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AGENDA

Council meeting to be held
at Darebin Civic Centre,
350 High Street Preston
on Monday, 6 June 2016
at 7.00 pm.

Public question time will
commence shortly after 7.00 pm



ACKNOWLEDGEMENT OF DAREBIN'S ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITY

**(Council adopted this Acknowledgment on 1 July 2013 in order
to confirm the commitment of Council to the process of
Reconciliation)**

Darebin City Council acknowledges the Wurundjeri people and the Kulin Nations as the traditional landowners and the historical and contemporary custodians of the land on which the City of Darebin and surrounding municipalities are located.

Council recognises, and pays tribute to, the diversity of Darebin's Aboriginal and Torres Strait Islander community, valuing the unique and important role Aboriginal and Torres Strait Islander community members play in progressing reconciliation, respect and the building of mutual understanding across the City, amongst its people, and in the achievement of shared aspirations. Council recognises and pays tribute to, and celebrates, Darebin's long standing Aboriginal and Torres Strait Islander culture and heritage.



Italian

Questo è l'ordine del giorno della riunione del Consiglio Comunale di Darebin per la data che compare sulla prima pagina di questo documento. Se desiderate informazioni in lingua italiana sugli argomenti dell'ordine del giorno, siete pregati di chiamare la Linea Telefonica Multilingue del Comune al 8470 8888.

Greek

Αυτή είναι η ημερήσια διάταξη για τη συνεδρίαση του Δημοτικού Συμβουλίου Darebin, για την ημερομηνία που φαίνεται στο εξώφυλλο αυτού του εγγράφου. Αν θα θέλατε πληροφορίες στα Ελληνικά σχετικά με τα θέματα σ' αυτή την ημερήσια διάταξη, παρακαλούμε καλέστε την Πολυγλωσσική Τηλεφωνική Γραμμή του Δήμου στον αριθμό 8470 8888.

Chinese

這是一份戴瑞濱市議會議程表，其開會日期顯示於此文件之封面。如果您欲索取有關此議程表的中文資料，敬請致電 8470 8888 聯絡市議會的多語種電話專線。

Arabic

هذا هو جدول أعمال اجتماع مجلس بلدية داربيبن والذي سيحدد في التاريخ الوارد في الصفحة الأولى من هذه الوثيقة. إذا أردت الحصول على مزيد من المعلومات في اللغة العربية حول المواضيع المذكورة في جدول الأعمال، فيرجى الاتصال برقم هاتف البلدية المتعدد اللغات
8470 8888

Macedonian

Ова е дневниот ред за состанокот на Општината на Градот Даребин, која ќе биде на датумот покажан на предната корица од овој документ. Ако Вие сакате некои информации на Македонски јазик, за предметите на овој дневен ред, Ве молиме повикајте ја Општинската Повеќејазична Телефонска Линија на 8470 8888.

Vietnamese

Đây là nghị trình cho cuộc họp của Hội đồng Thành phố Darebin; ngày họp có ghi ở trang bìà tài liệu này. Muốn biết thêm về chương trình nghị sự bằng Việt ngữ, xin gọi cho Đường dây Điện thoại Đa Ngôn ngữ của Hội đồng Thành phố qua số 8470 8888.

Bosnian

Ovo je dnevni red za sastanak Gradske općine Darebin čiji je datum održavanja naznačen na prvoj strani ovog dokumenta. Ako želite više informacija o tačkama ovog dnevnog reda na bosanskom jeziku, molimo nazovite općinsku višjejezičnu telefonsku službu na 8470 8888.

Croatian

Ovo je dnevni red sastanka u Darebin City Council za dan koji je naveden na prednjem ovitku ovog dokumenta. Ako želite informacije o tačkama ovog dnevnog reda na hrvatskom jeziku, molimo da nazovete Council Multilingual Telephone Line (Višjejezičnu telefonsku liniju) na 8470 8888.

Portuguese

Esta é a pauta para a reunião da Câmara Municipal de Darebin a ser realizada na data que consta na capa deste documento. Se você deseja informação em Português sobre os itens desta pauta, por favor ligue para a Linha Telefônica Multilíngue da Câmara no 8470 8888.

Serbian

Ово је дневни ред за састанак Darebin City Council-а (Градско веће Darebin) који ће се одржати на дан који је наведен на насловној страни овог документа. Ако желите информације на српском о тачкама дневног реда, молимо вас да назовете Council Multilingual Telephone Line (Вишејезичку телефонску линију Већа), на 8470 8888.

Somali

Kuwani waa qodobada shirka lagaga wada hadli doono ee Degmada Degaanka Darebin ee taariikhda lagu xusey boga ugu sareeya ee qoraalkan. Haddii aad doonysid wararka ku saabsan qodobadan oo ku qoran Af-Somali, fadlan ka wac Khadka Taleefanka Afafka ee Golaha oo ah 8470 8888.

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Agenda

1. MEMBERSHIP

Cr. Vince Fontana (Mayor) (Chairperson)

Cr. Gaetano Greco

Cr. Tim Laurence

Cr. Bo Li

Cr. Trent McCarthy

Cr. Steven Tsitas

Cr. Angela Villella

Cr. Oliver Walsh

Cr. Julie Williams

2. APOLOGIES

3. DISCLOSURES OF CONFLICTS OF INTEREST

4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Recommendation

That the Minutes of the Ordinary Meeting of Council held on 16 May 2016 be confirmed as a correct record of business transacted.

5. PUBLIC QUESTION TIME

PLEASE NOTE: Questions from the public must be submitted prior to the commencement of Council meetings.

- Questions can be submitted online up to 4.00 pm on the day of the meeting:
 - At darebin.vic.gov.au/publicquestiontime; or
 - By email to PQT@darebin.vic.gov.au
- Question can also be submitted in person:
 - At the counter of the Preston Customer Service, 274 Gower Street, Preston until 5.00 pm on the day of the meeting
 - At the Council Chamber from 6.45 pm to 7.00 pm on the day of the meeting

Council officers are available to assist residents in the preparation of questions between 3.00 pm and 5.00 pm on the day of the Council meeting. For assistance please call (03) 8470 8888 and you will be directed to the appropriate department.

No questions will be accepted after 7.00 pm on the night of the Council meeting.

Questions that relate to items that are listed on the Agenda, cannot be responded to.

The Mayor will read the question and provide a response. If a question cannot be answered at the meeting, a written response will be prepared and forwarded to the person raising the question.

Residents do not need to attend the meeting for a question to be answered.

A period of up to 30 minutes will be set aside to enable the Chairperson to read out the questions submitted by the public in accordance with the above guidelines and to provide responses.

6. CONSIDERATION OF REPORTS

6.1 SURPLUS STATE GOVERNMENT LAND – 421 HIGH STREET, PRESTON (DELWP)

Author: Manager Assets and Properties

Reviewed By: Director Assets and Business Services

Report Background

This report provides Council with an assessment of surplus state government land at 421 High Street which has been offered to Council under the state's First Right of Refusal process.

Previous Council Resolution

This matter is not the subject of a previous Council resolution.

Previous Briefing(s)

Councillor Briefing – 23 May 2016

Council Plan Goal/Endorsed Strategy

Goal – Vibrant City and Innovative Economy

- Promote an innovative, vibrant and thriving economy with physical infrastructure that is both well maintained and appropriately regulated

Summary

Council has received advice through the Victorian Government's First Right of Refusal (FROR) process that several parcels of Victorian Government owned land within the municipality has been considered surplus. This surplus land has been offered to Council, Victorian Government departments and the Commonwealth Government on a first right of refusal basis prior to being offered for private sale to the public.

The land at 421 High Street was acquired in by the Department of Planning in November 2008 to support the vision established in the Preston Central Structure Plan, Preston Central Incorporated Document and the Preston Civic Precinct Masterplan.

The identified surplus land has been assessed using the Darebin Property Management Strategy's Decision Logic Map (2015). The assessment has identified the property as "REDEVELOP" in partnership with the state government.

This report recommends that Council take advocacy action with the local Member of State Parliament and the Minister for Planning with a view to reminding the state government purpose the land was purchased and seeking continued support of the Preston Central Precinct redevelopment, with the retention of this land in government ownership.

Recommendation

That Council:

- (1) Note that the property at 421 High Street would fulfil a strategic need as identified in the Preston Central Structure Plan, Preston Central Incorporated Plan and the Preston Civic Precinct Masterplan to provide a public pedestrian pathway between High Street and the Preston Market.
- (2) The Mayor write to the Member for Preston and the Minister for Planning:
 - a. Indicating the need for a public pedestrian pathway between High Street
 - b. Seeking information as to the reason the property at 421 High Street, Preston was identified as surplus land by Department of Environment, Land, Water and Planning
 - c. Requesting a review of the Department of Environment, Land, Water and Planning's assessment that possession of 421 High Street, Preston is surplus to government requirements
 - d. Requesting continued support from the state government for the Preston Central Major Activity Centre
 - e. Request that the land remains in government ownership and used for the purpose it was purchased for.

Introduction**Victorian Government Surplus Land Process**

The Victorian Government endorsed the *Victorian Government Landholding Policy and Guidelines* in early 2015. The policy states that Victorian Government agencies must only hold land where state ownership of that land contributes directly to current or future service delivery outcomes. The policy and guidelines require Victorian Government departments and authorities to undertake strategic assessments of their property portfolios and provide annual reporting to the Department of Treasury and Finance (DTF) on property utilisation, including identifying parcels which are considered surplus.

The *Victorian Government Landholding Policy and Guidelines* introduces amendments to the process for notification and offering surplus land to local governments which was previously contained within Government Land Monitor's *Policy and Instructions for the purchase, compulsory acquisition and sale of land*. Under the previous process, councils were provided notification after Victorian Government departments/authorities were notified and councils were only provided with 30 days to respond. The new process features concurrent notification for local, state and federal and provides a 60 day period for response (see outline below).

- Upon declaring land surplus to agency requirements, Victorian Government agencies give notice of the surplus land to the DTF.
- DTF provides email notification to Victorian Government agencies, local government and the Commonwealth Government of the surplus land.
- All other Victorian Government agencies, local government and the Commonwealth Government have a period of 60 days from the date of notification by the Department of Treasury and Finance in which to submit an expression of interest to acquire the surplus land for a public or community purpose.

- If an expression of interest is not received within 60 days, the disposing agency may proceed to dispose of the surplus land by public process in accordance with the Victorian Government Land Transactions Policy.
- If an expression of interest is received within 60 days, the parties are required to negotiate in good faith to attempt to agree on the terms of sale within 30 days after the close of the expression of interest period (or such other period as may be agreed between the parties).
- If the terms of sale are not agreed between the parties, the disposing agency may proceed to dispose of the surplus land by public process in accordance with the Victorian Government Land Transactions Policy.
- If the terms of sale are agreed between the parties, transfer of the surplus land may proceed according to the agreed terms, at a price equal to the current market value of the land as determined by the Valuer General Victoria.
- The landholding Minister may approve the sale of land for a community purpose at a price less than the current market value of the land as determined by the Valuer General Victoria.
- If more than one expression of interest is received in respect of surplus land, expressions of interest by Victorian Government agencies will take precedence over other expressions of interest.

First Right of Refusal for 421 High Street, Preston

Council received notification via email that a parcel of land owned by the Department of Environment, Land, Water and Planning (DELWP) at 421 High Street had been declared surplus to state government requirements. This property was purchased by the former Department of Planning and Community Development in November 2008 to support the implementation of the Preston Central Structure Plan as Preston had been identified as 'Principal Activity Centre' in Melbourne 2030 and then as a 'Major Activity Centre' in Plan Melbourne. Council has not received any correspondence or advice from DELWP as to why the land is considered surplus and being offered for sale.

Issues and Discussion

Property Asset Management Strategy and the Decision Logic Matrix

Council adopted a Property Asset Management Strategy (PAMS) in 2014 which seeks to enable strategic decision making and align actions relating to property assets to Council's broader policy objectives. PAMS provides Council with a basis for achieving a sustainable property portfolio capable of generating enhanced community outcomes.

PAMS contains a Property Management Framework (Figure 1) which depicts a methodology for municipal decision making which is founded on service needs and is responsive to budgetary implications.

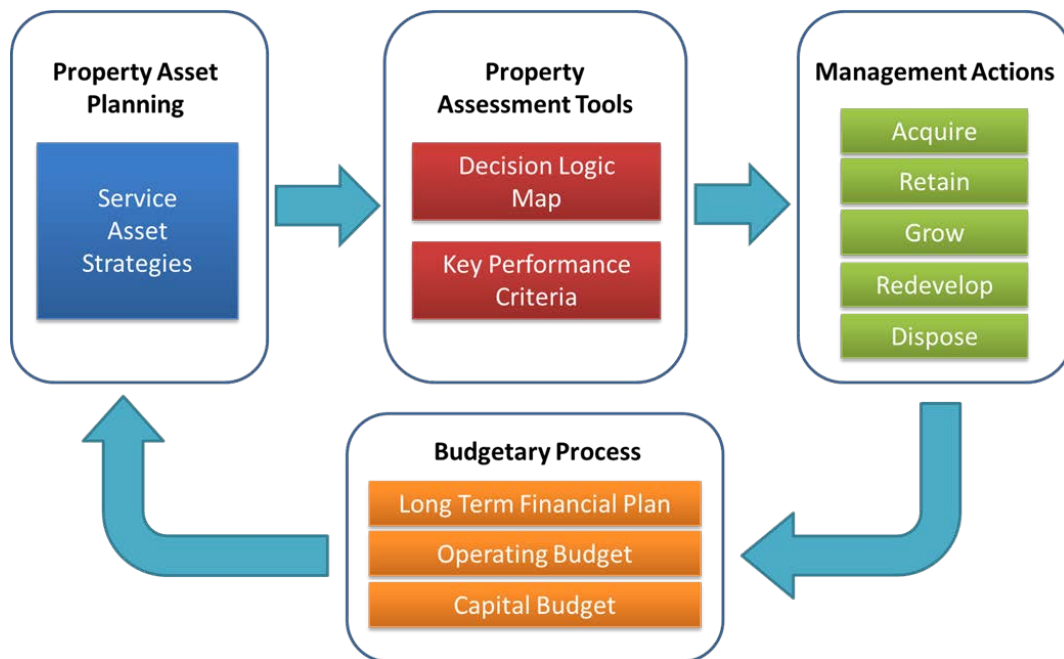


Figure 1- Property Management Framework

A vital element of the Property Asset Management Strategy is the Decision Logic Map (refer to **Appendix B**) which asks a series of key questions in order to arrive at one of four hold points – Dispose, Maintain, Grow or Redevelop as shown in Figure 2.

		Service Provision	
		High	Low
Development Potential	High	Grow (Council undertakes actions to develop the property or transform existing use)	Redevelop (partnership with other parties to develop property or transform existing use)
	Low	Maintain (business as usual)	Dispose (Council sells the property)

Figure 2- Decision Logic Matrix

The site has been assessed using service based asset strategies and the property assessment tool to arrive at an appropriate management action as identified below.

Preston Central Structure Plan

Preston Central is one the largest traditional, multi-dimensional activity centres in northern Melbourne, forming a major focus for business shopping, community, culture and recreation. A structure plan was developed for the area and adopted by Council in 2006 which set out a vision for how Preston Central should be developed in the foreseeable future and to guide development proposals for the centre by Council and others.

The Preston Central Structure Plan identifies locations for new pedestrian links from the Civic Precinct to the High Street Precinct to allow for pedestrian movement to and from the Preston Market.

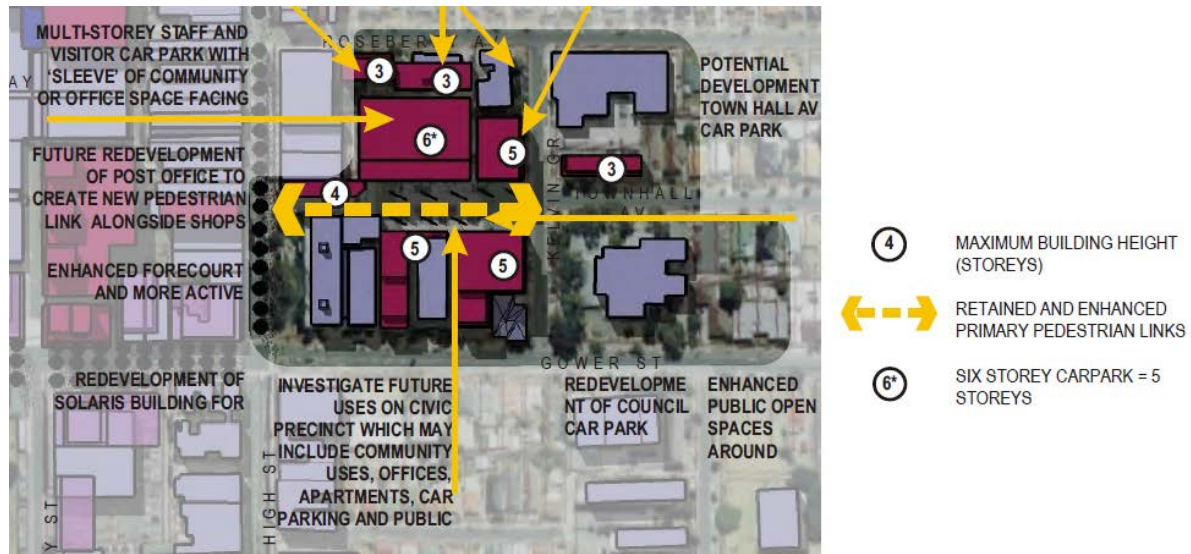


Figure 3 – Civic Precinct Urban Design Framework (Preston Central Structure Plan 2006, p.109)

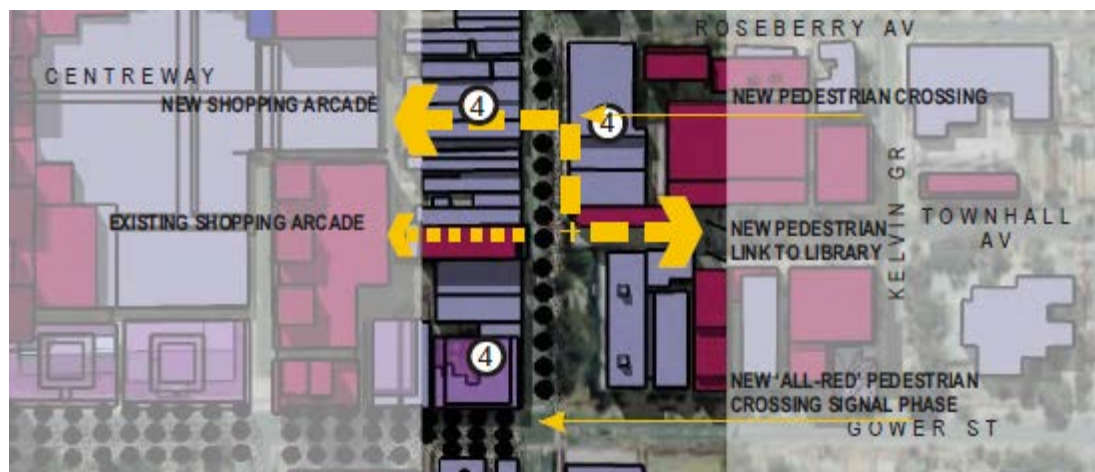


Figure 4 – High Street Urban Design Framework (Preston Central Structure Plan 2006, p.117)

The Preston Structure Plan identifies the area of High Street, opposite the Preston Post Office, as a location for a new pedestrian link.

Preston Central Incorporated Plan

The Preston Central Incorporated Plan was approved by Council in 2007 and amended in 2014. It is part of the Darebin Planning Scheme and applies to land in the Preston Central area.

An objective of the plan is “to provide an integrated network of local roads and paths that improves local accessibility and permeability”.

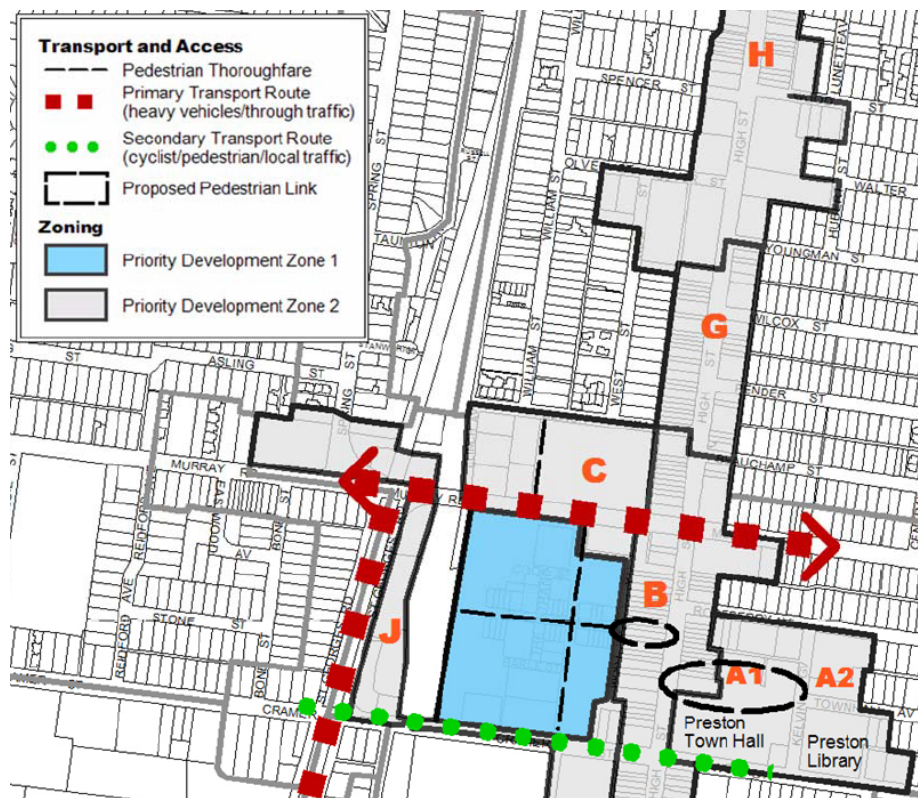


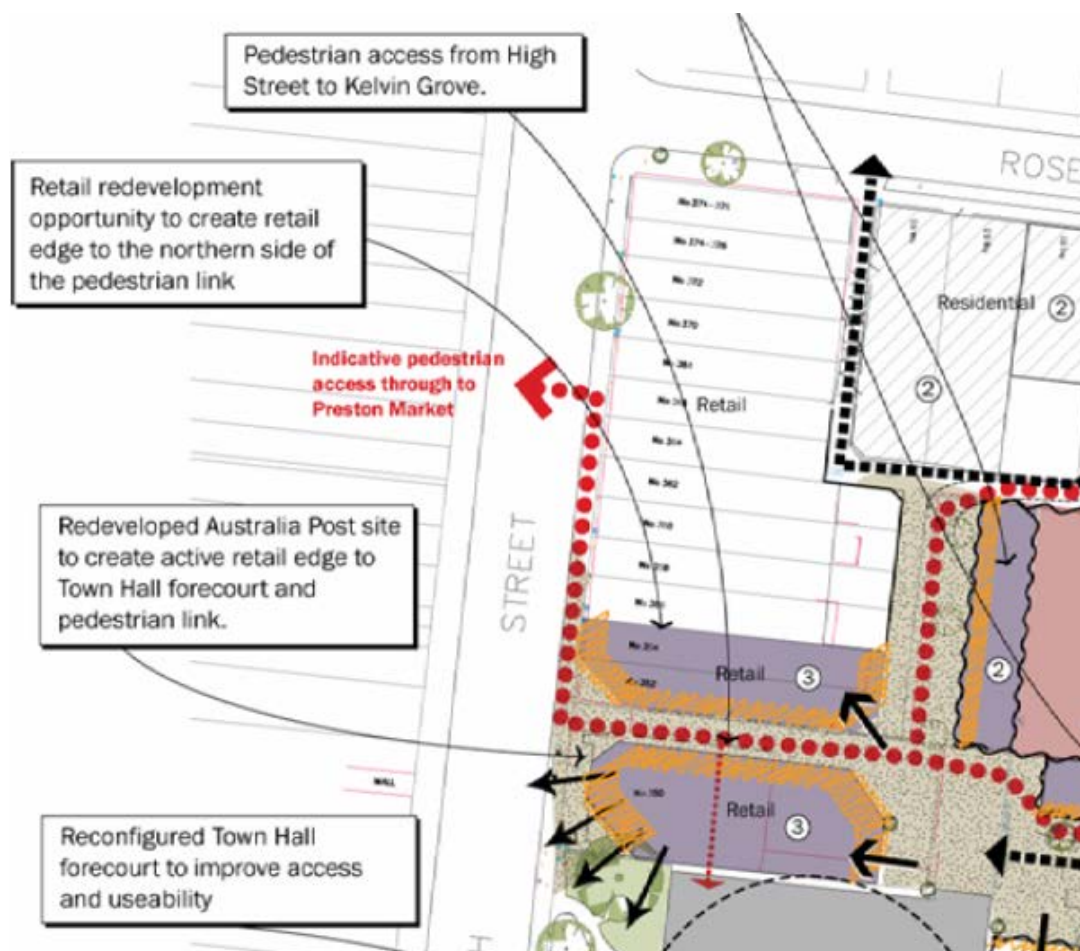
Figure 5 – Framework Plan 2 – Transport and Access
(Preston Central Incorporated Plan 2007, p.15)

The Preston Central Incorporated plan identifies the area of High Street, opposite the Preston Post Office, as a proposed pedestrian link.

Preston Civic Precinct Masterplan

The Preston Civic Precinct Masterplan was approved by Council in 2006. This plan was prepared to facilitate the major transformation of the Preston Civic Precinct over the period from 2007-2022 into a significant corporate, commercial and community hub for both Preston and the broader northern region of the Melbourne metropolitan area.

One of the key features of the masterplan is for the provision of “*Safe, secure and attractive pedestrian access throughout the precinct and linkages to other components of the Activity Centre*”.



**Figure 6 – Key Development Sites
(Preston Civic Precinct Masterplan, p.7)**

The Preston Civic Precinct Masterplan identifies an indicative pedestrian access through to Preston Market emerging from a redeveloped Preston Post Office site.

Options for Consideration

Option 1 – Do Nothing

Council could resolve to take no action in relation to the notification from the state government that their land-holding in 421 High Street is considered surplus to government requirements.

The state government would likely sell the property and it is likely that the store will remain in place under lease.

Council may consider other opportunities to acquire land for the purposes of providing a connection through to the Preston Market in the future.

Option 2 – Purchase the land

Council may resolve to take advantage of the offer of the surplus land by the state government and purchase the land with the intention of providing a permanent public pedestrian walkway between the Preston Market and High Street.

Once purchased, Council could look at opportunities to acquire an adjoining property (either 417-419 or 423 High Street) to provide for active retail frontages along the walkway.

It is expected that the existing Shi Dai Supermarket and mobile phone store are operating under a lease arrangement with DELWP. Council would be required to honour the terms of this lease as the new landlord, which may delay development opportunities. Details of the lease arrangements were not provided with the First Right of Refusal notification.

This option would involve further costs for the purchase of additional property and/or the demolition of the existing building and construction of a walkway.

Option 3 – Advocacy for Continued State Ownership (Recommended)

It is recommended that Council undertake an advocacy role with the local Member of Parliament and the Minister for Planning to request that DELWP reconsider their assessment that this land is surplus to their requirements with a view to continuing state government support for the future redevelopment of Preston Central.

It is proposed that the Mayor write to the local Member of Parliament and the Minister for Planning outlining the need for this link, questioning the identification of this land as surplus by DELWP and requesting continued support of the state government for the Preston Central Major Activity Centre.

Financial and Resource Implications

The land has been nominally provided with a value of \$2.25M by DELWP. Should Council resolve to purchase this land from the state government, a valuation would need to be undertaken by the Valuer General.

Should Council be interested in purchasing the property, it would be worth discussing with DELWP opportunities for the purchase to be funded from, or included in, any future developer contribution scheme associated with the redevelopment of the Preston Market site.

The options for 'do nothing' and 'advocacy' would not have any immediate financial implications to Council, however should Council decide to acquire this property (or another High Street property) in the future to provide a pedestrian link to the Market the cost of land is expected to increase as time moves on.

Risk Management

Should Council do nothing there is a risk that future action to create a public pedestrian pathway between High Street and the Preston Market will be more expensive as property prices generally increase over time.

Purchase of the property contains risks associated with management of the current tenant and potential development options for the land if adjoining properties do not become available for purchase.

A risk exists that Council's advocacy efforts will not be successful and that the sale would continue as originally planned by the state government. In this event, should Council decide to purchase the land it would need to compete with other private purchasers on the open market.

Policy Implications

Economic Development

There are no factors in this report which impact upon economic development.

Environmental Sustainability

There are no factors in this report which impact upon environmental sustainability.

Human Rights, Equity and Inclusion

There are no factors in this report which impact on human rights, equity and inclusion.

Other

There are no other factors which impact on this report.

Future Actions

- Letters to be provided to the Member for Preston and the Minister for Planning
- Copies of any responses from the Member for Preston and the Minister for Planning to be provided to Councillors
- Further action to be determined based on the success of initial advocacy actions

Consultation and Advocacy**External Consultation**

- No community consultation has been undertaken as part of the preparation of this report. The various plans referenced in this report, which identify the need for a pedestrian walkway between High Street and Preston Market, were prepared in consultation with the community.

Internal Consultation

- Executive Management Team
- City Development

Related Documents

- Decision Logic Map (**Appendix A**)
- Assessment (**Appendix B**)
- Property Asset Management Strategy, Darebin City Council, 2014
- Victorian Government Landholding Policy and Guidelines, Victorian Government, 2015
- Policy and Instructions for the purchase, compulsory acquisition and sale of land, Victorian Government, 2000
- Preston Central Structure Plan, Darebin City Council, 2006
- Preston Central Incorporated Plan, Darebin City Council, 2007 (amended 2014)
- Preston Civic Precinct Masterplan, Darebin City Council, 2006

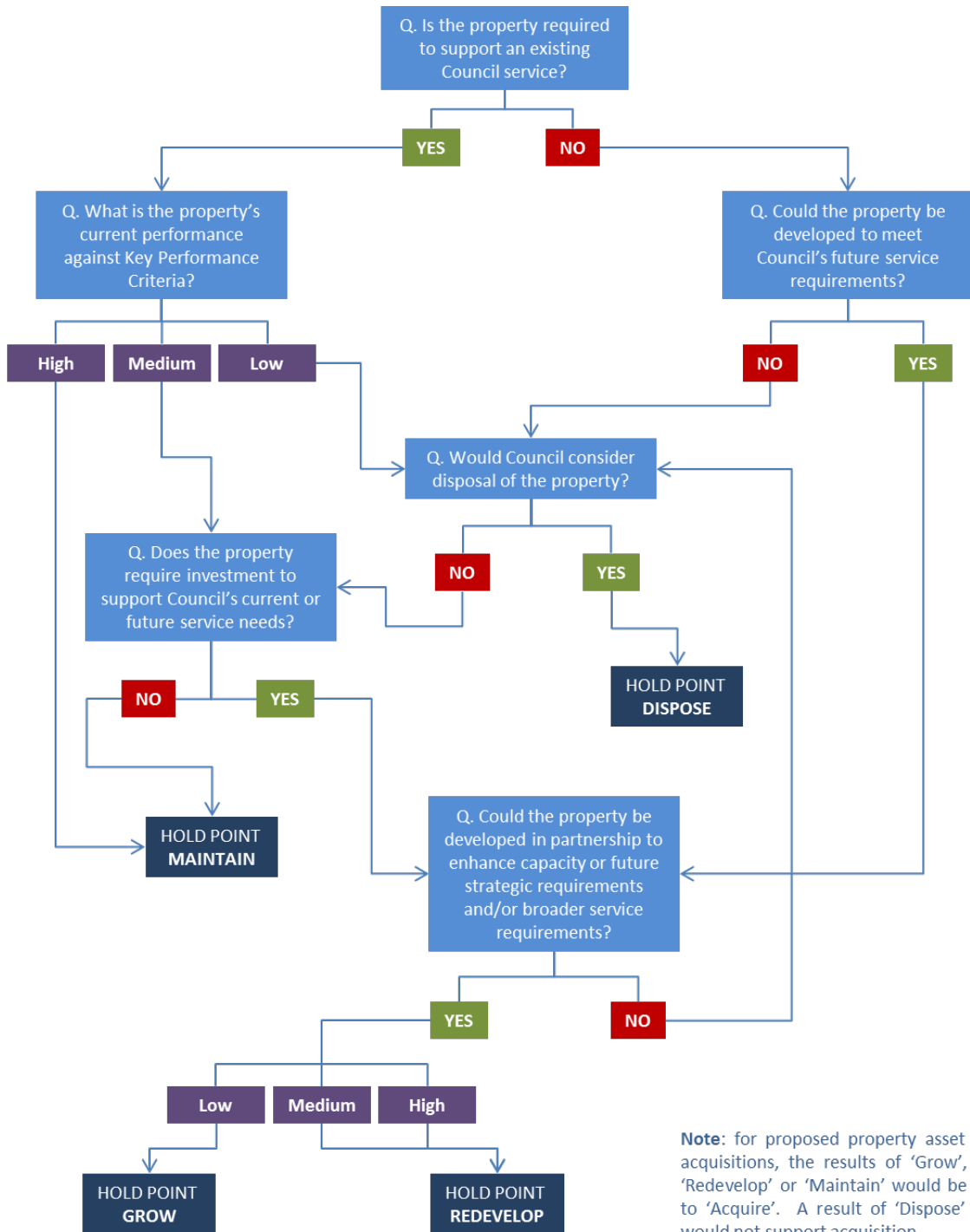
Disclosure of Interest

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

Decision Logic Map

Property Asset Management Strategy



Note: for proposed property asset acquisitions, the results of 'Grow', 'Redevelop' or 'Maintain' would be to 'Acquire'. A result of 'Dispose' would not support acquisition.

APPENDIX B

421 High Street, Preston

421 High Street is freehold land held in the name of the Department of Environment, Land Water and Planning. It is located on the west side of High Street, Preston in the block section between Gower Street and Murray Road. The property has an area of approximately 386m². A brick commercial building occupies the majority of the site with a covered storage area at the rear. The site appears to be leased to a supermarket and possibly sub-leased to a mobile phone shop.

The property lies within a general area which has been identified in several plans for the central Preston area as a possible location of a pedestrian walkway between High Street and the Preston Market. It is directly north of an existing arcade (at 417-419 High Street) which is private property and is locked at night times. There several are other shops along the western side of High Street which provide for pedestrian permeability between High Street and the market during business hours. There is no permanently available public walkway between High Street and the Preston Market.

It is understood that 421 High Street was acquired by the Department of Planning to assist with the redevelopment of Preston Central.

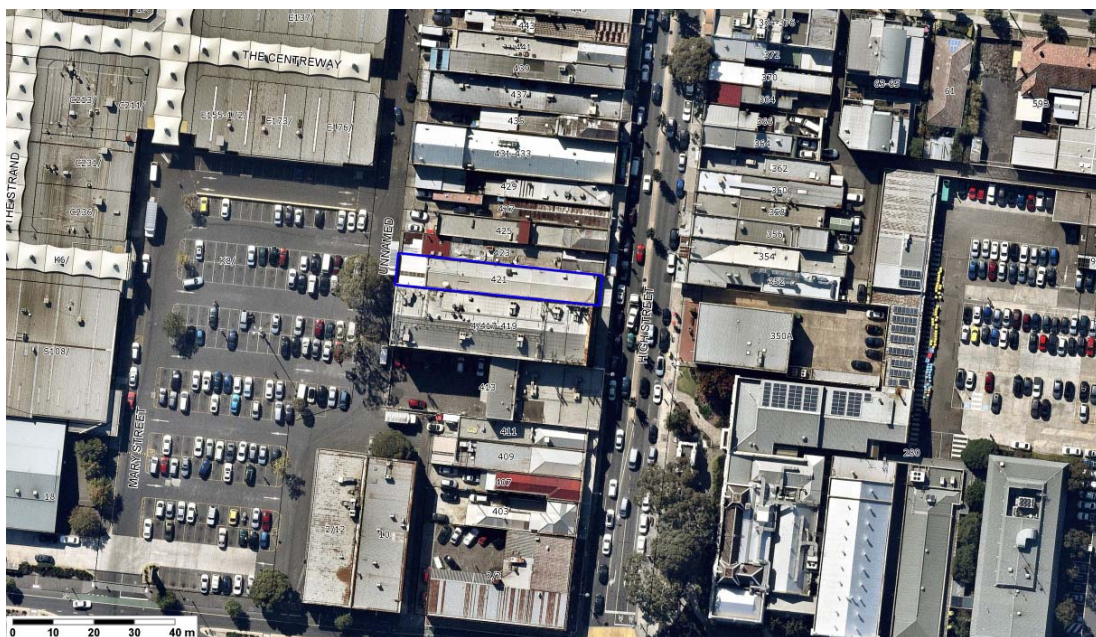


Figure B.1 – 2016 Aerial Photo – 421 High Street Preston



Figure B.2 – 2016 Photo – 421 High Street (front)



Figure B.3 – 2016 Photo – 421 High Street (rear)

Land Zoning and Planning Scheme Protections

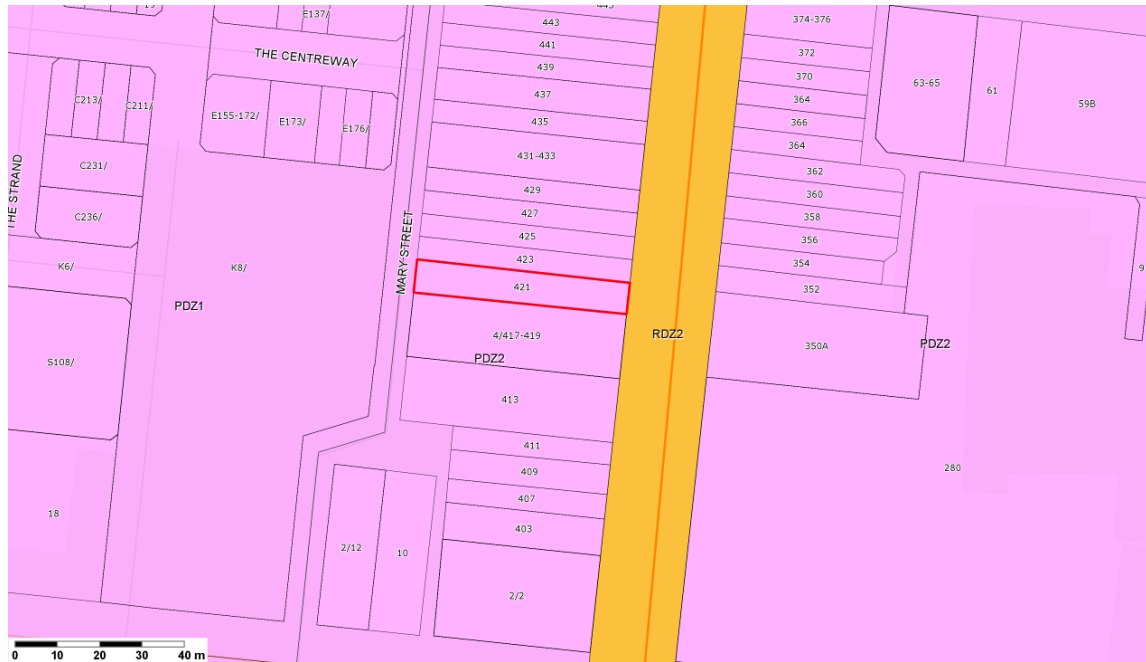


Figure B.4 – Zoning – Land Surrounding 421 High Street, Preston

The site is zoned Priority Development Zone 2 which seeks to facilitate the implementation of the Preston Central Incorporated Plan 2007. The site is also affected by the Special Building Overlay which has been put in place by Melbourne Water to identify those properties which are likely to be affected by flooding from the Melbourne Water main drain in 100 year storm events.

Market Valuation

The Department of Treasury and Finance have provided an indicative pricing of the land at \$2.25M.

Decision Logic Map Assessment

(Refer to **Appendix A** for Decision Logic Map)

Q1 – Is the property required to support an existing Council service?

NO – the land is required to support an existing Council service.

Q2 – Could the property be developed to meet Council’s future service requirements?

YES – this property could be developed to meet future service requirements.

The general area in which the property is located has been identified in several strategic documents adopted by Council as the potential location for a pedestrian link between High Street and the Preston Market.

Q3 – Could the property be developed in partnership to enhance capacity or future strategic requirements and/or broader strategic requirements?

YES – Whilst the property could be purchased and developed by Council without any external assistance, the current ownership of the land by DELWP presents a clear opportunity to achieve strategic service requirements through partnership with the state government.

MEDIUM-HIGH – Based the possibility for future development of the property to incorporate additional retail elements that could generate income or offset capital expenditure, the land has been assessed as having a ‘medium’ to ‘high’ potential for level of performance.

HOLD POINT – REDEVELOP

After undertaking a review of the property using the Decision Logic Map, it is clear that part of the land can meet an identified strategic need.

Land Acquisition Strategy

As the land is currently owned by the state government, the best opportunity for Council to ensure that the strategic need for a pedestrian connection between High Street and the Preston Market is met would be through a partnership with DELWP.

In order to work with DELWP to jointly develop this property as an asset for the Darebin community, Council will need to arrange for DELWP to revisit their assessment that this land is surplus to their current needs. It is clear that a former incarnation of DELWP purchased this land with a clear intent to support the Preston Central Structure Plan. Our advocacy efforts should focus on asking what happened to this intent and querying if the state’s commitment to Preston as a Major Activity Centre has changed.

First steps in the advocacy would involve raising the issue with the local Member of State Parliament to advocate within the government on Council’s behalf and also with the Minister for Planning who would have decision making power in relation to the surplus nature of the land.

Risks

A risk exists that Council's advocacy efforts will not be successful and that the sale would continue as originally planned by the state government. In this event should Council decide to purchase the land, it would need to compete with other private purchasers on the open market.

RECOMMENDATION

Council's primary interest in this site lies in its potential to meet a strategically identified need for pedestrian walkway between High Street and the Preston Market.

As the land is currently owned by the state government who purchased it for the express purpose of providing the walkway, it is recommended that Council undertake advocacy to ensure that DELWP retains ownership of this site to enable future redevelopment as a walkway.

6.2 SAFE TRAVEL STRATEGY 2010-2015

Author: Senior Coordinator Transport Management

Reviewed By: Director Assets and Business Services

Report Background

This report provides an overview of the outcomes and achievements of the Safe Travel Strategy 2010 - 2015.

Previous Council Resolution

This matter is not the subject of a previous Council resolution.

Previous Briefing(s)

This matter has not previously been to a Councillor briefing.

Council Plan Goal/Endorsed Strategy

- Darebin Safe Travel Strategy 2010-2015
- Darebin Transport Strategy 2007-2027

Summary

The *Darebin Safe Travel Strategy 2010-2015* (STS) was part of Council's five year plan, guiding work in creating a safer place to live and travel for Darebin residents and visitors. The STS adopted an innovative approach to safe travel by seeking to protect the most vulnerable road users - pedestrians and cyclists. The strategy ended last year and work is underway to develop the next safe travel strategy.

The strategy has seen a positive impact across Darebin, and continues to provide the community with ambitious yet achievable targets to ensure the ongoing safety of vulnerable road users.

Strategy Targets

Overall the targets of the Safe Travel Strategy show positive outcomes. The following is an outline of targets and the corresponding available data.

Reduce crash rates on local roads to or better than VicRoads' targets- largely met

Victoria's Road Safety Strategy 2013-2022 aims for a 30% reduction in deaths and serious injuries, and between 2011 and 2015 there was a 27% reduction in fatal crashes in the City of Darebin, compared to the previous five years.

There was a 31% reduction in serious injuries in the City of Darebin between 2011 and 2015 compared to the previous five years.

Lower the number of crash injuries and fatalities on Darebin roads compared to metropolitan Melbourne – no significant change

The total number of all crash injuries in Darebin did not change, and the metropolitan Melbourne rate of all crash injuries reduced by 2%.

Zero deaths of vulnerable road users on Darebin roads – positive change

In the five years between 2011 and 2015 four pedestrians died in Darebin, with no deaths recorded for bike riders. Though the target of zero deaths was not met, there was a 55% reduction in deaths of vulnerable road users compared to the preceding five years

Reduction of proportion of serious injuries attributed to vulnerable road users – no significant change

The proportion of serious injuries attributed to vulnerable road users compared to all road users increased by 3% to 18% during 2011 to 2015.

Increased mode share for walking, cycling and public transport by 15% for all trips by 2015 – increasing results

The 2014 Darebin Household Survey indicates that the mode of travel to work has not changed much in recent years. However, a 25% increase in bike riding between 2011 and 2015 has been recorded through Super Tuesday counts, indicating that Darebin is an increasingly attractive place to ride.

Recommendation

That Council notes the outcomes and achievements of the review of the *Darebin Safe Travel Strategy 2010-2015* attached as **Appendix A** to this report.

Introduction

The *Darebin Safe Travel Strategy 2010-2015* Action Plan called for a holistic approach to travel safety, including encouragement, education, enforcement and engineering.

Issues and Discussion

Selections of the highlights achieved under the strategic guidance of the Safe Travel Strategy include:

- Approximately \$1 million allocated to support the delivery of the strategy's Action Plan, together with \$600,000 in external funding. The strategy has also provided a basis to secure grants for infrastructure, black spot projects, and travel to school projects, safety audits, and safe and sustainable travel programs.
- The *Safe Travel Strategy 2010-2015* received a Finalist placing in the *Innovative Practice/Service Delivery Award* as part of the 2011 Institute of Public Works Engineering Australia Awards for Excellence.
- Over 350 residents have participated in bike skills courses.
- Safe Routes to School audits have been conducted at 19 of Darebin's 36 primary schools, providing information to prioritise the delivery of new and upgraded walking and riding infrastructure for students. These projects include new school crossings at Preston North East, Bell and St Stephen's primary schools.
- Development of the *Drive with Your Heart* program, a neighbourhood-initiative encouraging more activity on local streets. For example when a Preston street took part, the incidence of speeding dropped by 30%.

The program has also seen the formation of two resident groups who have developed a commitment to safe and sustainable travel, delivered many community events over the past four years, and have been supported to them to be local champions in their neighbourhoods well beyond the lifespan of the program.

- Darebin is the first council in Victoria to purchase a speed trailer. From 2011 to 2015 it has been placed on over 130 streets throughout Darebin to remind motorists of their speed as part of the *Not So Fast* program.
- Successful Black Spot submissions have resulted in the upgrade of traffic signals at the intersection of Separation Street and Victoria Road Northcote, and Wood Street and High Streets in Preston.
- Council has supported 27 teachers at 10 schools for training in Bike Ed. Council has also provided a bike fleet, training materials and other financial assistance to schools providing Bike Ed to their students.
- The Reservoir Streetscape Master Plan has included improved pedestrian safety through upgraded crossing points and the introduction of a 40km/h zone for the shopping strips at Broadway and Edwardes Street.
- Further speed limit reductions have been achieved throughout Darebin, creating safer conditions for all road users. (Further information is also available at www.darebin.vic.gov.au/safetravel).
- The strategy has provided a strong foundation for Council to advocate on behalf of the community for safer travel conditions including:
 - Speed limit reductions;
 - The proposed grade separations at Reservoir and Bell stations, and at Grange Road Alphington;
 - Proposed upgrades to the St Georges Road shared path;
 - Providing feedback into legislation and policy reform; and
 - Advocating for safe and sustainable outcomes for new property developments.
- Upgrades to our driving, riding and walking infrastructure have also been implemented including:
 - Installation of pedestrian crossing points and bike lanes in High Street Preston (near Showers and Raglan Streets);
 - An improved crossing environment on Victoria Road Northcote near the Northcote Aquatic and Recreation Centre.
- Over 200 local students were supported to build their own bikes to keep as part of the *Happiness Cycle* in 2014. Students were also provided with helmets, lights and locks.
- The strategy has also been used to inform other road safety strategies across Melbourne.

The strategy has largely achieved its targets and objectives through innovative and varied actions and provided a well-considered method to guide Council's work in the area of travel safety. The strategy's approach has been adopted by other councils and it is anticipated that it will inform the next strategy.

There is still significant work to do in the area of travel safety, especially with regard to improving our safety record for our vulnerable road users. We will retain our focus on the key strategies of education, infrastructure improvements, behaviour change, advocacy, and continuing to create safer conditions for our vulnerable road users. The next strategy will incorporate these into its action plan.

Financial and Resource Implications

Safe travel programs and infrastructure have been delivered primarily through dedicated Council funding. The approach to program delivery adheres to the broader Darebin Transport Strategy principles and the budget has been supplemented by grants from external bodies including VicRoads, VicHealth and TAC.

Increasing demands and community expectations due to growing population pressure on transport networks has created difficulties in implementing the entire breadth of the strategy, but Council will continue to work towards safe travel conditions for the community.

Risk Management

There are no risk management issues associated with this report.

Policy Implications

Economic Development

The Safe Travel Strategy has provided economic development and potential job creation opportunities through capital works and bike education programs undertaken over the last five years.

Environmental Sustainability

The strategy prioritises sustainable modes of transport such as walking, cycling and public transport. These are linked to reduced greenhouse gas emissions and adaption to climate change. Council recognises the link between sustainable transport, local living, accessibility and sustainability.

The objectives and actions in this strategy sought to improve safe travel, while at the same time increasing environmental sustainability.

Human Rights, Equity and Inclusion

The strategy sought to enhance walkability, bike paths and access to public transport for all residents and to increase social inclusion and participation in community life. Access to low cost, adaptable modes of transport are essential in ensuring travel in Darebin is inclusive and equitable.

Other

Most actions and objectives in the Safe Travel Strategy support the Darebin Transport Strategy and Darebin Cycling Strategy. More broadly, they also address wider Council strategies such as the Community Health and Wellbeing Plan and Community Safety Strategy.

Future Actions

- Develop a safe travel strategy to build on the successes of the previous strategy, and guide the focus of Council in the area of safe travel over the next decade.

Consultation and Advocacy

Internal consultation was conducted to understand the outcomes of the STS across the organisation with the following staff:

- Acting Manager Libraries, Learning and Youth
- Civil Engineer
- Community Resource Support Officer
- Community Safety Officer
- Community Wellbeing Team Leader
- Coordinator Operational Projects and Fleet
- Coordinator Public Realm
- Coordinator, Maternal Health, Children and Families
- Environmental Project Officer
- Festivals and Events Officer
- MetroAccess Officer
- Safe Travel Officer
- Senior Coordinator, Transport Management
- Strategic Risk and Insurance Advisor
- Sustainable Transport Officer
- Team Leader Transport Engineering
- Team Leader, Transport Strategy
- Transport Engineer
- Transport Planner
- Yute Crew Projects Officer

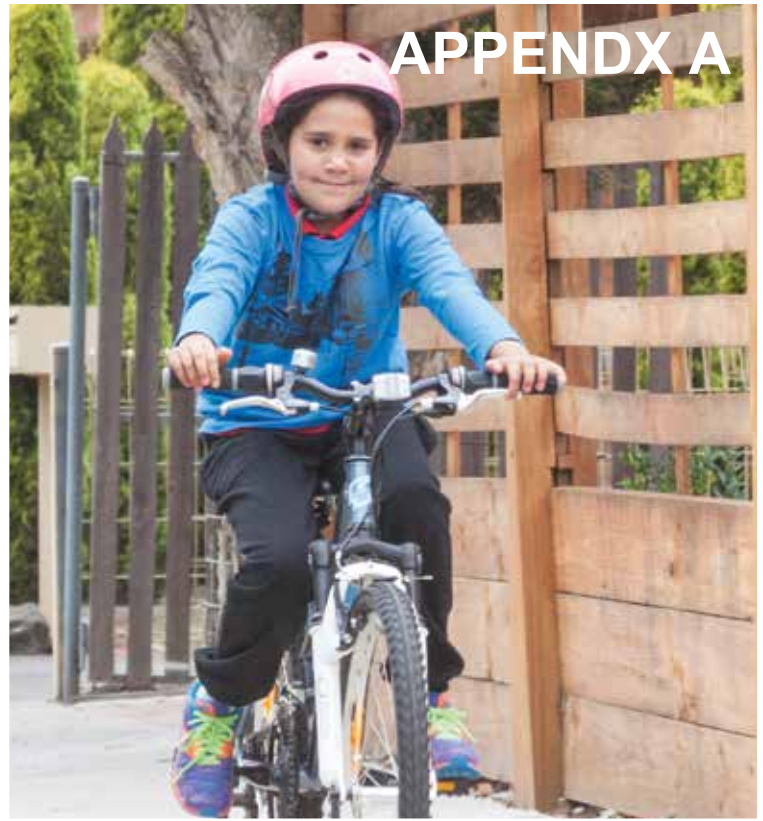
Related Documents

- Safe Travel Strategy 2010-2015
- Going Places – Darebin Transport Strategy 2007-2027
- Cycling Strategy 2013-2018
- Victoria's Road Safety Strategy 2013-2022

Disclosure of Interest

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.



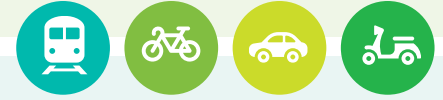
Safe Travel Strategy 2010-2015

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Outcomes and Achievements

The Strategy

The Darebin *Safe Travel Strategy 2010-2015* adopted a new and innovative approach to safe and healthy travel, focusing on protecting our most vulnerable road users – people walking and riding their bikes – whilst also continuing to protect vehicle drivers and passengers.



The Targets

Reduce crash rates on local roads to or better than VicRoads' targets

- VicRoads aspire to the targets of *Victoria's Road Safety Strategy 2013-2022* which respectively aims for a 30% reduction in deaths and serious injuries during that time.
- There was a **27% reduction in fatal crashes** in City of Darebin between 2011 and 2015 compared to the previous five years.
- We also experienced a **31% reduction in serious injuries** in the City of Darebin between 2011 and 2015 compared to the previous five years.¹

Lower the number of crash injuries and fatalities on Darebin roads compared to metropolitan Melbourne

- The total number of all crash injuries in Darebin did not change, and the metropolitan Melbourne rate of all crash injuries reduced by 2%.
- Although we did not reach the 30% target, there was a **27% reduction in fatal crashes** in City of Darebin between 2011 and 2015 compared to the previous five years. Metropolitan Melbourne experienced a similar reduction of 24%.

Zero deaths of vulnerable road users on Darebin roads

- In the five years between 2011 and 2015, four people died while walking in Darebin and no people died while riding a bicycle. Though the target of zero deaths was not met, there was a **55% reduction** in deaths of vulnerable road users compared to the preceding five years.

Reduction of proportion of serious injuries attributed to vulnerable road users

- The proportion of serious injuries attributed to vulnerable road users compared to all road users increased by 3% to 18.67% during 2011 to 2015.

Increased mode share for walking, cycling and public transport by 15% for all trips by 2015

- The 2014 Darebin Household Survey shows that the way we are travelling to work has not changed much in recent years. However, a 25% increase in bike riding between 2011 and 2015 has been recorded through our Super Tuesday counts, indicating that Darebin is an increasingly attractive place to ride.

¹ In 2012/2013 there was a change in Victoria to the reporting of serious injuries. Only hospital admissions are now classified serious injuries.

Achievements

The Darebin *Safe Travel Strategy 2010-2015* Action Plan called for a holistic approach to travel safety, including encouragement, education, enforcement and engineering.

As a council, we have achieved a great deal during the life of the strategy. Here is a selection of the highlights.

- ✓ We allocated close to \$1million to support the delivery of the strategy's Action Plan, as well as attracting almost \$600,000 in external funding. The strategy has provided a basis for us to secure grants for infrastructure, Blackspot projects, travel to school projects, safety audits, and safe and sustainable travel programs.
- ✓ Our *Safe Travel Strategy 2010-2015* received a finalist placing in the Innovative Practice/Service Delivery Award as part of the 2011 Institute of Public Works Engineering Australia Awards for Excellence.
- ✓ Over 350 locals have participated in our bike skills courses, which aim to get more people riding safely.
- ✓ Safe Routes to School audits have been conducted at 19 of our 36 primary schools, assisting us to prioritise the delivery of new and upgraded walking and riding infrastructure for students. These projects include new schools crossings at Preston North East, Bell and St Stephen's primary schools.
- ✓ We developed Drive With Your Heart, a neighbourhood-initiative that encourages more activity on local streets. When one Preston street took part, the incidence of speeding dropped by 30%.
- ✓ We were the first council in Victoria to purchase a speed trailer. From 2011 to 2015 it was placed on over 130 streets throughout Darebin to remind motorists of their speed as part of our Not So Fast program.
- ✓ Our successful Blackspot submissions have resulted in the upgrade of the traffic signals at the Separation Street and Victoria Road intersection in Northcote, and at Wood Street and High Street in Preston.
- ✓ We supported 27 teachers at 10 of our schools to be trained in Bike Ed. We have also provided a bike fleet, training materials and other financial assistance to our schools that provide Bike Ed to their students.
- ✓ The Reservoir Streetscape Master Plan was developed and its delivery has included improved pedestrian safety through upgraded crossing points and the introduction of a 40km/h zone for the shopping strips at Broadway and Edwardes Street.
- ✓ Further speed limit reductions have been achieved throughout Darebin, creating safer conditions for all road users. A list is available for view at www.darebin.vic.gov.au/safetravel
- ✓ The strategy has also provided a strong foundation from which Council has advocated on behalf of our community for safer travel conditions ranging from speed limit reductions; grade separation at Reservoir and Bell stations and at Grange Road Alphington; upgrades to the St Georges Road sharepath; providing feedback into legislation and policy reform; and advocating for safe and sustainable outcomes for new property developments.
- ✓ Many upgrades to our driving, riding and walking infrastructure have been implemented. A couple of significant wins for vulnerable road users include the pedestrian crossing points and bike lanes installed on High Street Preston near Showers and Raglan Streets; and the improved crossing environment on Victoria Road Northcote near the Northcote Aquatic and Recreation Centre.



The Next Stage

The *Safe Travel Strategy 2010-2015* provided a well-considered method to guide Darebin City Council's work in the area of travel safety. The strategy's approach has been adopted by other councils and it is expected that, as it is still the industry-leading approach, it will also inform the basis of the next Darebin safe travel strategy.

There is still significant work to do in the area of travel safety, especially with regard to the key strategies of education, infrastructure improvements, behaviour change, advocacy, and continuing to create safer conditions for our vulnerable road users. The next strategy will incorporate these into its action plan.



CITY OF DAREBIN

274 Gower Street, Preston
PO Box 91, Preston, Vic 3072
T 8470 8888 **F** 8470 8877
E mailbox@darebin.vic.gov.au
www.darebin.vic.gov.au/transport



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Ελληνικά Soomalii
हिंदी Tiếng Việt

6.3 SPORTING FEES AND CHARGES POLICY – IMPACT ON MICRO CLUBS

Author: Manager Leisure and Public Realm

Reviewed By: Director Community Development

Report Background

This report responds to a Council resolution from the meeting held on 7 March 2016.

Previous Council Resolution

At its meeting held on 7 March 2016, Council resolved:

‘That Council receives a more detailed report as soon as practicable on the negative impact of the policy on micro clubs together with strategies on how these clubs can be assisted to overcome the difficulties they are encountering.’

Previous Briefing(s)

Councillor Briefings – 1 February 2016 and 16 May 2016

Council Plan Goal/Endorsed Strategy

Council plan 2013 – 2017 - 2.6 Community health and fitness; and access to opportunities; 2.10 Social and physical connectedness; 2.13 equitable access for all; 2.15 equity in sport; 5.2 access and inclusion

Darebin Health and Wellbeing Plan 2013 – 2017 goal 4 – build healthy, safe and accessible places for people to play and connect; goal 5 protect and promote Darebin people’s physical health (5.3 – increase regular physical activity for all)

Darebin Leisure Strategy (2010 – 2020) and Leisure Services Action Plan 2015 - 2020

Summary

- During the implementation of the Sporting Fees, Charges and Occupancy Agreement Policy 2014 it was identified that a few smaller “micro clubs” are occupants in Darebin sporting venues. This was reported to Council at its meeting on 7 March 2016. In most instances the activities undertaken by these clubs is not related to sports or active recreation, rather are of a social or passive recreational nature
- The issue of sporting fee policy impact on “micro clubs” is confined largely to recreational/hobby clubs. Due to their specialised interests these clubs have small membership bases and thus may have limited capacity to raise revenue.
- To address the micro clubs issues Council officers within the Community Facilities Unit will work with the clubs to assist them to find affordable alternative venues.

Recommendation

That Council notes this report on Sporting Fees and Charges Policy – Impact on Micro Clubs and the proposal to support micro clubs in identifying alternative affordable venues.

Introduction

This report discusses the impact on micro-clubs of the new sporting fee policy.

A number of clubs and community groups enjoyed nominal fees under the old sporting fee structure. These included:

- Tennis clubs – 7 in total,
- Recreational/hobby clubs - Macedonian Pigeon Club and the Australian Federation of Hellenic Gymnastics and Athletics Association,
- Youth Clubs - Preston Boxing Youth Club, Keon Park Youth Club and Kingsbury Comets,
- North Metro Cricket Association.

These clubs and associations all paid access fees in the order of \$165 per annum up to 2013 under the old fee system. The facilities accessed varied widely in size, function and condition, from small clubhouses and gymnasia to community halls and indoor stadiums.

The new sporting fee system introduced in 2014 sought to provide greater transparency and correspondence between the fees levied and the venue facilities provided. In addition, the system aims for greater equity as all fees relating to sporting clubs and venues are calculated and levied on the same basis.

The large majority of the clubs identified above appear to have adapted well to the new fee system. Tennis, youth clubs and the North Metro Cricket Association have recognised their capacity to raise funds from their member base or other avenues such as Community Support Grants. Most have been active in achieving performance subsidies that have minimised the impact of any fee increases.

The issue of sporting fee policy impact on “micro clubs” is therefore confined largely to recreational/hobby clubs that are not defined as sporting clubs. Due to their specialised interests these clubs have small membership bases and thus may have limited capacity to raise revenue.

Options for Consideration

Recreational/hobby clubs should be encouraged and assisted to relocate to cheaper, more appropriate venues.

Where groups require facilities predominantly for meeting and socialising, relocation to Council community or function rooms would be a logical solution. Groups would not be subject to Sporting Fees, Charges and Occupancy Agreement policy access fees; or expenses such as utilities and cleaning. This would also give groups the opportunity to apply for venue subsidies under the Community Support Program.

Council officers from the Community Facilities Unit will assist groups on an individual basis to identify suitable alternative venues. Where appropriate, assistance for the preparation of submissions for financial assistance will be provided within Community Support Program guidelines.

Financial and Resource Implications

- The relocation of micro clubs to community facilities could be undertaken within current budgets.

Risk Management

The risk of negative community sentiment and publicity will be mitigated by on-going consultation and assistance to recreational/hobby clubs.

Policy Implications**Economic Development**

There are no Economic Development impacts related to this report.

Environmental Sustainability

There are no Environmental Sustainability impacts related to this report.

Human Rights, Equity and Inclusion

The report options seek to maximise equity and inclusion of recreational/hobby groups to Council venues.

Future Actions

- To be determined by Council resolution.

Consultation and Advocacy

Coordinator Leisure Services

Related Documents

- Council Minutes – 7 March 2016
- Sporting Ground Fees, Charges and Occupancy Agreement Policy 2014

Disclosure of Interest

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

6.4 PROPERTY MAINTENANCE SERVICE

Author: Manager Aged and Disability

Reviewed By: Director Community Development

Report Background

This report is in response a Council resolution from the Council meeting held on 21 March 2016.

Previous Council Resolution

At its meeting held on 21 March 2016, Council resolved:

'That:

- (1) Council receive a further report on options to re-instate the Property Maintenance Service for Pensioners with a mixture of Council funding and client fees to make up part of the funding shortfall.*
- (2) In developing the options report Council may consider consulting with relevant stakeholders, pensioners and past users of the service.*
- (3) Council to receive the above options report well in time for the 2016/2017 budget deliberations.'*

Previous Briefing(s)

Councillor Briefing: 27 August 2015

Council Plan Goal/Endorsed Strategy

Healthy and Connected Community: Strategy 2.4 - Ageing in Place.

Summary

The property maintenance service provisions continues to be provided uninterrupted with the exclusion of window and gutter cleaning for Commonwealth Home Support Program (CHSP) eligible clients. Window and gutter cleaning is currently excluded as this service is no longer funded by the Commonwealth.

Council has the option of implementing a subsidised window and gutter cleaning service with clients contributing. It is recommended that if Council were to implement a subsidy for window and gutter cleaning the clients would engage a contractor of their choice with Council reimbursing the client directly to an agreed level of service and subsidy.

Council has explored these services now and the cost of a service where the client directly accessed a contractor would be considerably cheaper with a 50/50 split estimated to be in the order of \$120 for both Council and the client.

Based on the number of clients previously eligible and accessing the service it is estimated that the cost of a 50/50 Council/client split could be absorbed into the 2016/2017 Aged and Disability budget.

The limitations on the hours of service and frequency are based on those parameters set when Commonwealth funding was available for example a maximum of four hours service and one service per annum.

If Council is to adopt a subsidy for Commonwealth Home Support Program eligible clients wishing to have their windows and gutters cleaned annually, officers will provide advice and support to clients as required under this arrangement.

Recommendation

That Council:

- (1) Endorse a Council subsidy to client model as detailed in this report to support window and gutter cleaning services for Commonwealth Home Support Program (CHSP) eligible clients.
- (2) Note the window and gutter service is based on not costing more than \$240 annually.
- (3) Endorse a level of subsidy of 50% per eligible client per annum.

Introduction

Until late 2015 Darebin provided window and gutter cleaning as part of the Home and Community care (HACC) funded program. This program was not available to all pensioners but was restricted to HACC eligible clients (as are all property maintenance services). Eligibility was determined by criteria and guidelines set down by the State government.

The changes to HACC funding through the introduction of the Commonwealth Home Support Program (CHSP) resulted in home maintenance services continuing with no window and gutter cleaning service.

Council need to note as of 1 July 2016 Council will also no longer be responsible for determining eligibility for services such as property maintenance as this will be done by the My Aged Care (MAC) Gateway who will make referrals to Commonwealth funded services.

Issues and Discussion

Previous Service Model Arrangement

Window and gutter cleaning services under the previous arrangement was provided by an external contractor engaged by Council. The limitations on the service were:

- Maximum four hours of service
- One (1) service per annum

The number of eligible clients accessing the service was 286 or 8% of CHSP (formerly HACC) clients.

The cost under the previous model was \$840 for window and gutter cleaning services. This was based on the costs associated with Council directly entering into contractual agreements with contractors.

The breakdown of the funding arrangement based on the \$840 was:

- Commonwealth - \$563 (67%);
- Council - \$176 (21%); and
- Clients - \$101 (12%).

However, officers have explored a new way of directly offering a subsidised service, where the client contacts and engages the contractor of their choice and for Council to then pay the subsidy. This process is also beneficial to the client and is an efficient process. Council can hold a list of local contractors that provide the services that can be given to a client should they require assistance.

Future Service Model Arrangement

A future window and gutter cleaning service could best operate under the following model:

Council subsidy to client

Under this model CHSP eligible clients would contract a provider of their choice to provide a gutter and window cleaning service and Council would provide a subsidy directly back to the client.

Limitations on this would be as per the previous model:

- Maximum four hours of service
- One (1) service per annum

This model would provide a service at a reduced rate to both the client and Council, due to minimal operational overheads and client flexibility to seek competitive pricing.

Council would provide advice and support to clients as required under this arrangement.

Cost of Models

Based on four hours of service and the number of clients formerly accessing the service (268) the cost of the model under a mixture of client fee and Council subsidy is estimated at:

Council subsidy direct to clients (for a total of 286 clients)

Cost per service (4hrs)	\$240
Number of clients eligible	286
Client cost	\$120 (50%)
Council cost	\$120 (50%)
Total cost to Council p/a	\$34,320 (based on 50% split)

Note: the cost to clients previously was around \$100 per service

Options for Consideration

The two options provided for consideration are:

1. Council subsidy direct to CHSP eligible clients who engage a supplier directly
2. Not provide a window and gutter cleaning service to CHSP eligible clients.

Financial and Resource Implications

It is possible based on the level of take-up by CHSP eligible clients that a level of subsidy up to 50%, \$34,320 could be absorbed within the Aged and Disability operating budget in 2016/2017.

Risk Management

There is little or no risk with an option for clients to directly contract a supplier.

Policy Implications

Economic Development

Clients accessing services from local providers of window and gutter cleaning services could provide an economic benefit to those local providers.

Environmental Sustainability

There are no environmental sustainability implications from this report.

Human Rights, Equity and Inclusion

The Aged and Disability Department through its customer response team and access and support officers will continue to support older people to access services within their local communities whether they are provided by Council or not., to ensure that clients are able to access the services that they need to maintain their independence.

Other

There are no other policy implications from this report.

Future Actions

To be determined based on Council's resolution.

Consultation and Advocacy

Active and Healthy Ageing Advisory Board

Related Documents

- Council Minutes – 21 March 2016

Disclosure of Interest

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

6.5 LICENCE AGREEMENT FOR SAY NO TO RACISM TRAINING PACKAGE

Author: Manager, Children, Families and Community

Reviewed By: Director, Community Development

Report Background

The *Say NO to Racism* training package was developed by Darebin City Council in 2014 through funding received under the Federal Government's Diversity and Social Cohesion Program.

The project has now ended and the training package is being used across Darebin and other municipalities on a regular basis.

The South Australian Communities and Social Cohesion Minister seeks to use the training package (notably materials and resources) to facilitate anti-racism training for staff of the South Australian public sector and for the South Australian community generally. To facilitate this process, a License Agreement between Council and the Department has now been prepared.

Previous Council Resolution

This matter is not the subject of a previous Council resolution.

Previous Briefing(s)

This matter has not previously been to a Councillor briefing.

Council Plan Goal/Endorsed Strategy

Council Plan Goal 2: Health and Connected Community

Darebin Anti-Racism Strategy 2012-2017

Summary

Darebin City Council has been contacted by the South Australian Government Department of Communities and Social Inclusion requesting use of the Say NO to Racism Training Package. A License Agreement has been prepared between Darebin City Council and the Minister for Communities and Social Inclusion. This document has been checked by legal advisors for both parties and now requires Council approval for the Chief Executive to sign on Council's behalf.

Recommendation

That Council:

- (1) Agrees to grant the South Australian Communities and Social Cohesion Minister a license to use the materials and resources upon the terms and conditions contained in this Agreement.
- (2) Grants approval for the Chief Executive to sign the Agreement on behalf of Council.
- (3) As part of reporting on outcomes of the Darebin Anti-Racism Strategy, **Council** receives an update in 12 months in relation to outcomes of the Say NO Racism Training being delivered both locally within the Darebin community and more broadly, including within the South Australian public sector and community as detailed in the License Agreement.
- (4) Officers monitor uptake in any other jurisdictions of the package such as the Victorian Government Public Sector.

Introduction

The *Say NO to Racism* training package was developed by Darebin City Council in 2014 through funding received under the Federal Government's Diversity and Social Cohesion Program.

The project has now ended and the training package is being used across Darebin and other municipalities on a regular basis. The training provides access to resources and materials around how to respond as bystanders to racist incidents in safe and constructive ways. A key goal is to encourage and enable individuals to respond more effectively to incidents of racism by providing them with practical tools and strategies to take bystander action against racism.

The *Say NO to Racism* training package has been anchored around best practice and evidence-based methodologies. It is available to any communities or organisations wishing to run the training in their own local area, however Council requires interested organisations and groups to go through a registration process before running the training, to ensure these have the capacity and expertise in the facilitation of a complex issue such as racism and are delivering the training in an appropriate context.

Issues and Discussion

- Say NO TO Racism Training aligns with the Darebin Anti-Racism Strategy and advances Council's objective to build community capacity in addressing racism. The training package has been broadly promoted to other regions and sectors in order to maximise uptake.
- The South Australian Department of Communities and Social Cohesion Minister has approached Council to seek permission to use the training package (notably materials and resources) to facilitate anti-racism training for staff of the South Australian public sector and for the South Australian community generally.
 - To facilitate this process, a License Agreement between Council and the Department has been prepared.
- The License Agreement between Darebin City Council and the South Australian Government formalises arrangements in relation to the delivery of this training to local communities and public servants in South Australia.

Options for Consideration

The recommendation is that Council grants approval for use of the training package by the South Australian Department for Communities and Social Inclusion and approves the signing of the Licence Agreement by the Chief Executive.

Financial and Resource Implications

There are no financial and/or resource implications.

Risk Management

There are no risks associated with this agreement. Concerns around intellectual property have been clearly addressed in the license agreement, which recognises that Council owns intellectual property rights to the training package.

Policy Implications

Economic Development

There are no factors in this report which impact on economic development

Environmental Sustainability

There are no factors in this report which impact upon environmental sustainability.

Human Rights, Equity and Inclusion

This initiative aligns with and strengthens human rights, equity and inclusion outcomes for communities. It progresses Council commitments to reduce racism as set out in the *Darebin Anti-Racism Strategy 2012-2017* and is a positive example of cross-government collaboration in the public interest.

Other

There are no other Policy implications from this report.

Future Actions

- Darebin City Council Chief Executive to sign the Licence Agreement on behalf of Darebin City Council.
- Signed Licence Agreement to be forwarded and signed for and on behalf of the Minister for Communities and Social Inclusion (South Australia) as per the Agreement.

Consultation and Advocacy

Department of Communities and Social Inclusion (South Australia)
Maddocks Lawyers (Victoria)
Polykala (Training provider)
Coordinator, Equity and Diversity

Related Documents

- License Agreement between Darebin City Council and the Minister for Communities and Social Inclusion

- Say NO to Racism Training Package

Disclosure of Interest

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

6.6 COUNCIL PLAN 2013-2017 REVIEW**Author:** Coordinator Performance Support**Reviewed By:** Executive Manager Corporate Governance and Performance**Report Background**

Section 125 of the *Local Government Act 1989* requires all Councils to consider any adjustment of their Council Plan once in each financial year. This report presents the outcomes of a review briefing that took place in early May 2016 and recommends that no adjustment be made to the Council Plan 2013-2017.

Previous Council Resolution

Council Plan adjustments must be considered once every financial year. The adjustment for 2016 is not the subject of a previous Council resolution.

Previous Briefing(s)

Councillor Briefing – 2 May 2016

Council Plan Goal/Endorsed Strategy

Council Plan Goal 6 - Open and Accountable Democracy

Council Plan Goal 5 - Excellent Service

Summary

Section 125 of the *Local Government Act 1989* requires that:

...

“(7) At least once in each financial year, a Council must consider whether the current Council Plan requires any adjustment in respect of the remaining period of the Council Plan.”

In accordance with section 125 the Council Plan was brought to the Council Briefing Session on Monday 2 May 2016 for discussion and consideration.

Recommendation

THAT Council re-endorses the Council Plan 2013-2017 without change.

Issues and Discussion

A Council discussion of the continued relevance of the Council Plan 2013-2017 was held during the Council Briefing Session on Monday 2 May 2016. The view at the briefing was that the strategic focus of the existing Council Plan was still relevant as Council moves into the final year of the document, and upon consideration, did not require any alteration to the Council Plan 2013-2017.

At the conclusion of the briefing, councillors were given further time to consider any adjustments to the Council Plan and were asked to provide a written response to the Chief Executive, based on solid justification, within seven days after the Councillor briefing. No comments or suggestions to adjust the Council Plan were received by 9 May 2016.

Options for Consideration

That there are no adjustments to be made to the Council Plan 2013-2017 for the 2016/2017 financial year.

Financial and Resource Implications

A decision to leave the Council Plan unaltered would result in no cost to Council.

Risk Management

NIL

Policy Implications

Economic Development

The Council Plan 2013-2017 provides a broad policy context for Council's Economic Development agenda. A decision to leave the plan unchanged ensures this policy commitment remains.

Environmental Sustainability

The Council Plan 2013-2017 provides a specific policy commitment to environmental sustainability. A decision to leave the plan unchanged ensures this policy commitment remains.

Human Rights, Equity and Inclusion

The Council Plan 2013-2017 provides a broad policy context for Council's Human Rights, Equity and Inclusion agenda. A decision to leave the plan unchanged ensures this policy commitment remains

Other

By making no changes to the Council Plan 2013-2017, there is no risk of making unintended changes in Council policy intent or emphasis.

Future Actions

Community consultation on the content of the new Council Plan will occur early in the new financial year.

Consultation and Advocacy

The community was consulted at the formation of the current Council Plan.

Related Documents

- Council Plan 2013-2017
- *Local Government Act 1989*

Disclosure of Interest

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

6.7 DELEGATIONS OF POWER, DUTIES AND FUNCTIONS TO COUNCIL STAFF

Author: Coordinator Council Business

Reviewed By: Executive Manager Corporate Governance and Performance

Report Background

This report is to seek recommendation from Council to approve an updated Instrument of Delegation from Council to various positions within the organisation.

Previous Council Resolution

At its meeting held on 16 March 2015, Council resolved:

'That in the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached Instrument of Delegation, Darebin City Council (Council) resolves that:

- a) *There be delegated to the members of Council staff holding, acting or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that Instrument attached as **Appendix A**, subject to the conditions and limitations specified in that Instrument.*
- b) *The Instrument comes into force immediately the common seal of Council is affixed to the Instrument.*
- c) *On the coming into the force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.*
- d) *The duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.'*

Previous Briefing(s)

This report is not subject to any previous Councillor briefings.

Council Plan Goal/Endorsed Strategy

Open and Accountable Democracy

Summary

This report takes into account recent legislative amendments and seeks approval by Council for the revised *Instrument of Delegation*.

Recommendation

That in the exercise of the powers conferred by section 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached *Instrument of Delegation*, Darebin City Council (Council) resolves that:

- (1) There be delegated to the members of Council staff holding, acting or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in that Instrument attached as **Appendix A**, subject to the conditions and limitations specified in that Instrument.
- (2) The Instrument comes into force immediately the common seal of Council is affixed to the Instrument.
- (3) On the coming into the force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
- (4) The duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

Introduction

From time to time amendments are made to legislation pertaining to such Acts as the *Domestic Animal Act*, *Environment Protect Act*, *Planning and Environment Act*. When amendments are made there is a requirement for all Councils to update delegations conferred on various positions within the organisation by Council to ensure officers are operating and enforcing under the current legislation.

Issues and Discussion**Delegations from Council to other members of Council staff**

Councils have a raft of powers, duties and functions under the Local Government Act, Planning and Environment Act, Subdivisions Act, Building Act, Road Management Act, Domestic Animals Act, Emergency Management Act and many more. Most powers, duties and functions are therefore performed by members of Council staff with formal powers delegated by the Council, either directly or through the Chief Executive Officer (by sub-delegation).

This *Instrument of Delegation* to members of Council staff refers specifically to the delegation of (statutory) powers under various Acts and Regulations which (because of the terms of the particular legislation) require a delegation direct from the Council to the nominated members of Council staff.

These include:

- Domestic Animals Act
- Environment Protection Act
- Food Act
- Planning and Environment Act
- Road Management Act.

The *Instrument of Delegation* describes in each case the power, duty or function being delegated, the source of power and lists the position to which the delegation is to be conferred.

The delegations provide the necessary authority for day-to-day planning, health and road management matters.

Options for Consideration

There are no options associated with this information.

Financial and Resource Implications

Nil

Risk Management

If Council does not confer updated delegation on positions within the organisation officers will not be able to fulfil the obligations of their roles, especially in relation to enforcement.

Policy Implications

Economic Development

There are no factors in this report which impact upon economic development.

Environmental Sustainability

There are no factors in this report which impact upon environmental sustainability.

Human Rights, Equity and Inclusion

There are no factors in this report which impact on human rights, equity and inclusion.

Other

The delegation of Council powers to the members of Council staff is a long established practice facilitated and regulated by the Local Government Act to enable day to day statutory and operational decisions to be made. The proposed *Instrument of Delegation* is based on the model developed by Maddocks, Lawyers and used by a majority of Victorian councils.

Future Actions

- The signed copy of this *Instrument of Delegation* to be included in the Register of Delegations available for inspection by the public.
- This *Instrument of Delegation* be reviewed as required to address changes in legislation.

Consultation and Advocacy

- Chief Executive Officer, relevant Directors, Managers and Coordinators
- Maddocks Lawyers

Related Documents

- Proposed Instrument of Delegation to members of Council staff (**Appendix A**)
- Delegations and Authorisations Service – Maddocks, Lawyers
- Council Minutes – 16 March 2015

Disclosure of Interest

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.



Darebin City Council

Instrument of Delegation

to

Members of Council Staff



INSTRUMENT OF DELEGATION

MEMBERS OF COUNCIL STAFF

In exercise of the power conferred by section 98(1) of the *Local Government Act 1989* and the other legislation referred to in the attached Schedule, the Council:

1. delegates 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 holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. records that a reference in the Schedule to:

Acronym	means	Title
Admin – CDB	means	All Administration Staff – City Development Branch
BSO(B&P)	means	Business Support Officer (Business and Performance)
BSO (HP)	means	Business Support Officer (Health Protection)
CCC	means	Coordinator Civic Compliance
CEO	means	Chief Executive Officer
CEnvO	means	Coordinator Environmental Operations
CHO	means	Chief Health Officer
CH&UP	means	Coordinator Health and Urban Protection
CIM&S	means	Coordinator Infrastructure Maintenance and Support
CIP	means	Coordinator Infrastructure Planning
CSP	means	Coordinators Statutory Planning
CSTP	means	Coordinator Strategic Planning
EMCG&P	means	Executive Manager Corporate Governance and Performance
SCTM	means	Senior Coordinator Transport Management
DA&BS	means	Director Assets and Business Services
DCS	means	Director Corporate Services

Acronym		Title
DCL&W	means	Director Culture, Leisure and Works
HPO	means	Health Protection Officer
MA&P	means	Manager Assets and Properties
MBS	means	Municipal Building Surveyor
MCD	means	Manager City Development
MCW	means	Manager City Works
MED&CC	means	Manager Economic Development and Civic Compliance
ME&NR	means	Manager Environment and Natural Resources
PAA	means	Planning Appeals Advocate
PIO	means	Planning Investigation Officer
PSP	means	All Principal Statutory Planners
SLLIO	means	Senior Local Laws Investigation Officer
SO	means	Subdivision Officer
SP	means	All Statutory Planners
SPA	means	Statutory Planning Assistants
SPIO	means	Senior Planning Investigation officer
SSP	means	All Senior Statutory Planners
STP	means	All Strategic Planners
Service Manager or Coordinator	means	The Manager or Coordinator responsible for Council service or facility
TLB&P	means	Team Leader Business and Performance

declares that:

- 2.1 this Instrument of Delegation is authorised by a resolution of Council passed on 16 March 2015; and
- 2.2 the delegation:
 - 2.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2.2 remains in force until varied or revoked;
 - 2.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 2.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

- 2.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 2.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 2.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a:
 - (a) policy; or
 - (b) strategy
 - (c) adopted by Council; or
 - 2.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
 - 2.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

Date: / /2016

The COMMON SEAL of)
DAREBIN CITY COUNCIL)
was affixed on)
with the authority of the Council:)

Rasiah Dev
Chief Executive

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DOMESTIC ANIMALS ACT 1994			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.41A(1)	power to declare a dog to be a menacing dog	DA&BS, MED&CC, CCC, CH&UP, SLLIO	Council may delegate this power to an authorised officer

ENVIRONMENT PROTECTION ACT 1970			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.53M(3)	power to require further information	Not applicable	<i>Note – Part IXB of the Act refers to septic tank systems.</i>
s.53M(4)	duty to advise an applicant that an application is not to be dealt with	Not applicable	
s.53M(5)	duty to approve plans, issue a permit or refuse a permit	Not applicable	refusal must be ratified by council or it is of no effect
s.53M(6)	power to refuse to issue a septic tank permit	Not applicable	refusal must be ratified by council or it is of no effect
s.53M(7)	duty to refuse to issue a permit in circumstances in (a)-(c)	Not applicable	refusal must be ratified by council or it is of no effect

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	CH&UP, HPO	If section 19(1) applies.
s.19(2)(b)	power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	CH&UP, HPO	If section 19(1) applies.
s.19(4)(a)	power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	CH&UP	If section 19(1) applies.
s.19(6)(a)	duty to revoke any order under section 19 if satisfied that an order has been complied with	HPO	If section 19(1) applies.
s.19(6)(b)	duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	CH&UP, HPO	If section 19(1) applies.
s.19AA(2)	power to direct, by written order, that a person must take any of the actions described in (a)-(c).	CH&UP, HPO	Where Council is the registration authority.
s.19AA(4)(c)	power to direct, in an order made under section 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	Not delegated.	Note: the power to direct the matters under section 19AA (4) (a) and (b) is not capable of delegation and so such directions must be made by a Council resolution
s.19AA(7)	duty to revoke order issued under section 19AA and give written notice of revocation, if satisfied that that order has been complied with	CH&UP, HPO	Where Council is the registration authority.
s.19CB(4)(b)	power to request a copy of records	CH&UP, HPO	Where Council is the registration authority.
s.19E(1)(d)	power to request a copy of the food safety program	CH&UP, HPO	Where Council is the registration authority.
s.19GB	power to request a proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	CH&UP, HPO	Where Council is the registration authority.
s.19M(4)(a) & (5)	power to conduct a food safety audit and take actions where deficiencies are identified	CH&UP, HPO	Where Council is the registration authority.
s.19NA(1)	power to request food safety audit reports	CH&UP, HPO	Where Council is the registration authority.
s.19U(3)	power to waive and vary the costs of a food safety audit if there are special circumstances	CH&UP	

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19UA	power to charge fees for conducting a food safety assessment or inspection	CH&UP	Except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39.
s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	CH&UP, HPO	Where Council is the registration authority.
s.19W(3)(a)	power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	CH&UP, HPO	Where Council is the registration authority.
s.19W(3)(b)	power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	CH&UP, HPO	Where Council is the registration authority.
Various	power to register, renew or transfer registration	CH&UP	Where Council is the registration authority. Refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see section 58A {2}).
s.38AA(5)	power to (a) request further information or (b) advise the proprietor that the premises must be registered if the premises are not exempt	Not delegated.	Where Council is the registration authority. Fees are determined by Council in the annual budget process.
s.38AB(4)	power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)	CH&UP	Where Council is the registration authority.
s.38A(4)	power to request a copy of a completed food safety program template	CH&UP, HPO	Where Council is the registration authority.
s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	CH&UP, HPO	Where Council is the registration authority.
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	CH&UP, HPO	Where Council is the registration authority.
s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	CH&UP, HPO	Where Council is the registration authority.
s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	CH&UP, HPO	Where Council is the registration authority.
s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	CH&UP, HPO	Where Council is the registration authority.
s.38D(3)	power to request copies of any audit reports	CH&UP, HPO	Where Council is the registration authority.

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.38E(2)	power to register the food premises on a conditional basis (*)	CH&UP,	Where Council is the registration authority. (*) Not exceeding the prescribed time limit defined under sub-section (5).
s.38E(4)	duty to register the food premises when conditions are satisfied	CH&UP, HPO	Where Council is the registration authority.
s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	CH&UP, HPO	Where Council is the registration authority.
s.39A	power to register, renew or transfer food premises despite minor defects	CH&UP	Where Council is the registration authority. Only if the delegate is satisfied of matters in sub-section (2) (a) to (c).
s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	CH&UP	Where Council is the registration authority.
s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	CH&UP	Where Council is the registration authority.
s.40D(1)	power to suspend or revoke the registration of food premises	CH&UP	Where Council is the registration authority. In consultation with the DA&BS. Action must be ratified by Council.
s.43F(6)	duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	CH&UP, HPO	Where Council is the registration authority.
s.43F(7)	power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	CH&UP, HPO	Where Council is the registration authority.
s.46(5)	power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	CH&UP	Where Council is the registration authority. In consultation with the MED&CC and DA&BS.

HERITAGE ACT 1995			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.84(2)	power to sub-delegate the Executive Director's functions	MCD	Must obtain the Executive Director's written consent first. "Executive Director" means the Executive Director of Heritage Victoria.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.4B	power to prepare an amendment to the Victoria Planning Provisions	MCD	If authorised by the Minister
s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	DA&BS, MCD	
s.4H	duty to make amendments to the Victoria Planning Provisions available	MCD, CSTP, STP	
s.4I	duty to keep the Victoria Planning Provisions and other documents available	MCD, CSTP	
s.8A(2)	power to prepare an amendment to the planning scheme where the Minister has given consent under section 8A	MCD, CSTP	
s.8A(3)	power to apply to the Minister to prepare an amendment to the planning scheme	DA&BS, MCD, CSTP	
s.8A(5)	function of receiving notice of the Minister's decision	DA&BS, MCD, CSTP	
s.8A(7)	power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	MCD, CSTP	
s.8B(2)	power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	Not delegated.	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.12(3)	power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	MCD, CSTP	
s.12A(1)	duty to prepare a municipal strategic statement (including the power to prepare a municipal strategic statement under section 19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	MCD, CSTP	
s.12B(1)	duty to review the planning scheme	MCD, CSTP	
s.12B(2)	duty to review the planning scheme at the direction of the Minister	MCD, CSTP	
s.12B(5)	duty to report the findings of a review of the planning scheme to the Minister without delay	MCD, CSTP	
s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	MCD, CSP, CSTP	
s.17(1)	duty of giving a copy of an amendment to the planning scheme	MCD, CSTP, STP, Admin - CDB	
s.17(2)	duty of giving a copy of a section 173 agreement	MCD, CSP, PSP, SSP, SP, CSTP, STP	
s.17(3)	duty of giving a copy of an amendment, explanatory report and relevant documents to the Minister within 10 business days	DA&BS, MCD, CSP, PSP	
s.18	duty to make an amendment etc. available	MCD, CSTP, STP	
s.19	power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under section 19 to a planning scheme	MCD, CSTP	
s.19	function of receiving notice of preparation of an amendment to a planning scheme	DA&BS, MCD, CSTP	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s.20(1)	power to apply to the Minister for exemption from the requirements of section 19	DA&BS, MCD, CSTP	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.21(2)	duty to make submissions available	MCD, CSTP, STP	Relates to planning scheme amendments
s.21A(4)	duty to publish notice in accordance with the section	MCD, CSTP, STP	
s.22	duty to consider all submissions	Not delegated.	Council/Planning Committee decision required.
s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	MCD, CSTP	
s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	MCD, CSTP, STP	
s.24	function to represent Council and present a submission at a panel hearing (including a hearing referred to in section 96D)	MCD, CSP, PSP, SSP, SP, CSTP, STP	
s.26(1)	power to make a report available for inspection	MCD, CSP, PSP, SSP, SP, CSTP, STP	
s.26(2)	duty to keep the report of the panel available for inspection	MCD, CSTP, STP	
s.27(2)	power to apply for exemption if the panel's report is not received	MCD, CSTP	
s.28	duty to notify the Minister if abandoning an amendment	DA&BS, MCD	Note: the power to make a decision to abandon an amendment cannot be delegated.
s.30(4)(a)	duty to say if an amendment has lapsed	MCD, CSTP, STP	
s.30(4)(b)	duty to provide information in writing upon request	MCD, CSTP, STP	
s.32(2)	duty to give more notice if required	MCD, CSTP, STP	
s.33(1)	duty to give more notice of changes to an amendment	MCD, CSTP, STP	
s.36(2)	duty to give notice of approval of amendment	MCD, CSTP, STP	
s.38(5)	duty to give notice of revocation of an amendment	MCD, CSTP, STP	
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with a determination by VCAT	MCD, CSTP, STP	
s.40(1)	function of lodging copy of approved an amendment	MCD, CSTP, STP	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.41	duty to make an approved amendment available	MCD, CSTP, STP	
s.42	duty to make a copy of the planning scheme available	MCD, CSTP, STP	
s.46AS(ac)	power to request the Growth Areas Authority to provide advice on any matter relating to land in Victoria or an objective of planning in Victoria	DA&BS, MCD	
s.46GF	duty to comply with directions issued by the Minister	DA&BS, MCD, CSTP	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier
s.46GG	duty to include a condition in a permit relating to matters set out in s.46GG(c) and (d)	MCD, CSP, SO, SSP, SP, PSP, PAA, SPA	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier
s.46GH(1)	power to require the payment of an amount of infrastructure levy to be secured to Council's satisfaction	MCD	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier
s.46GH(2)	power to accept the provision of land, works, services or facilities in part or full satisfaction of the amount of infrastructure levy payable	MCD, MA&P,	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier
s.46GH(3)	duty to obtain the agreement of the relevant development agency or agencies specified in the approved infrastructure contributions plan before accepting the provision of land, works, services or facilities by the applicant	MCD, MA&P,	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier
s.46GI(1)	duty to keep proper accounts of any amount of infrastructure levy paid to it as a collecting agency or a development agency under part 2 of the Planning and Environment Act 1987	MCD, MA&P,	must be done in accordance with Local Government Act 1989. this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier
s.46GI(2)	duty to forward 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	MCD	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GI(3)	duty to apply levy amount only in accordance with s.46GI(3) (a) and (b)	MCD	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier
s46GI(4)	power to refund any amount of infrastructure levy paid to it as a development agency under Part 2 of the Planning and Environment Act 1987 if satisfied that the development is not to proceed	MCD	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier
s.46GI(5)	duty to take action described in s.46GI(5)(c) – (e) where s.46GI(5)(a) and (b) applies.	MCD	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier
s.46GL	power to recover any amount of infrastructure levy as a debt due to Council	MCD	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier
s.46GM	duty to prepare report and give a report to the Minister	DA&BS, MCD	where council is a collecting agency or development agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier
s.46N(1)	duty to include a condition in a permit regarding payment of a development infrastructure levy	MCD, CSP, PSP, SSP	
s.46N(2)(c)	function of determining the time and manner for receipt of development contributions levy	MCD, CSP, CSTP	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	MCD, CSP, CSTP	
s.46O(1)(a) & (2)(a)	power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	MCD, CSP, MBS, CSTP	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	MCD, CSP, CSTP	
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	MCD, CSP, CSTP	
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	MCD	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46Q(1)	duty to keep proper accounts of levies paid	MCD	
s.46Q(1A)	duty to forward to the development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	MCD, CSP	
s.46Q(2)	duty to apply levy only for a purpose relating to the provision of plan preparations costs or the works, services and facilities in respect of which the levy was paid etc.	MCD, CSP, MA&P, MMP&I, CSTP	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	MCD, CSP, MA&P, MMP&I, CSTP	Only applies when levy is paid to Council as a 'development agency'
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 as a development agency for plan preparation costs incurred by the council or for the provision by the council of works, services or facilities in an area under s.46Q(4)(a)	MCD, CSP	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. this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier
s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	DA&BS, MCD, CSTP	Must be done in accordance with Part 3.
s.46Q(4)(e)	duty to expend that amount on other works etc.	MCD, MA&P, MMP&I	With the consent of, and in the manner approved by, the Minister.
s.46QC	power to recover any amount of levy payable under Part 3B	MCD	
s.46QD	duty to prepare report and give a report to the Minister	DA&BS, MCD	where council is a collecting agency or development agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier
s.46V(3)	duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	Not applicable	
s.46Y	duty to carry out works in conformity with the approved strategy plan	Not applicable	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.47	power to decide that an application for a planning permit does not comply with that Act	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	
s.49(2)	duty to make the register available for inspection	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	
s.50(4)	duty to amend applications	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.50(5)	power to refuse to amend an application	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.50(6)	duty to make note of an amendment to an application in the register	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	
s.50A(1)	power to make an amendment to an application	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.50A(3)	power to require an applicant to notify the owner and make a declaration that notice has been given	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.50A(4)	duty to note an amendment to an application in the register	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin – CDB	
s.51	duty to make a copy of an application available for inspection	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	
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	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	

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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 councils where appropriate	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
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	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
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	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.52(3)	power to give any further notice of an application where appropriate	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.54(1)	power to require the applicant to provide more information	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.54(1A)	duty to give notice in writing of information required under section 54(1)	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.54(1B)	duty to specify the lapse date for an application	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	

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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 und section 54A(3)	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.55(1)	duty to give copy application, <i>together with the prescribed information</i> to every referral authority specified in the planning scheme	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	MCD, CSP, PAA, PSP	
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	
s.57(5)	duty to make available for inspection a copy of all objections	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	
s.57A(4)	duty to amend an application in accordance with applicant's request, subject to section 57A(5)	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.57A(5)	power to refuse to amend an application	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.57A(6)	duty to note amendments to applications in the register	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	
s.57B(1)	duty to determine whether and to whom notice should be given	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.57C(1)	duty to give copy of an amended application to a referral authority	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	
s.58	duty to consider every application for a permit <i>except for a development assessment committee application</i>	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	

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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	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.60	duty to consider certain matters	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s60(1A)	power to consider certain matters before deciding on application	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.60(1B)	duty to consider number of objectors in considering whether use or development may have significant social effect	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
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	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	In accordance with Council's Planning Committee Charter. The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006
s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of a permit	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without the Minister's consent	Not applicable	
s.61(3)(b)	duty to refuse to grant the permit without the Minister's consent	Not applicable	
s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.62(1)	duty to include certain conditions in deciding to grant a permit	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.62(2)	power to include other conditions	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
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 section 173 agreement	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
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 section 62(5) or section 46N	MCD, CSP, PAA, PSP	
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 section 62(1)(a)	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	This provision applies also to a decision to grant an amendment to a permit – see section 75.
s.64(3)	duty not to issue a permit until after the specified period	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	This provision applies also to a decision to grant an amendment to a permit – see section 75.
s.64(5)	duty to give each objector a copy of an exempt decision	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	This provision applies also to a decision to grant an amendment to a permit – see section 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	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	This provision applies also to a decision to grant an amendment to a permit - see section 75A
s.65(1)	duty to give notice of refusal to grant permit to applicant and <i>person who objected under section 57</i>	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.66(1)	duty to give notice under section 64 or section 65 and copy permit to <i>relevant determining</i> referral authorities	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	
s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	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)	duty to give a recommending referral authority notice of its decision to refuse a permit	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	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.
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 section 64 or 65	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit.
s.69(1)	function of receiving application for extension of time of permit	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	
s.69(1A)	function of receiving application for extension of time to complete development	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	
s.69(2)	power to extend time	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.70	duty to make copy permit available for inspection	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	
s.71(1)	power to correct certain mistakes	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.71(2)	duty to note corrections in register	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.73	power to decide to grant amendment subject to conditions	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	In accordance with Council's Planning Committee Charter.
s.74	duty to issue amended permit to applicant if no objectors	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	
s.76A(1)	duty to give <i>relevant determining</i> referral authorities a copy of an amended permit and a copy of the notice	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	
s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	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)	duty to give a recommending referral authority notice of its decision to refuse a permit	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	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 section 64 or 76	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	if the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s.76D	duty to comply with direction of the Minister to issue an amended permit	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.83	function of being a respondent to an appeal	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.83B	duty to give or publish notice of an application for review	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	In accordance with Council's Planning Committee Charter.
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	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.84(3)	duty to tell the Principal Registrar if Council decides to grant a permit after an application is made for review of its failure to grant a permit	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	"Principal Registrar" means the Principal Registrar of VCAT.
s.84(6)	duty to issue a permit on receipt of advice within 3 working days	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.86	duty to issue a permit at order of the Tribunal within 3 working days	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	MCD, CSP, PAA, PSP	
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	MCD, CSP, PAA, PSP, SPIO, PIO	
s.91(2)	duty to comply with the directions of VCAT	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.91(2A)	duty to issue amended permit to owner if the Tribunal so directs	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.93(2)	duty to give notice of a VCAT order to stop development	MCD, CSP, PAA, PSP, SSP, SP, SPIO, PIO	
s.95(3)	function of referring certain applications to the Minister	DA&BS, MCD, CSP	
s.95(4)	duty to comply with an order or direction	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	Relevant Service Manager	In consultation with the DA&BS and MA&P.

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	Relevant Service Manager	In consultation with the DA&BS and MA&P.
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	MCD, CSP, CSTP	
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	MCD, CSP, CSTP, PAA, PSP, SSP, SP, SO, SPA	
s.96F	duty to consider the panel's report under section 96E	MCD	
s.96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	MCD, CSP, CSTP, PAA, PSP, SSP, SP, SO, SPA	
s.96H(3)	power to give notice in compliance with the Minister's direction	MCD, CSP, CSTP	
s.96J	power to issue permit as directed by the Minister	MCD, CSP, CSTP, PAA, PSP, SSP, SP, SO, SPA	
s.96K	duty to comply with direction of the Minister to give notice of refusal	MCD, CSP, CSTP, PAA, PSP, SSP, SP, SO, SPA	
s. 96Z	duty to keep levy certificates given to it under ss. 47 or 96A for no less than 5 years from receipt of the certificate	DA&BS, MCD	
s.97C	power to request the Minister to decide the application	DA&BS, MCD, CSP	
s.97D(1)	duty to comply with directions of the Minister to supply any document or assistance relating to application	MCD, CSP, CSTP, PAA, PSP, SSP, SP, SO, SPA	
s.97G(3)	function of receiving from the Minister a copy of a notice of refusal to grant a permit or copy of any permit granted by the Minister	MCD, CSP	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	MCD, CSP, PSP, SSP, SP, PAA, SO, SPA, Admin-CDB	
s.97L	duty to include Ministerial decisions in a register kept under section 49	MCD, CSP, PSP, SSP, SP, PAA, SO, SPA, Admin-CDB	
s.97MH	duty to provide information or assistance to the Planning Application Committee	MCD, CSP, PSP, PAA	
s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	MCD, CSP	
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	MCD, CSP, PAA, PSP, SSP, SP, SO, SPA	
s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.97Q(4)	duty to comply with directions of VCAT	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin - CDB	
s.98(1)&(2)	function of receiving a claim for compensation in certain circumstances	DA&BS, MCD	The owner or occupier may claim compensation from the Planning Authority for financial loss resulting from certain planning matters.
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	DA&BS, MCD	
s.101	function of receiving a claim for expenses in conjunction with the claim	DA&BS, MCD	
s.103	power to reject a claim for compensation in certain circumstances	DA&BS, MCD	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.107(1)	function of receiving a claim for compensation	DA&BS, MCD	
s.107(3)	power to agree to extend the time for making a claim	DA&BS, MCD	
s.114(1)	power to apply to the VCAT for an enforcement order	MCD, CSP, PAA, PSP, SSP, SP, SPIO, PIO, CHU&UP	
s.117(1)(a)	function of making a submission to the VCAT where objections are received	MCD, CSP, PAA, PSP, SSP, SP, SPA	
s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	MCD, CSP, PAA, SPIO, PIO, CHU&UP	
s.123(1)	power to carry out work required by enforcement order and recover costs	MCD, CSP, PAA	
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	Not delegated.	Except Crown land. Council resolution required.
s.129	function of recovering penalties	MCD, CSP, PAA, PSP, SSP, SP, SPA, SPIO, PIO, Admin – CDB, CH&UP, TLB&P, BSO(B&P)	
s.130(5)	power to allow person served with an infringement notice further time	MCD, CSP, PAA, PSP, SPIO, PIO, CH&UP	
s.149A(1)	power to refer a matter to the VCAT for determination	MCD, CSP, PAA	
s.149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a section 173 agreement	MCD, CSP, PSP	
s.156	duty to pay fees and allowances (including a payment to the Crown under subsection (2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under subsection (2B)power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	MCD, CSTP, STP	Duty of council as the relevant planning authority.

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.171(2)(f)	power to carry out studies and commission reports	MCD, CSTP, STP	
s.171(2)(g)	power to grant and reserve easements	MCD, CSP	
s.173	power to enter into an agreement covering the matters set out in section 174	CEO, DA&BS, MCD	
---	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the <i>Planning and Environment Act</i> 1987 requires something to be to the satisfaction of Council or Responsible Authority	MCD, CSP, PAA, PSP	
---	power to give consent on behalf of Council, where an agreement made under section 173 of the <i>Planning and Environment Act</i> 1987 requires that something may not be done without the consent of Council or Responsible Authority	MCD, CSP, PAA, PSP	
s.177(2)	power to end a section 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CEO, DA&BS, MCD	
s.178	power to amend a s.173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CEO, DA&BS, MCD	
s.178A(1)	function of receiving application to amend or end an agreement	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO, Admin – CDB	
s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under section 178A(1)	MCD, CSP, PSP, SSP, PAA, SP, SO, SPA	
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	MCD, CSP, PSP, SSP, PAA, SP, SO, SPA	
s.178A(5)	power to propose to amend or end an agreement	MCD, CSP, PSP, PAA, SP, SO, SPA	
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	MCD, CSP, PSP, SSP, PAA, SP, SO, SPA	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	MCD, CSP, PSP, SSP, PAA, SP, SO, SPA	
s.178C(2)	duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	MCD, CSP, PSP, SSP, PAA, SP, SO, SPA	
s.178C(4)	function of determining how to give notice under section 178C(2)	MCD, CSP, PSP, SSP, PAA, SP, SO, SPA	
s.178E(1)	duty not to make a decision until after 14 days after notice has been given	MCD, CSP, PSP, SSP, PAA, SP, SO, SPA	
s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	MCD, CSP, PSP, SSP, PAA, SP, SO, SPA	If no objections are made under section 178D. The delegate must consider matters in section 178B.
s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	MCD, CSP, PSP, SSP, PAA, SP, SO, SPA	If no objections are made under section 178D. The delegate must consider matters in section 78B.
s.178E(2)(c)	power to refuse to amend or end the agreement	MCD, CSP, PSP, SSP, PAA, SP, SO, SPA	If no objections are made under section 178D. The delegate must consider matters in section 178B.
s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	MCD, CSP, PSP, SSP, PAA, SP, SO, SPA	After considering objections, submissions and matters in section 178B
s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	MCD, CSP, PSP, SSP, PAA, SP, SO, SPA	After considering objections, submissions and matters in section 178B
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	MCD, CSP, PAA	After considering objections, submissions and matters in section 178B.
s.178E(3)(d)	power to refuse to amend or end the agreement	MCD, CSP, PSP, SSP, PAA, SP, SO, SPA	After considering objections, submissions and matters in section 178B
s.178F(1)	duty to give notice of its decision under section 178E(3)(a) or (b)	MCD, CSP, PSP, SSP, PAA, SP, SO, SPA	
s.178F(2)	duty to give notice of its decision under section 78E(2)(c) or (3)(d)	MCD, CSP, PSP, SSP, PAA, SP, SO, SPA	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178F(4)	duty not to proceed to amend or end an agreement under section 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	MCD, CSP, PSP, SSP, PAA, SP, SO, SPA	
s.178G	duty to sign an amended agreement and give a copy to each other party to the agreement	MCD, CSP, PSP, SSP, PAA, SP, SO, SPA	
s.178H	power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	MCD, CSP, PSP, SSP, PAA, SP, SO, SPA	
s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	MCD, CSP, PSP, SSP, PAA, SP, SO, SPA	
s.179(2)	duty to make available for inspection copy agreement	MCD, CSP, PAA, PSP, SSP, SP, SPA, Admin – CDB, SO	
s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	MCD, CSP, PSP, PAA, SSP, SP, SO, SPA	
s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	MCD, CSP, PSP, PAA, SSP, SP, SO, SPA	
s.182	power to enforce an agreement	MCD, CSP, PAA, PIO	
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	MCD, CSP, PAA, PSP, SSP, SP, SPA, SO	
s.184F(1)	power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	MCD, CSP, PSP, PAA, SSP, SP, SO, SPA	
s.184F(2)	duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	MCD, CSP, PSP, SSP, PAA, SSP, SP, SO, SPA	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.184F(3)	duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	MCD, CSP, PSP, SSP, PAA, SSP, SP, SO, SPA	
s.184F(5)	function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	MCD, CSP, PSP, SSP, PAA, SP, SO, SPA, Admin-CDB	
s.184G(2)	duty to comply with a direction of the Tribunal	MCD, CSP, PSP, SSP, PAA, SP, SO, SPA	
s.184G(3)	duty to give notice as directed by the Tribunal	MCD, CSP, PSP, SSPM, PAA, SP, SO, SPA, Admin-CDB	
s.198(1)	function to receive applications for planning certificate	Not applicable	In the metropolitan area, planning certificates are issued by the Department of Transport, Planning and Local Infrastructure.
s.199(1)	duty to give planning a certificate to the applicant	Not applicable	In the metropolitan area, planning certificates are issued by the Department of Transport, Planning and Local Infrastructure.
s.201(1)	function of receiving an application for a declaration of underlying zoning	Not applicable	
s.201(3)	duty to make a declaration	Not applicable	
-	power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	MCD, CSP, PAA, PSP, SSP, SP, SPA	
	power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	MCD, CSP, PAA, PSP, SSP, SP, SPA	
	power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	MCD, CSP, PAA, PSP, SSP, SP, SPA	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
-	power to give written authorisation in accordance with a provision of a planning scheme	MCD, CSP, PAA, PSP, SSP, SP, SPA	
s.201UAB(1)	function of providing the Growth Areas Authority with information relating to any land within municipal district	Not applicable.	Darebin is not in a "growth area" as defined.
s.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	Not applicable.	Darebin is not in a "growth area" as defined.

RAIL SAFETY (LOCAL OPERATIONS) ACT 2006

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.33	duty to comply with a direction of the Safety Director under this section	DCL&W, MCW, MMP&I, SCTM	Where Council is a utility under section 3 <i>Note - Safety Director means the Director, Transport Safety within the meaning of section 3 of the Transport Integration Act 2010.</i>
s.33A	duty to comply with a direction of the Safety Director to give effect to arrangements under this section	DCL&W, MCW, MMP&I, SCTM	Duty of Council as a road authority under the <i>Road Management Act 2004</i> .
s.34	duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under section 33(1)	DCL&W, MCW, MMP&I, SCTM	Where Council is a utility under section 3.
s.34C(2)	function of entering into safety interface agreements with the rail infrastructure manager	DCL&W, DA&BS,	Where Council is the relevant road authority.
s.34D(1)	function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	DCL&W, MCW, MMP&I, SCTM	Where Council is the relevant road authority.
s.34D(2)	function of receiving written notice of opinion	DCL&W, MCW, MMP&I, SCTM	Where Council is the relevant road authority.
s.34D(4)	function of entering into safety interface agreement with infrastructure manager	DCL&W, DA&BS	Where Council is the relevant road authority.
s.34E(1)(a)	duty to identify and assess risks to safety	DCL&W, MCW, MMP&I, SCTM	Where Council is the relevant road authority.
s.34E(1)(b)	duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c)	DCL&W, MCW, MMP&I, SCTM	Where Council is the relevant road authority.
s.34E(3)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	DCL&W, MMP&I, SCTM	Where Council is the relevant road authority.
s.34F(1)(a)	duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)	DCL&W, MCW, MMP&I, SCTM	Where Council is the relevant road authority.

RAIL SAFETY (LOCAL OPERATIONS) ACT 2006

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.34F(1)(b)	duty to determine measures to manage any risks identified and assessed, if written notice has been received under section 34D(2)(a)	DCL&W, MCW, MMP&I, SCTM	Where Council is the relevant road authority.
s.34F(2)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	DCL&W, MMP&I, SCTM	Where Council is the relevant road authority.
s.34H	power to identify and assess risks to safety as required under sections 34B, 34C, 34D, 34E or 34F in accordance with subsections (a)-(c)	DCL&W, MCW, MMP&I, SCTM	Where Council is the relevant road authority.
s.34I	function of entering into safety interface agreements	DCL&W, DA&BS	Where Council is the relevant road authority.
s.34J(2)	function of receiving notice from the Safety Director	DCL&W, MCW, MMP&I, SCTM	Where Council is the relevant road authority.
s.34J(7)	duty to comply with a direction of the Safety Director given under section 34J(5)	DCL&W, DA&BS, MCW, MMP&I, SCTM	Where Council is the relevant road authority.
s.34K(2)	duty to maintain a register of items set out in subsections (a)-(b)	DA&BS, MMP&I, SCTM	Where Council is the relevant road authority.

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.142D	function of receiving notice regarding an unregistered rooming house	CH&UP, HPO, BSO(HP)	
s.142G(1)	duty to enter required information in the Rooming House Register for each rooming house in municipal district	CH&UP, HPO, BSO(HP)	
s. 142G(2)	power to enter certain information in the Rooming House Register	CH&UP, HPO, BSO(HP)	
s.142I(2)	power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	CH&UP, HPO, BSO(HP)	
s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	CH&UP	Where Council is the landlord.
s.262(1)	power to give tenant a notice to vacate rented premises	CH&UP	Where Council is the landlord.
s.262(3)	power to publish its criteria for eligibility for the provision of housing by council	CH&UP, HPO	Where Council is the landlord.
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	CH&UP, HPO	
s.522(1)	power to give a compliance notice to a person	CH&UP, HPO	<i>Note - The Act applies to caravan parks and rooming houses.</i>
s.525(2)	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	EMCG&P	
s.525(4)	duty to issue identity card to authorised officers	CH&UP	
s.526(5)	duty to keep record of entry by authorised officer under section 526	CH&UP, BSO(HP)	
s.526A(3)	function of receiving report of inspection	CH&UP, HPO, BSO(HP)	
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	CH&UP	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.11(1)	power to declare a road by publishing a notice in the Government Gazette	DA&BS, MA&P	obtain consent in circumstances specified in section 11(2)
s.11(8)	power to name a road or change the name of a road by publishing notice in the Victoria Government Gazette	Not delegated.	Council resolution required
s.11(9)(b)	duty to advise the Registrar	DA&BS, MA&P	<i>Note – “Registrar” refers to the Registrar of Titles.</i>
s.11(10)	duty to inform Secretary to Department of Environment, Land Water and Planning of a declaration etc.	DA&BS, MA&P	clause subject to section 11 (10A) <i>Note – “Secretary” refers to the Secretary of the Department of Transport, Planning and Local Infrastructure.</i>
s.11(10A)	duty to inform the Secretary to Department of Environment, Land Water and Planning or nominated person	DA&BS, MA&P	Where Council is the coordinating road authority. Clause subject to section 11(10A).
s.12(2)	power to discontinue road or part of a road	Not delegated.	Where Council is the coordinating road authority. Council resolution required.
s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	DA&BS, MA&P	Power of the coordinating road authority where it is the discontinuing body. Unless subsection (11) applies.
s.12(5)	duty to consider written submissions received within 28 days of notice	DA&BS, MA&P	Duty of the coordinating road authority where it is the discontinuing body. Unless subsection (11) applies.
s.12(6)	function of hearing a person in support of their written submission	DA&BS, MA&P	Function of coordinating road authority where it is the discontinuing body. Unless subsection (11) applies.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.12(7)	duty to fix the day, time and place of meeting under subsection (6) and to give notice	DA&BS, MA&P	Duty of the coordinating road authority where it is the discontinuing body. Unless subsection (11) applies.
s.12(10)	duty to notify (*) of the decision made	DA&BS, MA&P	Duty of the coordinating road authority where it is the discontinuing body. Does not apply where an exemption is specified by the regulations or given by the Minister. (*) _submitters must be notified.
s.13(1)	power to fix a boundary of a road by publishing notice in Government Gazette	DA&BS, MA&P	Power of the coordinating road authority to obtain consent under section 13(3) and section 13(4) as appropriate.
s.14(4)	function of receiving notice from VicRoads	DA&BS, SCTM	
s.14(7)	power to appeal against a decision of VicRoads	DA&BS, SCTM	
s.15(1)	power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	DA&BS	
s.15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	DA&BS	
s.15(2)	duty to include details of arrangement in the public roads register	DA&BS, MA&P	
s.16(7)	power to enter into an arrangement under section 15	DA&BS	
s.16(8)	duty to enter details of determination in the public roads register	DA&BS, MA&P	
s.17(2)	duty to register public road in the public roads register	DA&BS, MA&P	Where Council is the coordinating road authority.
s.17(3)	power to decide that a road is reasonably required for general public use	DA&BS, MA&P	Where Council is the coordinating road authority.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.17(3)	duty to register a road reasonably required for general public use in the public roads register	DA&BS, MA&P	Where Council is the coordinating road authority.
s.17(4)	power to decide that a road is no longer reasonably required for general public use	DA&BS, MA&P	Where Council is the coordinating road authority.
s.17(4)	duty to remove road no longer reasonably required for general public use from the public roads register	DA&BS, MA&P	Where Council is the coordinating road authority.
s.18(1)	power to designate ancillary area	Not delegated.	Where Council is the coordinating road authority, and obtains consent in the circumstances specified in section 18(2). Council resolution required.
s.18(3)	duty to record designations in the public roads register	DA&BS, MA&P	Where Council is the coordinating road authority.
s.19(1)	duty to keep register of public roads in respect of which it is the coordinating road authority	DA&BS, MA&P	
s.19(4)	duty to specify details of a discontinuance in the public roads register	DA&BS, MA&P	
s.19(5)	duty to ensure public roads register is available for public inspection	DA&BS, MA&P	
s.21	function of replying to a request for information or advice	DA&BS, MA&P, CIP	The delegate must obtain consent in the circumstances specified in section 11(2).
s.22(2)	function of commenting on a proposed direction	DA&BS	
s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.	DA&BS	
s.22(5)	duty to give effect to a direction under this section.	DA&BS	
s.40(1)	duty to inspect, maintain and repair a public road.	DCL&W, MCW	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.40(5)	power to inspect, maintain and repair a road which is not a public road	DCL&W, DA&BS, MCW, MA&P	
s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	MA&P, MCW	
s.42(1)	power to declare a public road as a controlled access road	DA&BS, SCTM	Power of the coordinating road authority. Schedule 2 also applies.
s.42(2)	power to amend or revoke a declaration by notice published in the Victoria Government Gazette	DA&BS	Power of the coordinating road authority. Schedule 2 also applies.
s.42A(3)	duty to consult with VicRoads before a road is specified	DA&BS, SCTM	Where Council is the coordinating road authority. If the road is a municipal road or part thereof.
s.42A(4)	power to approve the Minister's decision to specify a road as a specified freight road	Not delegated.	Where council is the coordinating road authority. If the road is a municipal road or part thereof and where the road is to be specified a freight road. Council resolution required.
s.48EA	duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	DCL&W, DA&BS, SCTM, MCW	Where Council is the responsible road authority, infrastructure manager or works manager.
s.48M(3)	function of consulting with the Secretary for purposes of developing guidelines under section 48M	DA&BS, SCTM	
s.48N	duty to notify the Secretary of the location of the bus stopping point and the action taken by council	DA&BS, SCTM	
s.49	power to develop and publish a road management plan	Not delegated	The power remains with the Council.
s.51	power to determine standards by incorporating the standards in a road management plan	Not delegated	The power remains with the Council.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.53(2)	power to cause notice to be published in the Victoria Government Gazette of the amendment etc of a document in the road management plan	DCL&W, DA&BS	
s.54(2)	duty to give notice of a proposal to make a road management plan	DCL&W, DA&BS	
s.54(5)	duty to conduct a review of the road management plan at prescribed intervals	DCL&W, DA&BS	
s.54(6)	power to amend a road management plan	DCL&W, DA&BS	
s.54(7)	duty to incorporate the amendments into the road management plan	DCL&W, DA&BS	
s.55(1)	duty to cause notice of a road management plan to be published in the Victoria Government Gazette and newspaper	DCL&W, DA&BS	
s.63(1)	power to consent to the conduct of works on a road	DCL&W, DA&BS, MCW, MMP&I	Where Council is the coordinating road authority.
s.63(2)(e)	power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	DCL&W, DA&BS, MCW, MMP&I, CIM&S	Where Council is the infrastructure manager.
s.64(1)	duty to comply with clause 13 of Schedule 7	DA&BS, MMP&I, MCW	Where Council is the infrastructure manager or works manager.
s.66(1)	power to consent to a structure etc	DCL&W, DA&BS, MMP&I, SCTM	Where Council is the coordinating road authority.
s.67(2)	function of receiving the name & address of the person responsible for distributing the sign or bill	DA&BS, MMP&I, SCTM, MED&CC	Where Council is the coordinating road authority.
s.67(3)	power to request information	DA&BS, MMP&I, SCTM, MED&CC	Where Council is the coordinating road authority.
s.68(2)	power to request information	DA&BS, MMP&I, SCTM, MED&CC	Where Council is the coordinating road authority.
s.71(3)	power to appoint an authorised officer	CEO	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.72	duty to issue an identity card to each authorised officer	EMCG&P	
s.85	function of receiving a report from an authorised officer	DA&BS, DCL&W	
s.86	duty to keep a register regarding section 85 matters	DA&BS, DCL&W	
s.87(1)	function of receiving complaints	DA&BS, DCL&W	
s.87(2)	power to investigate complaints and provide a report	DA&BS, DCL&W	
s.112(2)	power to recover damages in court	DA&BS	
s.116	power to cause or carry out inspections	DCL&W, DA&BS, MCW, MMP&I	Relates to inspection following notice of a proposal to commence Court proceedings in relation to an incident arising out of a public road or infrastructure.
s.119(2)	function of consulting with VicRoads	DCL&W, DA&BS, MMP&I, SCTM	
s.120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	DCL&W, DA&BS, MMP&I, MCW	
s.120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	DCL&W, DA&BS, MMP&I, MCW	
s.121(1)	power to enter into an agreement in respect of works	DCL&W, DA&BS, MMP&I, MCW, CIM&S	
s.122(1)	power to charge and recover fees	DCL&W, DA&BS, MMP&I, MCW, CIM&S, SCTM	
s.123(1)	power to charge for any service	DCL&W, DA&BS, MMP&I, MCW, CIM&S, SCTM	
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	DCL&W, DA&BS, MMP&I, MCW, CIM&S, SCTM	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	DA&BS, SCTM	
Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	DA&BS, SCTM	
Schedule 2 Clause 4	function of receiving details of proposal from VicRoads	DA&BS, SCTM	
Schedule 2 Clause 5	duty to publish notice of a declaration	DA&BS, SCTM	
Schedule 7, Clause 7(1)	duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	DCL&W, DA&BS, MMP&I, SCTM, MCW, CIM&S	Where Council is the infrastructure manager or works manager.
Schedule 7, Clause 8(1)	duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	DCL&W, DA&BS, MMP&I, SCTM, MCW, CIM&S	Where Council is the infrastructure manager or works manager.
Schedule 7, Clause 9(1)	duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	DCL&W, DA&BS, MMP&I, SCTM, MCW, CIM&S	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure.
Schedule 7, Clause 9(2)	duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	DCL&W, DA&BS, MMP&I, SCTM, MCW, CIM&S	Where Council is the infrastructure manager or works manager.
Schedule 7, Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	DCL&W, DA&BS, MMP&I, SCTM, MCW, CIM&S	Where Council is the infrastructure manager or works manager.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	DCL&W, DA&BS, MMP&I, SCTM, MCW, CIM&S	Where Council is the coordinating road authority.
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	DCL&W, DA&BS, MMP&I, SCTM, MCW, CIM&S	Where Council is the coordinating road authority.
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	DCL&W, DA&BS, MMP&I, SCTM, MCW, CIM&S	Where Council is the coordinating road authority.
Schedule 7 Clause 12(5)	power to recover costs	DCL&W, DA&BS, MMP&I, SCTM, MCW, CIM&S	Where Council is the coordinating road authority.
Schedule 7, Clause 13(1)	duty to notify the relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2)	DCL&W, DA&BS, MMP&I, SCTM, MCW, CIM&S	Where Council is the works manager.
Schedule 7 Clause 13(2)	power to vary a notice period	DCL&W, DA&BS, MMP&I, SCTM, MCW, CIM&S	Where Council is the coordinating road authority.
Schedule 7, Clause 13(3)	duty to ensure the works manager has complied with the obligation to give notice under Schedule 7, Clause 13(1)	DCL&W, DA&BS, MMP&I, SCTM, MCW, CIM&S	Where Council is the infrastructure manager.
Schedule 7 Clause 16(1)	power to consent to proposed works	DCL&W, DA&BS, MMP&I, SCTM, MCW, CIM&S	Where Council is the coordinating road authority.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 16(4)	duty to consult	DCL&W, DA&BS, MMP&I, SCTM, MCW, CIM&S	Where Council is the coordinating road authority, responsible authority or infrastructure manager. The clause provides that if an application for consent is made by an infrastructure manager, the coordinating road authority must consult with the infrastructure manager and the responsible road authority before determining the application.
Schedule 7 Clause 16(5)	power to consent to proposed works	DCL&W, DA&BS, MMP&I, SCTM, MCW, CIM&S	Where Council is the coordinating road authority.
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent for proposed works	DCL&W, DA&BS, MMP&I, SCTM, MCW, CIM&S	Where Council is the coordinating road authority.
Schedule 7 Clause 16(8)	power to include consents and conditions for proposed works	DCL&W, DA&BS, MMP&I, SCTM, MCW, CIM&S	Where Council is the coordinating road authority.
Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal for proposed works	DCL&W, DA&BS, MMP&I, SCTM, MCW, CIM&S	Where Council is the coordinating road authority.
Schedule 7 Clause 18(1)	power to enter into an agreement in relation to proposed works	DCL&W, DA&BS, MMP&I, SCTM, MCW, CIM&S	Where Council is the coordinating road authority.
Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	DCL&W, DA&BS, MMP&I, SCTM, MCW, CIM&S	Where Council is the coordinating road authority.
Schedule 7 Clause 19(2) & (3)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	DCL&W, DA&BS, MMP&I, SCTM, MCW, CIM&S	Where Council is the coordinating road authority.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DCL&W, DA&BS, MMP&I, SCTM, MCW, CIM&S	Where Council is the coordinating road authority.
Schedule 7A Clause 2	power to cause street lights to be installed on roads	DA&BS, ME&NR	Power of the responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road.
Schedule 7A Clause 3(1)(d)	duty to pay installation and operation costs of street lighting - where the road is not an arterial road	DA&BS, ME&NR	Where Council is the responsible road authority.
Schedule 7A Clause 3(1)(e)	duty to pay installation and operation costs of street lighting – where the road is a service road on an arterial road and adjacent areas	DA&BS, ME&NR	Where Council is the responsible road authority.
Schedule 7A Clause (3)(1)(f),	duty to pay installation and a percentage of operation costs of street lighting – for arterial roads in accordance with clauses 3(2) and 4	DA&BS, ME&NR	Duty of Council as the responsible road authority that installed the light (re: installation costs) and where Council is the relevant municipal council (re: operating costs).

PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.6	Function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme.	MCD, CSTP, STP	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	MCD, CSP, PSP, SSP, SP, CSTP, STP	
r.25(a))	duty to make copy of matter considered under section 60 (1A)(g) available for inspection free of charge	MCD, CSP, PSP, PAA, SSP, SO, SP, SPA, CSTP, STP	where council is the responsible authority
r.25(b))	Function of receiving a copy of any document considered under section 60 (1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	MCD, CSP, PSP, PAA, SSP, SO, SP, SPA, CSTP, STP, admin - CDB	where council is not the responsible authority but the relevant land is within Council's municipal district
r.42	Function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	MCD, CSTP, STP	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.

PLANNING AND ENVIRONMENT INTERIM (FEES) INTERIM REGULATIONS 2015

Note: these Regulations expire on 14 October 2016

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.16	power to waive or rebate fee other than a fee relating to an amendment to a planning scheme	MCD, CSP	
r.17	power to waive or rebate fee relating to an amendment to a planning scheme	MCD, CSP	
r.18	duty to record matters taken into account and which formed the basis of the decision to waive or rebate a fee under regulation 16 or 17	MCD, CSP	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.7	function of entering into a written agreement with a caravan park owner	CH&UP, HPO	
r.11	function of receiving application for registration	CH&UP, HPO	
r.13(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	CH&UP, HPO	
r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	CH&UP, HPO	
r.13(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	MED&CC, CH&UP	
r.13(4) & (5)	duty to issue certificate of registration	CH&UP, HPO, BSO(HP)	
r.15(1)	function of receiving notice of transfer of ownership	CH&UP, HPO	
r.15(3)	power to determine where notice of transfer is displayed	CH&UP, HPO	
r.16(1)	duty to transfer registration to new caravan park owner	CH&UP, HPO	
r.16(2)	duty to issue a certificate of transfer of registration	CH&UP, HPO, BSO(HP)	
r.17(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	CH&UP	
r.18	duty to keep register of caravan parks	CH&UP, HPO, BSO(HP)	
r.19(4)	power to determine where the emergency contact person's details are displayed	CH&UP, HPO	
r.19(6)	power to determine where certain information is displayed	CH&UP, HPO	
r.22A(1)	duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	CH&UP, HPO	
r.22A(2)	Duty to consult with relevant emergency services agencies	CH&UP, HPO	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	CH&UP, HPO	
r.24	power to determine places in which caravan park owner must display copy of public emergency warnings	CH&UP, HPO	
r.25(3)	duty to consult with relevant floodplain management authority	CH&UP, HPO	
r.26	duty to have regard to any report of the relevant fire authority	CH&UP, HPO	
r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	CH&UP	
r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	CH&UP, HPO	
r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	CH&UP	
r.40(4)	function of receiving installation certificate	CH&UP, HPO, BSO(HP)	
r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	CH&UP	
Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	CH&UP. HPO	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2005Note: these regulations are due to expire on 21 March 2016

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.301(1)	duty to conduct reviews of the road management plan	DCL&W, MCW	
r.302(2)	duty to give notice of a review of the road management plan	DCL&W, MCW	
r.302(5)	duty to produce a written report of the review of the road management plan and make the report available	DCL&W, MCW	
r.303	duty to give notice of an amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	DCL&W, MCW	
r.306(2)	duty to record on the road management plan the substance and date of effect of any amendment	DCL&W, MCW	
r.501(1)	power to issue a permit	MMP&I, MCW, CIM&S	Where Council is the coordinating road authority.
r.501(4)	power to charge a fee for issuing permit under regulation 501(1)	MMP&I, MCW, CIM&S	Where Council is the coordinating road authority.
r.503(1)	power to give written consent to a person to drive on a road a vehicle which is likely to cause damage to road	DA&BS, SCTM	Where Council is the coordinating road authority.
r.508(3)	power to make a submission to the Tribunal	DA&BS, DCS, SCTM, MED&CC, CCC	Where Council is the coordinating road authority. Relates to hoardings and advertisements.
r.509(1)	power to remove objects, refuse, rubbish or other material deposited or left on a road	MCW, CEnvO, MED&CC, CCC	Council is the responsible road authority.
r.509(2)	power to sell or destroy things removed from a road or part of a road (after first complying with regulation 509(3))	MCW, CEnvO, MED&CC, CCC	Where Council is the responsible road authority.
r.509(4)	power to recover in the Magistrates' Court, expenses from the person responsible	MCW, CEnvO, MED&CC, CCC	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015

Note: these regulations commencement on 20 June 2015 replacing the Roads Management (works & infrastructure) Regulations 2005, which expired on 21 June 2015

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.15	power to exempt a person from requirement under clause 13(1) of Schedule 7 of the Act to give notice as to the completion of those works	MMP&I	where council is the coordinating road authority and where consent given under section 63(1) of the Act
r.22(2)	power to waive whole or part of fee in certain circumstances	MMP&I	where council is the coordinating road authority

7. CONSIDERATION OF RESPONSES TO NOTICES OF MOTION AND GENERAL BUSINESS

Nil

8. NOTICES OF MOTION

8.1 SAYING NO TO THE USE OF CORPORATE TAX HAVENS

NOTICE OF MOTION NO. 284 CR. TIM LAURENCE

Take notice that at the Ordinary meeting to be held on 6 June 2016, it is my intention to move:

That:

- (1) *Council notes the shrinking size of Commonwealth grants over recent years has seen millions stripped from the Darebin Council budget while the use of aggressive Corporate tax minimisation and secret overseas tax havens, as detailed in the Panama Papers leak, has meant billions in Australian Corporate tax has not been paid to the Commonwealth.*
- (2) *Council officers report back to council with a list of current tenders, investments and Council purchases involving any of the 800 Australian linked companies or individuals named in the Panama Papers and outline options for disinvestment and replacement of any suppliers who have been identified as using secret overseas tax havens.*
- (3) *The Mayor write to the Australian Prime Minister and Treasurer urging them to repair the Commonwealth budget by cracking down on the use of Corporate Tax Havens by:*
 - *Requiring large corporations to provide more public disclosure and transparency.*
 - *Increasing fines for tax evasion and extending laws to effectively cover the full range of corporate tax avoidance strategies.*
 - *Eliminating or restricting the use of stapled securities for tax arbitrage, according to global norms.*
 - *Ensuring that the Australian Tax Office is adequately funded and staffed.*
 - *Leading the G20 to adopt tough and effective global rules to combat corporate tax dodging.*

Notice Received: 12 May 2016

Notice Given to Councillors: 30 May 2016

Date of Meeting: 6 June 2016

**8.2 URGENT PURCHASE OF THE FORMER RUTHVEN
PRIMARY SCHOOL SITE IN GLASGOW AVENUE,
RESERVOIR TO SECURE OPEN SPACE**

NOTICE OF MOTION NO.

285

CR. TIM LAURENCE

Take notice that at the Ordinary meeting to be held on 6 June 2016, it is my intention to move:

***That** Darebin Council resolves to offer to buy the former Ruthven Primary School site using funds from Darebin Council's open space and recreation reserve, that is expected to be \$11.960 million as at 30 June 2017, to ensure adequate open space is maintained in the Merrilands estate area in Reservoir.*

Furthermore, that the Darebin Mayor write to the Premier and relevant State Ministers an reaffirm the Council's desire for a halt to the fast tracking of the rezoning and private sale of the former Ruthven Primary School site at Glasgow Avenue Reservoir and also inform the Premier and relevant State Ministers of Darebin Council's desire to buy the former school site using funds from Darebin's open space and recreation reserve, that is expected to be \$11.960 million as at 30 June 2017, to ensure a valuable neighbourhood park is maintained in this pocket of the Merrilands estate in North West Reservoir.

Notice Received: 22 May 2016

Notice Given to Councillors: 30 May 2016

Date of Meeting: 6 June 2016

9. URGENT BUSINESS

10. GENERAL BUSINESS

Nil

11. PETITIONS

12. RECORDS OF ASSEMBLIES OF COUNCILLORS

12.1 ASSEMBLIES OF COUNCILLORS HELD

An Assembly of Councillors is defined in section 3 of the *Local Government Act 1989* to include Advisory Committees of Council if at least one Councillor is present or, a planned or scheduled meeting attended by at least half of the Councillors and one Council Officer that considers matters intended or likely to be the subject of a Council decision.

Written records of Assemblies of Councillors must be kept and include the names of all Councillors and members of Council staff attending, the matters considered, any conflict of interest disclosures made by a Councillor attending, and whether a Councillor who has disclosed a conflict of interest leaves the assembly.

Pursuant to section 80A (2) of the Act, these records must be, as soon as practicable, reported at an ordinary meeting of the Council and incorporated in the minutes of that meeting.

An Assembly of Councillors record was kept for:

- Sexuality, Sex and Gender Diversity Advisory Committee – 9 February 2016
- Councillor Briefing session – 9 May 2016
- Sexuality, Sex and Gender Diversity Advisory Committee – 10 May 2016
- Strategic Workshop – 16 May 2016
- Councillor Briefing session – 23 May 2016

Recommendation

That the record of the Assembly of Councillors held on 9 February 2016 and 9, 10, 16 and 23 May 2016 be noted and incorporated in the minutes of this meeting.



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Sexuality, Sex and Gender Diversity Advisory Committee
	Date:	Tuesday 9 February 2016
	Location:	Conference room, 350 High Street, Preston
PRESENT:	Councillors:	Cr. Bo Li
	Council Staff:	Mandy Bathgate, Cécile Taché
	Other:	Members of the Sexuality, Sex and Gender Diversity Advisory Committee
APOLOGIES:		

The Assembly commenced at 6.15 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Meet and greet: Aged and Disability Community Development team	No disclosures were made
2	Opportunity for committee participation in "Lifelong learning for wellbeing" activity	No disclosures were made
3	Update on SSGD Action plan and actions arising from previous meetings	No disclosures were made
4	Planning for IDAHOT 2016	No disclosures were made
5	Other Business	No disclosures were made

The Assembly concluded at 8.25 pm

RECORD COMPLETED BY:	Officer Name:	Cécile Taché
	Officer Title:	Diversity Policy Officer



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Councillor Briefing Session
	Date:	Monday 9 May 2016
	Location:	Function Room, Darebin Civic Centre
PRESENT:	Councillors:	Cr. Vince Fontana (Mayor), Cr. Steven Tsitas Cr. Gaetano Greco, Cr. Bo Li, Cr. Trent McCarthy, Cr. Tim Laurence (from 6.04 pm).
	Council Staff:	Rasiah Dev, Steve Hamilton, Gavin Cator, Katrina Knox, Jacinta Stevens, Alexis Young, Yvonne Rust, Darren Rudd (from 6.04 pm)
	Other:	Paul Byrne, Lucy Botta – Metropolitan Planning Authority
APOLOGIES:		Cr. Angela Villella, Cr. Julie Williams, Cr. Oliver Walsh.

The Assembly commenced at 5.40 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Chief Executive Officer Update: <ul style="list-style-type: none"> • Regional Kitchen Group Restructure (including proposed pro-forma for Council related Board memberships) • Say No to Racism Program 	No disclosures were made.
2	La Trobe Employment Cluster (Verbal)	No disclosures were made. Cr. Tsitas left the meeting at 6.20 pm.
3	Completion of the 2016 Revaluation of Properties	No disclosures were made.
4	Fast Track Government Land Service – Rezoning of 74-76 Glasgow Avenue Reservoir (Ruthven) and 21 Radford Road Reservoir (Lakeside)	No disclosures were made.
5	Capital Works Performance Report	No disclosures were made.

The Assembly concluded at 6.30 pm

RECORD COMPLETED BY:	Officer Name:	Katrina Knox
	Officer Title:	Director Community Development



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title: Visit of the Victorian Gender and Sexuality Commissioner + Sexuality, Sex and Gender Diversity Advisory Committee Date: Tuesday 10 May 2016 Location: Council Chambers, 350 High Street, Preston
PRESENT:	Councillors: Cr. Vince Fontana (Mayor), Cr. Angela Villella, Cr. Bo Li Council Staff: Rasiah Dev, Katrina Knox, Cheryl Hermence, Mandy Bathgate, Cécile Taché, Jackie Mansourian, Fionnuala Spillane Other: Victorian Gender and Sexuality Commissioner, Members of the Sexuality, Sex and Gender Diversity Advisory Committee, staff from MIND Australia
APOLOGIES:	

The Assembly commenced at 5.50 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Presentation from and discussion with the Victorian Gender and Sexuality Commissioner on issues affecting the LGBTIQ communities	No disclosures were made All Councillors left at the end of this item at 7.05 pm
2	MIND Australia – scoping LGBTI mental health support service in Darebin	No disclosures were made
3	Update on SSGD Action plan and actions arising from previous meetings	No disclosures were made
4	Council support to Safe Schools Coalition	No disclosures were made
5	Other Business	No disclosures were made

The Assembly concluded at 7.05 pm (Committee meeting continued till 8.25 pm)

RECORD COMPLETED BY:	Officer Name: Cécile Taché Officer Title: Diversity Policy Officer
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ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Councillor Strategic Workshop
	Date:	Monday 16 May 2016
	Location:	Function Room, Darebin Civic Centre
PRESENT:	Councillors:	Cr. Vince Fontana (Mayor), Cr. Steven Tsitas, Cr. Bo Li., Cr. Angela Villella, Cr. Julie Williams, Cr. Tim Laurence (from 5.50 pm), Cr. Gaetano Greco (from 5.52 pm), Cr. Oliver Walsh (from 6.17 pm), Cr. Trent McCarthy (from 6.35 pm).
	Council Staff:	Rasiah Dev, Gavin Cator, Katrina Knox, Jacinta Stevens, Darren Rudd, Leah Mosel, Jo Cuscaden, Dave Bell, Libby Hynes (from 6.15 pm).
	Other:	Peter Marshall – K2 Group (until 6.15 pm)
APOLOGIES:		

The Assembly commenced at 5.48 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Update on Grade Separations Level Crossing Removals (Verbal)	No disclosures were made. Cr. Tsitas absent - 6.10 pm to 6.30 pm.
2	Discussion on NOM's and GB's (Verbal)	No disclosures were made. Cr. Li was absent - 6.40 pm to 6.49 pm.
3	Rezoning of 74-76 Glasgow Avenue Reservoir and 21 Radford Road Reservoir. (former Ruthven Primary School and Lakeside Secondary College).	No disclosures were made. Cr. Walsh was absent - 6.50 pm to 6.51 pm and 6.36 pm to 6.38 pm. Cr. McCarthy absent - 6.36 pm to 6.38 pm
4	Economic Impact Study on the Value of the Arts in Darebin	No disclosures were made.
5	Strategies Projects: Citywide Beautification	No disclosures were made.
6	Sporting Fees and Charges Policy – Impact on Micro Clubs	No disclosures were made.

The Assembly concluded at 6.59 pm

RECORD COMPLETED BY:	Officer Name:	Katrina Knox
	Officer Title:	Director Community Development



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title: Councillor Briefing Session Date: Monday 23 May 2016 Location: Function Room, Darebin Civic Centre
PRESENT:	Councillors: Cr Vince Fontana (Mayor), Cr Steven Tsitas, Cr Gaetano Greco, Cr Bo Li, Cr Tim Laurence, Cr Angela Villella, Cr Trent McCarthy (from 5.43 pm). Council Staff: Rasiah Dev, Steve Hamilton, Gavin Cator, Katrina Knox, Jacinta Stevens. Lauren Close (to 5.55 pm), Chris Meulblok (to 6.18 pm), Eddy Boscarior (to 6.32 pm) Darren Rudd, Leah Mosel and Jo Cuscaden (from 5.55 pm). Other:
APOLOGIES:	Cr Julie Williams, Cr Oliver Walsh.

The Assembly commenced at 5.35 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	John Cain/Football Federation Victoria Update (Verbal)	No disclosures were made.
2	Asset Management Presentation on 3 Upcoming Council Reports (Verbal) a) Commence sale of Dole Avenue, Keon Park and other surplus land. b) Surplus State Government Land – DELWP, 421 High Street, Preston – Council has first right of refusal. c) Update on discussions with the Department of Education with regard to the former Preston Girls School.	No disclosures were made. Cr Tsitas absent - 6.10 pm to 6.30 pm
3	Car Industry – Jobs (Verbal)	No disclosures were made.
4	Update on Grade Separations (Verbal)	No disclosures were made. Cr Fontana absent - 6.32 pm to 6.35 pm Cr Laurence absent - 6.40 pm to 6.44 pm and 6.47 pm to 6.49 pm Cr Villella left the meeting at 6.42 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
5	Kite Festival – Post Festival Report	No disclosures were made.
6	Review of Road Asset Management Plan	No disclosures were made.

The Assembly concluded at 6.50 pm

RECORD COMPLETED BY:	Officer Name:	Katrina Knox
	Officer Title:	Director Community Development



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Darebin Women's Advisory Committee
	Date:	Thursday 19 May 2016
	Location:	Conference room, 350 High Street, Preston
PRESENT:	Councillors:	Cr. Angela Villella
	Council Staff:	Mandy Bathgate, Cécile Taché
	Other:	Members of the Darebin Women's Advisory Committee, staff from Darebin Community Legal Centre
APOLOGIES:		Cr. Julie Williams

The Assembly commenced at 6.05 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Darebin Community Legal Centre legal advice program for CALD clients experiencing family violence	No disclosures were made
2	A gender lens on the proposed Darebin Budget 2016/17	No disclosures were made
3	GoWomenLG2016 project – progress report	No disclosures were made
4	Update on current projects and issues	No disclosures were made
5	Other Business	No disclosures were made

The Assembly concluded at 7.55 pm

RECORD COMPLETED BY:	Officer Name:	Cécile Taché
	Officer Title:	Diversity Policy Officer

13. REPORTS BY MAYOR AND COUNCILLORS**Recommendation**

That Council note the Reports by Mayor and Councillors.

14. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL**CLOSE OF MEETING**

MOVED: Cr.

SECONDED: Cr.

That in accordance with section 89(2) of the *Local Government Act* 1989, Council resolves to close the meeting to members of the public to consider the following items which relates to a contractual matter:

14.1 Darebin International Sports Centre Synthetic Pitches

RE-OPENING OF MEETING

MOVED: Cr.

SECONDED: Cr.

That the meeting be re-opened to the members of the public.

CONFIDENTIAL**14.1 DAREBIN INTERNATIONAL SPORTS CENTRE SYNTHETIC PITCHES**

Author: Manager Leisure and Public Realm

Reviewed By: Director Community Development

Report Background

This report addresses Council's obligations in relation to the maintenance and renewal of the Darebin International Sports Centre synthetic pitches.

Previous Council Resolution

Nil

Previous Briefing(s)

Councillor Briefing – 23 May 2016

Council Plan Goal/Endorsed Strategy

- Council plan 2013 – 2017 strategies - 2.6 Community health and fitness; and access to opportunities; 2.10 Social and physical connectedness; 2.13 equitable access for all; 2.15 equity in sport; 5.2 access and inclusion
- Darebin Health and Wellbeing Plan 2013 – 2017 goal 4 – build healthy, safe and accessible places for people to play and connect; goal 5 protect and promote Darebin people's physical health (5.3 – increase regular physical activity for all)
- Darebin Leisure Strategy (2010 – 2020) and Leisure Services Action Plan 2015 - 2020

Summary

This report provides detail on the current conditions of the synthetic pitches at the State Soccer Centre, Darebin Road Thornbury, and the requirement of pitch renewal based on contractual agreements and dependencies on other Council projects within John Cain Memorial Park.

Recommendation

That the Council report and resolution remain confidential.

15. CLOSE OF MEETING

