI	Where the municipal building surveyor is the relevant building surveyor
r 127(c)	Function of receiving the complete records of the pile-driving operations	DMBS, BS, BI	Where the municipal building surveyor is the relevant building surveyor
r 128(2)(d)	Power to determine if used timber is suitable to be used for structural purposes	DMBS, BS, BI	Where the municipal building surveyor is the relevant building surveyor
r 129(3)	Duty to forward details of the installation of fire sprinklers to the chief officer when a building permit is issued which involves the installation of fire sprinklers and the installation does not meet the deemed-to-satisfy provisions of the BCA	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 130(1)	Power of providing report and consent	DMBS	Where Council is the relevant service authority
r 131	Power to require a report from the relevant electricity supply authority as to whether an electricity sub-station is necessary on the allotment and, if so, the size and location of the sub-station	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor If an application is made for a building permit for the construction of a building
r 132(1)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 133	Power to approve the design of every stormwater drainage system to the point of discharge from an allotment	DMBS, BS, BI	Where the municipal building surveyor is the relevant building surveyor
r 133(2)	Power of providing report	DMBS, BS, BI, BO	Where Council is the relevant council

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 134(2)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 147Y(1)	Duty to issue a certificate of pool and spa barrier compliance and give the certificate to the owner of the land in which the swimming pool or spa is located if satisfied that the barrier complies with the applicable barrier standard	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 147Y(3)	Power to issue a certificate of pool and spa barrier compliance under r 147Y at any time	DMBS, BS, BI, BO	Where the municipal building surveyor is carrying out functions under Part 8 or acting as an authorised person under s 228 of the <i>Building Act 1993</i>
r 147ZB(1)	Duty, on the completion of the building work, to inspect the barrier and determine if the barrier complies with the applicable barrier standard	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 147ZB(2)	Duty to issue a certificate of pool and spa barrier compliance in the form of Form 23 and give the certificate to the owner of the land on which the swimming pool or spa is located	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 147ZK(1)	Power to serve a barrier improvement notice in accordance with r 147ZK(2) on the owner of the land on which the swimming pool or spa is located	DMBS, BS, BI, BO	
r 147L(2)	Function of receiving an application for registration	DMBS	Where Council is the relevant council
r 147M(2)	Function of receiving an application for registration	DMBS	Where Council is the relevant council
r 147N(2)	Function of receiving an application for registration	DMBS	Where Council is the relevant council

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 147O(1)	Power to give notice	DMBS	Where Council is the relevant council
r 147Q	Duty to enter information relating to a swimming pool or spa into Council's register	DMBS	Where Council is the relevant council
r 147R(1)	Duty to give notice of the matters in r 147R(1)(a) – (g)	DMBS, BS, BI, BO	Where Council is the relevant council
r 147R(4)	Duty to specify a date for the purposes of r 147R(1)(g)	DMBS, BS, BI, BO	Where Council is the relevant council
r 147R(5)	Power to specify date	DMBS, BS, BI, BO	Where Council is the relevant council
r 147S(1)	Duty to remove from the register the information about the swimming pool or spa set out in r 147J, as soon as practicable, where satisfied that a registered swimming pool or registered spa no longer exists or is no longer capable of containing water to a depth of greater than 300 mm	DMBS, BS, BI, BO	Where Council is the relevant council
r 147S(2)	Duty to give a notice in writing after removing the information about the swimming pool or spa from the register	DMBS, BS, BI, BO	Where Council is the relevant council
r 147T(1)	Duty to determine the date of construction	DMBS, BS, BI, BO	Where Council is the relevant council
r 147U(1)	Duty to determine the date of construction	DMBS, BS, BI, BO	Where Council is the relevant council

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r 147V(1)	Duty of receiving a certificate of compliance	DMBS, BS, BI, BO	Where Council is the relevant council
r 147V(4)	Duty to give notice in writing following lodgement of a certificate of pool and spa barrier compliance by the owner	DMBS, BS, BI, BO	Where Council is the relevant council
r 147W(1)	Power to exempt an owner from the requirement under r 147V(1) to lodge a certificate of pool and spa barrier compliance	DMBS, BS, BI, BO	Where Council is the relevant council
r 147W(2)	Duty to give a notice in writing if an owner is exempted under r 147V(1)	DMBS, BS, BI, BO	Where Council is the relevant council
r 147Z(1)	Power to extend the period for lodgement of a certificate of pool and spa barrier compliance if satisfied of the criteria in r 147Z(1)(a) – (e)	DMBS, BS, BI, BO	Where Council is the relevant council
r 147Z(3)	Duty to give a notice, in writing, to the owner of the land specifying a new due date for the lodgement of a certificate of pool and spa barrier compliance as soon as practicable after that decision is made	DMBS, BS, BI, BO	Where Council is the relevant council
r 147ZD	Duty to update the applicable barrier standard on the register to include the applicable barrier standard referred to in the certificate	DMBS, BS, BI, BO	Where Council is the relevant council
r 147ZE	Duty to give a notice, in writing, to the owner as soon as practicable following lodgement of a certificate of pool and spa barrier compliance under r 147ZC	DMBS, BS, BI, BO	Where Council is the relevant council

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r 147ZJ(3)	Duty to give a notice, in writing, to the owner of the land on which the swimming pool or spa relating to the barrier is located	DMBS, BS, BI, BO	Where Council is the relevant council
r 147ZL(1)	Duty to update the register with details of the name of the new owner of the land as soon as practicable	DMBS, BS, BI, BO	Where Council is the relevant council
r 147ZL(2)	Duty to give a notice, in writing, to the new owner of the land	DMBS, BS, BI, BO	Where Council is the relevant council
r 147ZM	Duty to submit the requested information to the Authority in the form approved by the Authority	DMBS, BS, BI, BO	Where Council is the relevant council
r 148	Duty to prepare maps	DMBS	
r 149(1)	Duty to amend or prepare map for the existing or new designated special area	DMBS	Where Council is the relevant council
r 149(2)	Duty to advise the Authority if a designated special area is altered or created	DMBS	
r 149(3)	Duty to lodge copies of designated special area maps with the Authority	DMBS	Where Council is the relevant council
r 149(4)	Duty to make an up-to-date copy of each designated special area map, applicable to Council's municipal district, available to the public for inspection	DMBS, BS, BI, BO	
r 150	Power to designate areas within Council's municipal district in which buildings are likely to be subject to attack by termites	DMBS	

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r 152(1)	Power to designate areas in Council's municipal district that are likely to be subject to significant snowfalls	DMBS	For the purposes of the BCA
r 153(2)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 153(4)	Duty not to give consent under r 153(2) if there is likely to be a danger to the life, health or safety of the occupants of the building due to flooding of the site	DMBS	Where Council is the relevant council
r 153(5)	Power to specify, Council's report, a level for the surface of the lowest floor of a building on the site	DMBS	Where Council is the relevant council
r 153(6)	Duty to consult with the floodplain management authority for the site and specify a level in line with r 153(6)(b) requirements	DMBS, BS, BI, BO	Where Council is the relevant council
r 153(7)	Duty to, without delay, advise the floodplain management authority and sewerage authority for the site of the floor level (if any) specified under r 153(5)	DMBS, BS, BI, BO	Where Council is the relevant council
r 154(1)	Power of providing report and consent	DMBS	Where Council is the relevant council
r 154(2)	Power to include, in the report and consent Council provides, recommendations controlling the location and construction of retaining walls and fences in relation to designated land or designated work	DMBS	Where Council is the relevant council
r 154(3)	Duty to consult with the waterway management authority for the designated land or designated works before giving consent under r 154(1)	DMBS, BS, BI, BO	

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r 156	Duty to accept the bushfire attack level in the planning scheme or site assessment for planning permit	DMBS BS, BI	Where the municipal building surveyor is the relevant building surveyor
r 157	Duty to accept bushfire attack level of 12.5	DMBS, BS, BI	Where the municipal building surveyor is the relevant building surveyor
r 166B(c)(ii)	Power to approve floor area size greater than 60m ²	DMBS	
r 166C(1)(a)	Function of receiving notification from building owner of intention to commence occupying the building as the owner's principal place of residence	DMBS	
r 166C(1)(b)	Function of receiving notification from building owner of the proposed commencement date of that occupation	DMBS, BS, BI, BO	
r 166C(2)	Function of receiving notification from building owner of proposed commencement date of occupation	DMBS, BS, BI, BO	
r 166E	Power to inspect an emergency accommodation building	DMBS, BS, BI	
r 166G(2)(a)	Power to notify the owner of the building that building does not comply with a requirement under r 166F(1)(a)	DMBS, BS, BI	
r 166G(3)	Duty to give written notice to the owner of the building containing the matters set out in r 166G(3)(a) – (c)	DMBS, BS, BI	
r 166G(4)	Function of receiving request to extend period of time	DMBS, BS, BI, BO	

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r 166G(5)	Duty to notify owner of building of extended period of time	DMBS, BS, BI, BO	
r 165	Duty not to determine that a performance solution complies with performance requirement P2.7.6 of the BCA Volume Two unless the relevant building surveyor relies on one of the items set out in rr 165(a) – 165(d)	DMBS	Where the municipal building surveyor is the relevant building surveyor
r 170	Power to omit a mandatory notification stage set out in r 167 for building work if that stage is not relevant to the building work	DMBS	Where the municipal building surveyor is the relevant building surveyor
r 171	Duty to specify the mandatory notification stages for building work determined under rr 167, 168, 169 and 170 in the building permit issued for that building work	DMBS, BS, BI	Where the municipal building surveyor is the relevant building surveyor
r 172(1)	Duty to cause to be inspected the building work in each storey of a Class 2, 3 or 4 building	DMBS	Where the municipal building surveyor is the relevant building surveyor
r 172(2)	Duty to cause to be inspected at least one of each type of fire protection method for each type of service penetration to any building element that is required to resist the spread of fire or smoke on each storey of a Class 2, 3, 4, 9a or 9c building	DMBS	Where the municipal building surveyor is the relevant building surveyor
r 175	Duty to keep and make available directions to fix building work	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 187(2)	Power of providing report and consent	DMBS	Where Council is the relevant council Subject to r 187(3)

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r 191	Duty to decide an application to amend an occupancy permit within the time periods set out in rr 191(a) and 191(b)	DMBS	
r 193	Duty to provide copy of an occupancy permit to the applicant within 7 days after issuing the permit	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 194(1)	Duty to ensure that an occupancy permit issued in relation to a building or place of public entertainment specifies the items set out in rr 194(1)(a) – 194(1)(c)	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 194(1)(b)	Power to determine the level of performance that each essential safety measure must achieve to fulfil its purpose	DMBS	Where the municipal building surveyor is the relevant building surveyor
r 194(2)	Duty to specify the provision of the Regulations with which the installation and operation of the essential safety measure must comply, which sets out the frequency and type of inspection, testing and maintenance required for the essential safety measure	DMBS	Where the municipal building surveyor is the relevant building surveyor
s 198(1)	Duty to ensure that a location approved within a building, for the purposes of r 197, is in a prominent position and is accessible to the occupants of the building	DMBS	Where the municipal building surveyor is the relevant building surveyor Subject to r 198(3)
r 198(2)	Duty to ensure that a location approved within a place of public entertainment for the purposes of r 197 is in a prominent position and is accessible to the public	DMBS	Where the municipal building surveyor is the relevant building surveyor
r 199(2)	Power to request a copy of any current occupancy permit	DMBS, BS, BI, BO	

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r 201(1)	Duty to notify the chief officer within 10 days after issuing the certificate of the items set out in rr 201(1)(a) and 201(1)(b)	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 201(2)	Duty to notify the chief officer of the issue of the certificate within 10 days after issuing the certificate	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 202(1)	Duty to keep the documents relating to occupancy permits in any manner specified by the Keeper of Public Records	DMBS, BS, BI, BO	For the purposes of s 75 of the <i>Building Act 1993</i>
r 202(2)	Duty to keep documents relating to a temporary approval for 3 years after the earlier of the two periods set out in rr 202(2)(a) and 202(2)(b)	DMBS, BS, BI, BO	For the purposes of s 75 of the <i>Building Act 1993</i>
r 203	Function of receiving documents	DMBS, BS, BI, BO	
r 205	Duty to supply information to Council	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 211(2)	Duty to have regard to the qualifications published under r 211(1)	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 214(b)	Power to designate an item as an essential safety measure	DMBS, BS, BI, BO	Where the municipal building surveyor is the relevant building surveyor
r 215(2)	Duty to determine and specify in the determination the items set out in rr 215(2)(a) – 215(2)(c)	DMBS	Where the municipal building surveyor is the relevant building surveyor

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r 215(3)(c)	Function of receiving a determination and report under s 120(2)(a) of the <i>Building Act 1993</i>	DMBS, BS, BI, BO	Where Council is the relevant council If the essential safety measure is required under an emergency order or a building order under Part 8 of the <i>Building Act 1993</i>
r 218(2)	Duty to prepare or update a maintenance schedule so that it complies with r 222	DMBS	Where the municipal building surveyor is the relevant building surveyor
r 218(3)	Power to request documents, from the owner of a building or place of public entertainment, when preparing or updating a maintenance schedule under r 218(2)	DMBS	Where the municipal building surveyor is the relevant building surveyor
r 219(1)	Function of receiving an application for the preparation of a maintenance schedule that complies with r 222	DMBS	
r 219(2)	Function of receiving all documents referred to in r 225 relating to essential safety measures for the building or place	DMBS, BS, BI, BO	
r 220	Power to prepare a maintenance schedule in relation to a building or place of public entertainment that complies with r 222	DMBS	If the owner of the building or place has applied in accordance with r 219 for such a maintenance schedule to be prepared
r 221	Duty to provide a copy of the maintenance schedule to the owner of the building or place without delay	DMBS, BS, BI, BO	
r 225	Power to request documents relating to essential safety measures	DMBS, BS, BI, BO	

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r 229(2)	Power to exempt a building or place of public entertainment from compliance with any of these Regulations applicable to the new use	DMBS, BS, BI	
r 229(3)	Duty, when deciding whether to grant an exemption under r 229(2), to take into account the criteria set out in rr 229(3)(a) and 229(3)(b)	DMBS	
r 231(2)	Power to exempt a building from all or any of the requirements of r 231(2)	DMBS	
r 231(3)	Duty, when deciding whether to grant an exemption under r 231(2), to take into account the criteria set out in rr 231(3)(a) and 231(3)(b)	DMBS	
r 233(3)	Power to consent to partial compliance of building work or an existing building with rr 233(1) or 233(2)	DMBS	Where the municipal building surveyor is the relevant building surveyor Subject to r 233(6)
r 233(6)	Power to only consent to partial compliance in respect of the extension if the floor area of the extension is not greater than the lesser of those in rr 233(6)(a) and 233(6)(b)	DMBS	Where the municipal building surveyor is the relevant building surveyor
r 234(2)	Power to consent to partial compliance of a building with r 234(1)	DMBS	Where the municipal building surveyor is the relevant building surveyor

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r 268	Power, when issuing a permit for building work referred to in s 24B(3) of the <i>Building Act 1993</i> , not to be required to be satisfied that the building work is to be carried out by a builder who is a registered building practitioner	DMBS	Where the municipal building surveyor is the relevant building surveyor If the building work is to be carried out by a builder who is solely engaged in the business of constructing Class 10 buildings other than a Class 10b structure constructed for the purpose of displaying a sign
r 280(1)	Power to exempt a Class 10 building, that is to be constructed on farm land and used for farming purposes, from all or any of the requirements of these Regulations	DMBS	Where Council is the relevant council