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MINUTES OF THE ORDINARY COUNCIL MEETING

Held on Monday 25 September 2023

Released to the public on 28 September 2023

**LIVE STREAMING OF THE COUNCIL MEETING WAS MADE
AVAILABLE ON COUNCIL'S WEBSITE.**



ACKNOWLEDGEMENT OF TRADITIONAL OWNERS AND ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITIES IN DAREBIN

Darebin City Council acknowledges the Wurundjeri Woi-Wurrung people as the Traditional Owners and custodians of the land we now call Darebin and pays respect to their Elders, past, present and emerging.

Council pays respect to all other Aboriginal and Torres Strait Islander communities in Darebin.

Council recognises, and pays tribute to, the diverse culture, resilience and heritage of Aboriginal and Torres Strait Islander people.

We acknowledge the leadership of Aboriginal and Torres Strait Islander communities and the right to self-determination in the spirit of mutual understanding and respect.



English

These are the Minutes for the Council Meeting. For assistance with any of the items in the minutes, please telephone 8470 8888.

Arabic

هذه هي محاضر اجتماع المجلس. للحصول على المساعدة في أي من البنود في المحاضر، يرجى الاتصال بالهاتف 8470 8888.

Chinese

这些是市议会会议纪要。如需协助了解任何纪要项目，请致电8470 8888。

Greek

Αυτά είναι τα Πρακτικά της συνεδρίασης του Δημοτικού Συμβουλίου. Για βοήθεια με οποιαδήποτε θέματα στα πρακτικά, παρακαλείστε να καλέσετε το 8470 8888.

Hindi

ये काउंसिल की बैठक का सारांश है। सारांश के किसी भी आइटम में सहायता के लिए, कृपया 8470 8888 पर टेलीफोन करें।

Italian

Questo è il verbale della riunione del Comune. Per assistenza con qualsiasi punto del verbale, si prega di chiamare il numero 8470 8888.

Macedonian

Ова е Записникот од состанокот на Општинскиот одбор. За помош во врска со која и да било точка од записникот, ве молиме телефонирајте на 8470 8888.

Nepali

यी परिषद्को बैठकका माइन्युटहरू हुन्। माइन्युटका कुनै पनि वस्तुसम्बन्धी सहायताका लागि कृपया 8470 8888 मा कल गर्नुहोस्।

Punjabi

ਇਹ ਕੌਂਸਲ ਦੀ ਮੀਟਿੰਗ ਵਾਸਤੇ ਸੰਖੇਪ ਸਾਰਾਂਸ਼ ਹੈ। ਸੰਖੇਪ ਸਾਰਾਂਸ਼ ਵਿਚਲੀਆਂ ਕਿਸੇ ਵੀ ਆਈਟਮਾਂ ਸੰਬੰਧੀ ਸਹਾਇਤਾ ਵਾਸਤੇ, ਕਿਰਪਾ ਕਰਕੇ 8470 8888 ਨੂੰ ਟੈਲੀਫੋਨ ਕਰੋ।

Somali

Kuwaani waa qodobadii lagaga wada hadlay Fadhiga Golaha. Caawimada mid kasta oo ka mid ah qodobada laga wada hadlay, fadlan la xiriiir 8470 8888.

Spanish

Estas son las Actas de la Reunión del Concejo. Para recibir ayuda acerca de algún tema de las actas, llame al teléfono 8470 8888.

Urdu

یہ کاؤنسل کی میٹنگ کی روداد کے نقاط ہیں۔ روداد کے کسی بھی حصے کے بارے میں مدد کے لیے براہ مہربانی 8470 8888 پر فون کریں۔

Vietnamese

Đây là những Biên bản Họp Hội đồng Thành phố. Muốn có người trợ giúp mình về bất kỳ mục nào trong biên bản họp, xin quý vị gọi điện thoại số 8470 8888.

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MINUTES OF THE ORDINARY COUNCIL MEETING DAREBIN CITY COUNCIL, MONDAY 25 SEPTEMBER 2023

THE MEETING OPENED AT 6.04PM

The Mayor advised that the meeting was being streamed live and that the recording would be made available on Council's website.

1. OPENING OF MEETING AND MEMBERSHIP

Councillors

Cr. Julie Williams (Mayor) (Chairperson)
Cr. Susanne Newton (Deputy Mayor)
Cr. Emily Dimitriadis
Cr. Gaetano Greco
Cr. Tim Laurence
Cr. Trent McCarthy
Cr. Susan Rennie

Council Officers

Peter Smith - Chief Executive Officer
Rachel Ollivier - General Manager Operations and Capital
Kylie Bennetts - General Manager Community
Vanessa Petrie - General Manager City Sustainability and Strategy
Tarnya McKenzie - General Manager Governance and Engagement
Bobbie-Lea Bright – Acting Head of Governance and Risk

2. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Chairperson, Mayor Williams, opened the meeting with the following statement:

I would like to start by acknowledging the Wurundjeri Woi-wurrung people, the Traditional Owners of this land and pay my respects to Elders past and present, and recognise their continuing connection to land, water and culture.

3. APOLOGIES

Cr. Lina Messina and Cr. Tom Hannan were on approved leave of absence.

4. DISCLOSURES OF CONFLICTS OF INTEREST

Cr. Newton noted that she did not have a conflict to declare, however wished to advise that it was noted in Item 9.8 Governance Report September 2023, Appendix A Summary of Councillor Attendance Records, that she had a child on a childcare waiting list, and advised that she has since removed him from the waitlist as he now has a spot in private childcare.

5. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Council Resolution

MINUTE NO. 23-078

MOVED: Cr. S Rennie

SECONDED: Cr. G Greco

That the Minutes of the Ordinary Council Meeting held on 28 August 2023 be confirmed as a correct record of business transacted.

CARRIED UNANIMOUSLY

6. COUNCIL'S OCCUPATIONAL HEALTH AND SAFETY RESPONSIBILITIES

The Chairperson, Mayor Williams, made the following statement:

Council has an occupational health and safety responsibility to ensure anyone attending tonight's meeting, feels safe both physically and emotionally.

7. QUESTION AND SUBMISSION TIME

The General Managers responded to the following questions submitted for Public Question Time.

- **Kade Matthews**

1. Will Council hold an event on Coming Out Day on 11 October 2023 in support of the local LGBTIQ+ community?
2. Will Council be making a submission to the Victorian Government's consultation on strengthening Victoria's laws against hate speech and hate conduct, in line with action 3.5.4 of the Darebin Sexuality, Sex and Gender Diversity Action Plan?
3. What is Council doing to ensure a safe and healthy working environment for all staff, particularly library staff, when organising LGBTIQ+ activities, events, and programs?

Response from General Manager Community

Thank you for the questions Kade.

1. In terms of question one, Council formally recognises a number of LGBTIQ+ dates of significance across the year. Currently, Coming Out Day is not one of the dates recognised in Council's social justice calendar.

As part the development of our new LGBTIQ+ Action Plan, we will review the dates of significance with feedback from LGBTIQ+ people and communities connected to Darebin and our Sexuality, Sex & Gender Diversity Advisory Committee. Engagement on the draft Action Plan is scheduled to take place in 2024.

2. Council continues to support and participate in work seeking to strengthen human rights protections for communities in Darebin who are at greatest risk of hateful speech and conduct.

We are monitoring the Victorian Government's consultation on this important and much-needed law reform. Any decision to provide a submission will be informed with Council's Sexuality, Sex and Gender Diversity Advisory Committee.

3. Providing a safe environment for staff and our community is paramount when organising any events, or activities. Where there may be a possibility of risk to physical, emotional, or psychological safety, a risk mitigation strategy is developed with staff, our partners, and local agencies. If there is a particular incident or issue, we encourage you to reach out so that we can investigate that for you.

- **Staci Timms**

1. Could Council please provide an update on the development of its Community Flag Schedule, and will this include flying flags half-mast on Invasion Day?
2. Given the nasty threats, emails and calls for cancellation of the Rainbow Storytime event at Reservoir Library earlier this year, how can the community support Council, its libraries, and librarians to deal with this hate?
3. How could Council use its General Local Law (particularly clause 24(2)) to ensure the safety and security of people attending events such as the Rainbow Storytime in the future?

Response from General Manager Community

Thank you for the questions, Staci.

1. On January 26, the flags are lowered at Councils municipal offices at Preston and Bundoora Homestead Art Centre.
A Civic Flag Policy is in development which will include a draft community flag schedule. Councillors will be briefed on that later this year.
2. Rainbow story time was held at all libraries in Darebin earlier this year. Feedback from community was very supportive and recognised Council's continued support of LGBTIQ+ families.
3. I have been advised that Council's Local Law does provide officers authority to deal with inappropriate behaviour in Council buildings during an event. However, it is Council's preference to work in partnership with Victoria Police who are well-trained and equipped to handle these types of situations, in the interest of maintaining peace and ensuring community safety.

- **Margaret Callaco**

1. Council Officers promised results of the Parking Permit consultation would be discussed at Council Meeting on 24th July 2023. It is now halfway through September and there is no evidence of the consultation coming to council. Can you please explain the delay and give advice on when residents can expect to see results?

Response from General Manager City Sustainability and Strategy

Thank you for your question, Margaret.

The Parking Permit Policy review project remains important to Council. The robust analysis and assessment needed to finalise recommendations to Council has taken a little longer than expected. I am anticipating a report to Council in October, which will present the consultation results, and will also recommend the draft policy to Council.

- **Nicola Coles**

1. Can Council explain how Darebin Local Laws could protect the ancient Red Gum Tree at La Trobe Campus, Bundoora, what is the council doing to protect this invaluable, irreplaceable tree, especially considering a Local Laws permit to destroy the tree was granted on 20/May/2023 and later withdrawn?
2. If Honeywell or La Trobe University reapply for a permit to destroy or otherwise damage the ancient River Red Gum with more than 20 hollows, will Darebin Council put the application on Public Notice and/or will the original objectors to the recently lapsed permit (20 Sept/2023) be notified?
3. What is the Darebin council going to do to protect the 200 identified Significant Trees within the La Trobe University Campus, Bundoora as the majority of these trees have no Environmental Significance overlays and no Heritage Overlays and are in the public use zone making them vulnerable?

Response from General Manager City Sustainability and Strategy

Thank you for your questions, Nicola.

1. Council places significant emphasis on the preservation and sustainability of our trees, recognising their vital role in our environment.

The Tree Protection on Private Property Local Law 2019 requires any property owner to seek a permit if they wish to remove a tree or trim a tree. When Council receives a request for a permit, it is reviewed by the Parks and Open Space team, who provide expert advice. If a Local Law permit is issued, it must be adhered to.

A senior officer will call you tomorrow to discuss.

2. Planning Permit application D/285/2023 for the site lapsed on 21 September 2023. Should a new application be lodged in the future, Council will follow the public advertising requirements of the Planning and Environment Act 1987, specifically Section 52.

Council cannot pre-determine the form or content of a future planning permit application. However, under the Act Council must give notice to adjoining lots, which can also include a site notice. Council also has discretion to extend the notice to others that the permit may cause material detriment to.

3. **As per the above, Darebin's trees are currently protected through the local law, and through the operation of Clause 52.17 'Native Vegetation' of the Darebin Planning Scheme, which requires a permit to remove, destroy or lop native vegetation on lots greater than 0.4ha.**

- **Ruth Jelley**

My questions relate to the current state government consultation on future planning for the route 86 tram corridor along High St in Northcote and Thornbury.

1. Does Council have a preferred design solution for the types/designs and locations of tram stops for the route 86 upgrade program?
2. Will Council strongly and actively advocate for tram stop designs that prioritise outcomes for pedestrians and bike riders, for example by ensuring pedestrians can cross High St all in one go using a single set of traffic lights, and supporting separated bike lanes to improve safety for vulnerable road users?
3. Is Darebin Council actively planning to leverage state government funding for streetscape improvements coinciding with the installation of accessible tram stops, such as seating, footpath trading space, tree planting, drinking fountains and bicycle parking?

Response from General Manager City Sustainability and Strategy

Thank you for your questions, Ruth.

The High Street Tram Corridor project is a Victorian Government investigation that will result in a design for tram stop upgrades and will be the subject of a future funding application to undertake the works. Council is working with the Department of Transport and Planning on these designs to provide local feedback and knowledge.

1. **At this stage, Darebin does not have a preferred design solution. We will however be seeking a solution that aligns with the Primary Multimodal Street type in the Darebin Transport Strategy.**
2. **Yes, road safety for vulnerable road users is a priority. Officers will continue to seek alignment with the Darebin Transport Strategy, which includes Policy 8.3 - Improve connections and access to public transport services by sustainable modes. This includes access by walking, cycling and proximity to car share vehicles.**
3. **Yes, Council is providing feedback on the design to integrate future tram stop improvements with urban design improvements that might occur along the corridor in the future.**

- **John Nugent**

1. I refer to the question I asked at the last council meeting, regarding asking a question on the floor without submitting the question first – why is it going out for public consultation when this was brought about in error and when will the residents have their rights returned to them?
2. Could you please advise when all the pathways will be completed at Donath West Reserve? These pathways were not included in the masterplan but were asked for. Also required is lighting into park, the lighting/s for safety purposes. When will Donath West be the same standard as our parks in the South?
3. Could you please advise when Council staff are asking a question at a Council Meeting Council Staff give a response, do Council staff follow up on what has been asked or do they do nothing? For example: Overcrowding of Preston Market and streets in the surrounding area? Keeping Customer service area opened over the Christmas period? Darebin Club performance subsidy program which discriminative against children?

Response from General Manager Governance and Engagement

Thanks for the question. I will respond to questions 1 and 3.

1. In regard to your first question, I answered this question at our last Council Meeting and our response isn't any different. The rules are outlined in our Governance Rules, and they will go out for consultation.
3. In regard to your third question - Each question submitted prior to the Council Meeting is answered by an internal subject matter expert. In instances where the answer is not available within the timeframe, the answer is subsequently provided in the Council Meeting Minutes. I recall answering one of those questions that you have used as an example last meeting as well and I have checked the minutes, if you would like to check the minutes of last month's meeting the answers are on page 10.

Response from General Manager Community

2. In respect to question two, I have been advised that Council's Masterplan for Donath Reserve indicates the central and main paths are to be sealed and I have been advised that these are. Most secondary paths are unsealed. No further pathway works are currently scheduled for Donath Reserve.

8. PETITIONS

Nil

9. CONSIDERATION OF REPORTS

9.1 DRAFT 2022-23 FINANCIAL REPORT AND PERFORMANCE STATEMENT

EXECUTIVE SUMMARY

Under the section 98 of the *Local Government Act 2020* (the Act), Council is required to prepare an annual report in respect of each financial year. This must contain the following:

- A report of operations of the Council, including a statement of progress on implementation of the Council Plan, which includes the results of strategic indicators; a statement of progress in relation to major initiatives identified in the budget or revised budget; the prescribed indicators of service performance for the services provided by the Council; and any other information prescribed by the regulations.
- An audited Performance Statement containing the prescribed indicators of service performance, the prescribed indicators of financial performance, the prescribed indicators of sustainability performance and any other information prescribed by the regulations.
- Audited Financial Statements including any other information prescribed by the regulations and prepared in accordance with the regulations.
- A copy of the Auditor's report on the financial statements under Part 3 of the Audit Act 1994.
- Any other matters prescribed by the regulations.

The Act requires that the annual report be reported to Council within four months of the end of the financial year. Council is required to pass a resolution giving approval in principle to each of the Statements and authorise two Councillors to certify each of the Statements after any changes recommended, or agreed to, by the auditor have been made.

Regulations 21 of the Local Government (Planning and Reporting) Regulations 2020 (the Regulations), specify that the Financial Report must be certified by the Principal Accounting Officer, two Councillors and the Chief Executive Officer, prior to the Auditor-General signing the audit report.

To assist Council in approving in principle the Financial Reports and Performance Statement for year ended 30 June 2023, the Audit Committee should review the draft Statements with the benefit of comments by Council management and the Victorian Auditor-General's Office representative. The Audit Committee, after it is satisfied with comments of Council management and the Victorian Auditor-General's Office representative, should then make a recommendation to Council to adopt in principle each of the statements for the year ended 30 June 2023. The statements were presented to Council's Audit and Risk Committee at its meeting on 11 September 2023.

The Financial Report and the Performance Statement provide, as part of the annual report, a transparent account of Council's operations in line with good governance. The annual report forms part of a comprehensive public accountability process and reporting that includes:

- The Council Plan
- The Annual Budget
- Internal and External Audit; and
- The Annual Report.

Council Resolution

MINUTE NO. 23-079

MOVED: Cr. S Newton
SECONDED: Cr. S Rennie

That Council, in accordance with the recommendations of the Audit and Risk Management Committee, and having considered Council's draft Financial Reports, Performance Statements, VAGO Final Management Letter, VAGO Closing Report and Management Representation Letter for 2022/23, at **Appendices A, B, C, D** and **E** respectively to this report:

- (1) Notes the recommendation from the Audit and Risk Committee that Council approve 'in principle' the Annual Financial Report and the Annual Performance Statement ended 30 June 2023; and that the Council resolution include the authorisations provided for at points (3), (4), (6) and (7).
- (2) Approves in principle the Financial Report for the year ended 30 June 2023 as per Appendix A to this report.
- (3) Authorises the Chief Financial Officer to make any non-material changes to the Annual Financial Report and the Annual Performance Statement that may arise from the completion of audit and internal review procedures.
- (4) Authorises the Chief Executive Officer, Mayor Julie Williams and Councillor Susanne Newton to certify the Financial Reports in their final form after any changes recommended or agreed to by the Auditor-General have been made.
- (5) Approves in principle the Performance Statements for the year ended 30 June 2023 as per Appendix B to this report.
- (6) Authorises the Chief Executive Officer, Mayor Julie Williams and Councillor Susanne Newton to certify the Performance Statements in their final form after any changes recommended or agreed to by the Auditor-General have been made.
- (7) Authorises the Chief Executive Officer to forward the Annual Financial Report and the Annual Performance Statement to the Victorian Auditor-General's Office (VAGO).

CARRIED UNANIMOUSLY

9.2 EXTENSION OF TEMPORARY PARKLETS AND NEW OUTDOOR DINING AND TRADING POLICY

EXECUTIVE SUMMARY

Introduced in October 2020 as a temporary measure to support the hospitality sector, the Outdoor Dining Program provided an opportunity for businesses to increase their trading footprint and residents their social connection to mitigate social distancing restrictions during the COVID pandemic. As part of this program 20 temporary parklets – outdoor dining in car spaces/roadways - were constructed across Darebin. Through a series of extensions, these parklets are still in place today.

The benefits of parklets reflect a positive change arising from the impacts of the pandemic, providing a new form of outdoor dining which positively contributes to the activation of retail areas and the introduction of vibrancy and excitement, making Darebin's retail strips a metropolitan dining and after-hours destinations. Parklets, as part of an extended outdoor program, provide a range of social and economic benefits to local businesses and residents alike.

The speedy construction of Darebin's parklets were in part enabled by planning permit exemptions introduced by the Victorian Government, which enabled their establishment with minimum assessment and regulatory oversight. Consequently, these parklets were not intended for long-term use and the infrastructure constructed on Council land is now aging and potentially unsafe.

With the end of the Pandemic Declaration and the expiry of planning permit exemptions, a new assessment framework is required. It is recommended that Council formalise its policy in relation to the regulation and assessment of parklets, to support and enable their establishment through Darebin's retail centres.

A two-stage approach to supporting existing parklets and facilitating a new permit/assessment approach for parklets is proposed:

- Stage 1 is an interim approach to enable a 6-month extension to all existing parklets through to the end of the peak 'summer' season (March 2024).
- Stage 2 involves the exhibition, revision, and eventual adoption of the revised 'Outdoor Dining and Trade Policy' and associated Design Guidelines, to enable applications for new parklets through-out Darebin.

Officer Recommendation

That Council:

- (1) Endorses the minor updates to the '*Footpath Trading Policy*' shown within **Appendix A** to enable the consideration of parklets as an additional form of outdoor dining.
- (2) Resolves to write and communicate with businesses with existing parklets to:
 - a) Offer a six-month extension through to 31 March 2024 for existing parklets, subject to the following:
 - i. Payment of a fee calculated on the basis of \$2.50 per parking bay, per day.
 - ii. Requiring identified safety/compliance rectification works at the businesses' expense.

- iii. Requiring applicants to apply for any other permits/approvals necessary to continue their outdoor dining activities.
 - b) Offer assistance and support in complying with the above requirements.
 - c) Provide a copy of the draft revised Outdoor Dining and Trading Policy inviting submissions on the draft policy.
 - d) Clearly explain the intended new approach to parklets, including the new fee structure.
 - e) Make explicit that at the conclusion of the 6-month extension all existing parklet structures will need to be demolished and removed, and applicants - as part of a broader invitation to other businesses - be invited to re-apply to create new parklets that comply with the new policy and design guidelines.
- (3) Endorses the following draft documents for the purpose of community consultation:
- a) 'Darebin Draft *Outdoor Dining and Trading Policy*' including the proposed new fee structure, as found in Appendix C and Appendix D.
 - b) 'Darebin Draft *Outdoor Dining and Trading Policy Design Guidelines*' as found in Appendix E.

Motion

MOVED: Cr. E Dimitriadis
SECONDED: Cr. S Newton

That Council:

- (1) Endorses the minor updates to the 'Footpath Trading Policy' shown within Appendix A to enable the consideration of parklets as an additional form of outdoor dining.
- (2) Resolves to write and communicate with businesses with existing parklets to:
 - a) Offer a six-month extension through to 31 March 2024 for existing parklets, subject to the following:
 - i. Payment of a fee calculated on the basis of \$2.50 per parking bay, per day.
 - ii. Requiring identified safety/compliance rectification works at the businesses' expense.
 - iii. Requiring applicants to apply for any other permits/approvals necessary to continue their outdoor dining activities.
 - b) Offer assistance and support in complying with the requirements.
 - c) Provide a copy of the draft revised Outdoor Dining and Trading Policy inviting submissions on the draft policy.
 - d) Clearly explain the intended new approach to parklets, including the new fee structure.
 - e) **Advise that at the conclusion of the 6-month extension, the parklet:**
 - i. **All applicants - as part of a broader invitation to other businesses - be invited to re-apply to create parklets that comply with the new policy and design guidelines.**
 - ii. **All existing parklets may remain if they satisfy safety and compliance requirements of the new Outdoor Dining and Trading Policy, and if parklets don't comply, Council will make every effort to support traders to become compliant.**

- (3) Endorses the following draft documents for the purpose of community consultation:
- a) 'Darebin Draft Outdoor Dining and Trading Policy' including the proposed new fee structure, as found in Appendix C and Appendix D, **and including an amendment to the draft policy that incorporates requirements set out at (2)e) above.**
 - b) 'Darebin Draft Outdoor Dining and Trading Policy Design Guidelines' as found in Appendix E.
- (4) **That a further report come back to Council, as early as possible, detailing:**
- a) **The policies and approaches to parklets used by other Councils.**
 - b) **Options for Council to install temporary parklets, including the option to install new parklets before the revised Outdoor Dining and Trading Policy, and Outdoor Dining and Trading Policy Design Guidelines are adopted.**

The motion was put and carried and became the council resolution as follows:

Council Resolution

MINUTE NO. 23-080

MOVED: Cr. E Dimitriadis
SECONDED: Cr. S Newton

That Council:

- (1) Endorses the minor updates to the 'Footpath Trading Policy' shown within Appendix A to enable the consideration of parklets as an additional form of outdoor dining.
- (2) Resolves to write and communicate with businesses with existing parklets to:
 - a) Offer a six-month extension through to 31 March 2024 for existing parklets, subject to the following:
 - i. Payment of a fee calculated on the basis of \$2.50 per parking bay, per day.
 - ii. Requiring identified safety/compliance rectification works at the businesses' expense.
 - iii. Requiring applicants to apply for any other permits/approvals necessary to continue their outdoor dining activities.
 - b) Offer assistance and support in complying with the requirements.
 - c) Provide a copy of the draft revised Outdoor Dining and Trading Policy inviting submissions on the draft policy.
 - d) Clearly explain the intended new approach to parklets, including the new fee structure.
 - e) Advise that at the conclusion of the 6-month extension, the parklet:
 - i. All applicants - as part of a broader invitation to other businesses - be invited to re-apply to create parklets that comply with the new policy and design guidelines.
 - ii. All existing parklets may remain if they satisfy safety and compliance requirements of the new Outdoor Dining and Trading Policy, and if parklets don't comply, Council will make every effort to support traders to become compliant.

- (3) Endorses the following draft documents for the purpose of community consultation:
- a) 'Darebin Draft Outdoor Dining and Trading Policy' including the proposed new fee structure, as found in Appendix C and Appendix D, and including an amendment to the draft policy that incorporates requirements set out at (2)e) above.
 - b) 'Darebin Draft Outdoor Dining and Trading Policy Design Guidelines' as found in Appendix E.
- (4) That a further report come back to Council, as early as possible, detailing:
- a) The policies and approaches to parklets used by other Councils.
 - b) Options for Council to install temporary parklets, including the option to install new parklets before the revised Outdoor Dining and Trading Policy, and Outdoor Dining and Trading Policy Design Guidelines are adopted.

CARRIED UNANIMOUSLY

9.3 OPEN STREETS PILOT - NATIONAL ROAD SAFETY ACTION GRANTS

EXECUTIVE SUMMARY

This report is seeking Council's endorsement to conduct a pilot program to temporarily close Breen Street Preston in response to road safety concerns during school times at St Raphael's Primary School.

St Raphael's Primary School, Breen Street, is a 'hot-spot' school located in the west of Preston. Breen Street is a narrow, one-way street running along the eastern gate of St Raphael's Primary School and currently acts as the primary location for school drop offs and pick-ups, with parking on both sides and no safe crossing point for pedestrians. This creates an unsafe environment where parents merge into the narrow traffic lane from either side, making it very difficult to see young pedestrians who emerge from between cars to cross the road to reach cars on the opposite side.

In response to these concerns, Council is recommending an 'Open Streets' pilot, which involves closing Breen Street before and after school times for between 3pm and 5pm, on non-consecutive days.

To support this initiative, Council has partnered with the M9 consortium of Councils with an application to the National Road Safety Action Grant to pilot and assess additional Open Streets in inner Melbourne councils. The grant could span three years and the outcome would provide further clarity on the benefits of the Open Streets approach and to develop guidelines to support other local governments improve road safety for children around schools.

In the event the grant is unsuccessful, Council support is sought to refer this pilot to a future round of the Your Street, Your Say program for Group A and be considered in the prioritisation process for road safety changes on Darebin Streets.

St Raphael's Primary School has confirmed road safety has been a challenge for its community and confirmed support for an Open Streets pilot. An Open Streets pilot would not change parking restrictions, and access for residents will be maintained by the qualified supervisors during the days of operation.

Council Resolution

MINUTE NO. 23-081

MOVED: Cr. S Newton
SECONDED: Cr. T McCarthy

That Council:

- (1) Participates in the M9's Open Streets 3-year Open Streets program if a recent grant application is successful.
- (2) Pilots the program locally in partnership with St Raphael's Primary School, including temporarily closing Breen Street, Preston at before and after school times for between 3pm and 5pm on non-consecutive days starting within 12 months of receiving confirmation whether the M9 grant application is successful.
- (3) Commits to implementing an Open Streets or similar road safety improvement pilot in 2024-25, as part of Council's school transport program, if the M9's funding application is not successful.

CARRIED UNANIMOUSLY

9.4 INTEGRATED FAMILIES, YOUTH AND CHILDREN STRATEGY - COMMUNITY ENGAGEMENT

EXECUTIVE SUMMARY

The development of an integrated Families Youth and Children Strategy is a strategic action in the Council Plan (action number 2-11).

This strategy will replace the previous Early Years Strategy 2011-21 and the Youth Services Strategy 2019-21 with the aim of supporting Council and partners to adopt an integrated, long-term and strategic approach to improving outcomes for children and young people from 0-25 years and their families.

A two-stage approach to community engagement for this strategy is proposed, with the first stage aiming to gather broad community feedback on what the community sees as being important for children, young people and their families, what is currently working well, what the challenges and gaps are, and what areas the community would like to see Council and partners prioritise in this space. Stakeholder engagement will also seek to understand how Council and partners can respond collaboratively to the communities' priorities.

Council Resolution

MINUTE NO. 23-082

MOVED: Cr. T McCarthy
SECONDED: Cr. G Greco

That Council:

- (1) Approves the delivery of Stage 1 Community Engagement to inform the development of an integrated Families, Youth and Children Strategy as per the Community Engagement Plan included at Appendix A.
- (2) Resolves to receive a report back to Council on the Stage 1 Community Engagement on the integrated Families, Youth and Children Strategy as soon as possible in 2024.

CARRIED UNANIMOUSLY

**9.5 RESERVOIR ECONOMIC ANALYSIS & INVESTMENT
ATTRACTION STRATEGY**

EXECUTIVE SUMMARY

The Reservoir Economic Analysis (**Appendix A**) and the Investment Attraction Strategy (**Appendix B**) reports were initiated and funded through the State Government's Suburban Revitalisation Program and the Reservoir Revitalisation Board (the Board). They were prepared by Ethos Urban for Darebin City Council and the Office of Suburban Development.

Darebin City Council through the Economic Recovery and Resilience (ERR) team have reviewed and provided feedback on the draft reports and the final reports have been presented back to the Board at their Board Meeting on 20 September 2023.

The Board have acknowledged these foundational documents and have endorsed the release of these reports publicly.

Officer Recommendation

That Council notes the completed Reservoir Economic Analysis (**Appendix A**) and Investment Attraction Strategy (**Appendix B**) reports initiated and funded through the State Government's Suburban Revitalisation Program and the Reservoir Revitalisation Board.

Motion

MOVED: Cr. G Greco
SECONDED: Cr. S Newton

That Council:

- (1) Notes the completed Reservoir Economic Analysis (Appendix A) and Investment Attraction Strategy (Appendix B) reports initiated and funded through the State Government's Suburban Revitalisation Program and the Reservoir Revitalisation Board.
- (2) **Requests that the Mayor writes to the Chair of the Reservoir Suburban Revitalisation Board Nathan Lambert MP, requesting that Reservoir Ward Councillors be invited to attend future Reservoir Revitalisation Board meetings as observers to support the Board with local based ward Councillor knowledge of issues facing the Reservoir community and opportunities for locally-led projects to make Reservoir thrive.**

The motion was put and carried and became the council resolution as follows:

Council Resolution

MINUTE NO. 23-083

MOVED: Cr. G Greco
SECONDED: Cr. S Newton

That Council:

- (1) Notes the completed Reservoir Economic Analysis (Appendix A) and Investment Attraction Strategy (Appendix B) reports initiated and funded through the State Government's Suburban Revitalisation Program and the Reservoir Revitalisation Board.
- (2) Requests that the mayor writes to the Chair of the Reservoir Suburban Revitalisation Board Nathan Lambert MP, requesting that Reservoir Ward Councillors be invited to attend future Reservoir Revitalisation Board meetings as observers to support the Board with local based ward Councillor knowledge of issues facing the Reservoir community and opportunities for locally-led projects to make Reservoir thrive.

CARRIED UNANIMOUSLY

9.6

PLANNING PROBITY MATTERS

EXECUTIVE SUMMARY

This report:

- Updates Councillors on the findings and recommendations of the *Operation Sandon special report*.
- Recommends establishing a register of Councillor interactions with developers, submitters, lobbyists and other people who may seek an advantage through a planning decision.

The *Operation Sandon special report* (27 July 2023) sets out several planning and governance recommendations to the State Government. These respond to a series of probity risks in planning that the independent, broad-based anti-corruption commission has identified through its Sandon investigation.

This report highlights key findings of the Sandon report, presents planning probity recommendations from the Inspectorate of Local Government, and outlines how a register of Councillor interactions can strengthen and enhance current practices.

Officer Recommendation

That Council:

- (1) Notes the planning probity risks identified and described in the *Operation Sandon special report*.
- (2) Notes that the Darebin Councillor Code of Conduct 2021 and Councillor Gift Policy March 2023 provides expectations, roles, responsibilities and procedures to achieve high levels of integrity and public trust in all Council matters, including planning matters.
- (3) Establishes a public register of 'meaningful Councillor interactions' with developers, submitters, lobbyists and other people with a direct interest in a planning scheme amendment, development plan, planning permit application, or any other planning decision under the *Planning and Environment Act 1987*. The register is to record:
 - a) the address and application number and or title of the planning permit application, development plan, planning scheme amendment or any other planning matter.
 - b) the date and time of the interaction.
 - c) the name of the Councillor/s who interacted with the developer and/or submitter and/or lobbyist and any other person with an interest in the planning matter.
 - d) the name of the person/s the Councillor/s met with, and their role in relation to the planning matter.
 - e) whether an officer attended the meeting with the Councillor. Only the title of the officer will be recorded.
 - f) the purpose of the interaction and a summary of what was discussed.

- (4) Requires that any Councillor who has a 'meaningful interaction' described in point (3) above provides the details set out in point (3) above to the General Manager Governance and Engagement within 5 days, for recording in the public register.
- (5) That the public register of Councillor interactions:
 - a) be published on the Council website and updated at a minimum every month
 - b) be tabled at Planning Committee meetings for noting.

Amended Officer Recommendation

That Council:

- (1) Notes the planning probity risks identified and described in the *Operation Sandon special report*.
- (2) Notes that the Darebin Councillor Code of Conduct 2021 and Councillor Gift Policy March 2023 provides expectations, roles, responsibilities and procedures to achieve high levels of integrity and public trust in all Council matters, including planning matters.
- (3) Establishes a public register of 'meaningful Councillor interactions' with developers, submitters, lobbyists and other people with a direct interest in a planning scheme amendment, development plan, planning permit application, or any other planning decision under the *Planning and Environment Act 1987*, **where Council is the Responsible Authority, and where a 'meaningful interaction' is an interaction that discusses the substantive nature of the planning decision to be made, for example, the height of a proposed development, car parking requirements, and whether an application is to be supported or not.**
- (4) The register is to record:
 - a) the address and application number and or title of the planning permit application, development plan, planning scheme amendment or any other planning matter.
 - b) the date and time of the interaction.
 - c) the name of the Councillor/s who interacted with the developer and/or submitter and/or lobbyist and any other person with an interest in the planning matter.
 - d) the name of the person/s the Councillor/s met with, and their role in relation to the planning matter.
 - e) whether an officer attended the meeting with the Councillor. Only the title of the officer will be recorded.
 - f) the purpose of the interaction and a summary of what was discussed.
- (5) Requires that any Councillor who has a 'meaningful interaction' described in point (3) above provides the details set out in point (4) above to the General Manager Governance and Engagement within 5 days, for recording in the public register.
- (6) That the public register of Councillor interactions:
 - a) be published on the Council website and updated at a minimum every month.
 - b) be tabled at Planning Committee meetings for noting.

Council Resolution**MINUTE NO. 23-084**

MOVED: Cr. T Laurence
SECONDED: Cr. S Rennie

That Council:

- (1) Notes the planning probity risks identified and described in the Operation Sandon special report.
- (2) Notes that the Darebin Councillor Code of Conduct 2021 and Councillor Gift Policy March 2023 provides expectations, roles, responsibilities and procedures to achieve high levels of integrity and public trust in all Council matters, including planning matters.
- (3) Establishes a public register of 'meaningful Councillor interactions' with developers, submitters, lobbyists and other people with a direct interest in a planning scheme amendment, development plan, planning permit application, or any other planning decision under the Planning and Environment Act 1987, where Council is the Responsible Authority, and where a 'meaningful interaction' is an interaction that discusses the substantive nature of the planning decision to be made, for example, the height of a proposed development, car parking requirements, and whether an application is to be supported or not.
- (4) The register is to record:
 - a) the address and application number and or title of the planning permit application, development plan, planning scheme amendment or any other planning matter.
 - b) the date and time of the interaction.
 - c) the name of the Councillor/s who interacted with the developer and/or submitter and/or lobbyist and any other person with an interest in the planning matter.
 - d) the name of the person/s the Councillor/s met with, and their role in relation to the planning matter.
 - e) whether an officer attended the meeting with the Councillor. Only the title of the officer will be recorded.
 - f) the purpose of the interaction and a summary of what was discussed.
- (5) Requires that any Councillor who has a 'meaningful interaction' described in point (3) above provides the details set out in point 3) 4) above to the General Manager Governance and Engagement within 5 days, for recording in the public register.
- (6) That the public register of Councillor interactions:
 - a) be published on the Council website and updated at a minimum every month.
 - b) be tabled at Planning Committee meetings for noting.

CARRIED UNANIMOUSLY

9.7

PROPERTY MATTERS - SALE OF MINOR ASSETS

EXECUTIVE SUMMARY

This report recommends completion of the statutory procedures for the proposed discontinued road and sale of road abutting 27 Zoe Circuit Northcote, shown hatched in Figure 1 in **Appendix A**.

This report recommends Council endorse the discontinuance and sale, having given public notice of a proposal to discontinue the road and sell the land to the owners of 27 Zoe Circuit, Northcote, by private treaty and transfer to itself any land from the road not sold in accordance with Council's Sale of Minor Assets Policy May 2022.

Council Resolution**MINUTE NO. 23-085**

MOVED: Cr. S Rennie
SECONDED: Cr. T McCarthy

Sale of discontinued road adjoining 27 Zoe Circuit, Northcote**That Council:**

Having given public notice of a proposal to discontinue and sell the Road adjoining the rear of 27 Zoe Circuit, Northcote, and having received no written and verbal submissions regarding the proposal:

- (1) Discontinues the roads abutting 27 Zoe Circuit, Northcote, shown hatched in Figure 1 in Appendix A, acting under section 206 and clause 3(a) of Schedule 10 to the Local Government Act 1989.
- (2) Directs that notice of the discontinuance be published in the Victoria Government Gazette.
- (3) Directs that the land from the road be sold by private treaty to the owners of the adjoining properties in accordance with section 206 and clause 3(b) of Schedule 10 of the Local Government Act 1989 and section 114 of the Local Government Act 2020 and Council's Sale of Minor Assets Policy May 2022.
- (4) Authorises the Chief Executive Officer to sign all documents relating to the sale of any land from the discontinued roads and reserve to the owners of the adjoining properties by private treaty in accordance with Council's Sale of Minor Assets Policy May 2022.
- (5) Directs that the discontinuance and sale will not affect any right, power or interest held by CitiPower and Darebin City Council, in the roads in connection with any cables under the control of CitiPower and Darebin City Council in or near the roads and reserve.

CARRIED UNANIMOUSLY

9.8

GOVERNANCE REPORT - SEPTEMBER 2023

EXECUTIVE SUMMARY

- Summary of Advisory Committees, Councillor Briefing and other informal meetings of Councillors (**Appendix A**).
- Reports by Mayor and Councillors.
- Responses to public questions taken on notice at the Council Meeting held on 28 August 2023 (**Appendix B**).
- Audit and Risk Committee Revised Charter (**Appendix C**).
- Revised Advisory Committee Model Terms of Reference (**Appendix E**).
- Change of venue for Council meeting to be held on 23 October 2023.
- Review of S6 Instrument of Delegation to members of Council staff (**Appendix F**).

Officer Recommendation**That Council:**

- (1) Notes the Governance Report – September 2023.
- (2) Notes the Summary of attendance at Councillor Briefings at Appendix A to this report, for incorporation in the minutes of this meeting.
- (3) Notes that reports by Mayors and Councillors submitted prior to the meeting and circulated to Councillors, for incorporation in the minutes of this meeting.
- (4) Notes the response to questions taken on notice during Public Question Time at the Council Meeting held 28 August 2023 at Appendix B.
- (5) Endorses the Audit and Risk Committee Charter at Appendix C.
- (6) Endorses the revised Model Terms of Reference for Councils Community Advisory Committees / Community Reference Groups at Appendix E.
- (7) Resolves to hold the Council meeting on 23 October 2023 at 6pm, in the Council Chamber as a hybrid meeting.
- (8) In the exercise of the powers conferred by Section 11 of the *Local Government Act 2020* (the Act) and the other legislation referred to in the attached Instrument of Delegation, resolves:
 - a) To delegate to the members of Council staff holding, acting in or performing the duties of the officers or positions referred to in the '*Instrument of Delegation to members of Council staff (S6)*' (Appendix F) the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
 - b) Adopts and affix Council's Common Seal to the following Instrument of Delegation provided as an attachment to this report:
 - Instrument of Delegation from Council to members of Council Staff (S6) (Appendix F).
 - c) That this instrument come into force immediately the Common Seal of Council is affixed.

Amended Officer Recommendation

That Council:

- (1) Notes the Governance Report – September 2023.
- (2) Notes the Summary of attendance at Councillor Briefings at Appendix A to this report, for incorporation in the minutes of this meeting.
- (3) Notes that reports by Mayors and Councillors submitted prior to the meeting and circulated to Councillors, for incorporation in the minutes of this meeting.
- (4) Notes the response to questions taken on notice during Public Question Time at the Council Meeting held 28 August 2023 at Appendix B.
- (5) Endorses the Audit and Risk Committee Charter at Appendix C.
- (6) Endorses the revised Model Terms of Reference for Councils Community Advisory Committees / Community Reference Groups at Appendix E.
- (7) Resolves to hold the Council meeting on 23 October 2023 at 6pm, in the Council Chamber as a hybrid meeting.
- (8) Notes the ‘Instrument of Delegation to members of Council staff (S6)’ (Appendix F) has been amended to remove reference to officer position title changes.**
- (9) In the exercise of the powers conferred by Section 11 of the *Local Government Act 2020* (the Act) and the other legislation referred to in the attached Instrument of Delegation, resolves:
 - a) To delegate to the members of Council staff holding, acting in or performing the duties of the officers or positions referred to in the ‘Instrument of Delegation to members of Council staff (S6)’ (Appendix F) the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
 - b) Adopts and affix Council’s Common Seal to the following Instrument of Delegation provided as an attachment to this report:
 - Instrument of Delegation from Council to members of Council Staff (S6) (Appendix F).
 - c) That this instrument come into force immediately the Common Seal of Council is affixed.
- (10) Authorises the Chief Executive Officer to make any administrative amendments to officer position titles of the ‘Instrument of Delegation to members of Council staff (S6)’ upon the finalisation of the organisational structure.**

7.28pm – *The meeting adjourned for a break.*

7.40pm – *The meeting resumed.*

Motion

MOVED: Cr. E Dimitriadis

SECONDED: Cr. T Laurence

That Council:

- (1) Notes the Governance Report – September 2023.
- (2) Notes the Summary of attendance at Councillor Briefings at Appendix A to this report, for incorporation in the minutes of this meeting.
- (3) Notes that reports by Mayors and Councillors submitted prior to the meeting and circulated to Councillors, for incorporation in the minutes of this meeting.
- (4) Notes the response to questions taken on notice during Public Question Time at the Council Meeting held 28 August 2023 at Appendix B.
- (5) Endorses the Audit and Risk Committee Charter at Appendix C.
- (6) Endorses the revised Model Terms of Reference for Councils Community Advisory Committees / Community Reference Groups at Appendix E.
- (7) Resolves to hold the Council meeting on 23 October 2023 at 6pm, in the Council Chamber as a hybrid meeting.
- (8) Notes the 'Instrument of Delegation to members of Council staff (S6)' (Appendix F) has been amended to remove reference to officer position title changes.
- (9) In the exercise of the powers conferred by Section 11 of the Local Government Act 2020 (the Act) and the other legislation referred to in the attached Instrument of Delegation, resolves:
 - a) To delegate to the members of Council staff holding, acting in or performing the duties of the officers or positions referred to in the 'Instrument of Delegation to members of Council staff (S6)' (Appendix F) the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
 - b) Adopts and affix Council's Common Seal to the following Instrument of Delegation provided as an attachment to this report:
 - Instrument of Delegation from Council to members of Council Staff (S6) (Appendix F).
 - c) That this instrument come into force immediately the Common Seal of Council is affixed.
- (10) Authorises the Chief Executive Officer to make any administrative amendments to officer position titles of the 'Instrument of Delegation to members of Council staff (S6)' upon the finalisation of the organisational structure.
- (11) **Requests the CEO to engage with the Mayor and Councillors to determine an appropriate date to move the Special Council meeting to elect the Mayor and Deputy Mayor from 30 November 2023, to enable all Councillors to attend.**

The motion was put and carried and became the council resolution as follows:

Council Resolution**MINUTE NO. 23-086****MOVED: Cr. E Dimitriadis****SECONDED: Cr. T Laurence****That Council:**

- (1) Notes the Governance Report – September 2023
- (2) Notes the Summary of attendance at Councillor Briefings at Appendix A to this report, for incorporation in the minutes of this meeting.
- (3) Notes that reports by Mayors and Councillors submitted prior to the meeting and circulated to Councillors, for incorporation in the minutes of this meeting.
- (4) Notes the response to questions taken on notice during Public Question Time at the Council Meeting held 28 August 2023 at Appendix B.
- (5) Endorses the Audit and Risk Committee Charter at Appendix C.
- (6) Endorses the revised Model Terms of Reference for Councils Community Advisory Committees / Community Reference Groups at Appendix E
- (7) Resolves to hold the Council meeting on 23 October 2023 at 6pm, in the Council Chamber as a hybrid meeting.
- (8) Notes the 'Instrument of Delegation to members of Council staff (S6)' (Appendix F) has been amended to remove reference to officer position title changes.
- (9) In the exercise of the powers conferred by Section 11 of the Local Government Act 2020 (the Act) and the other legislation referred to in the attached Instrument of Delegation, resolves:
 - a) To delegate to the members of Council staff holding, acting in or performing the duties of the officers or positions referred to in the 'Instrument of Delegation to members of Council staff (S6)' (Appendix F) the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
 - b) Adopts and affix Council's Common Seal to the following Instrument of Delegation provided as an attachment to this report:
 - Instrument of Delegation from Council to members of Council Staff (S6) (Appendix F).
 - c) That this instrument come into force immediately the Common Seal of Council is affixed.
- (10) Authorises the Chief Executive Officer to make any administrative amendments to officer position titles of the 'Instrument of Delegation to members of Council staff (S6)' upon the finalisation of the organisational structure.
- (11) Requests the CEO to engage with the Mayor and Councillors to determine an appropriate date to move the Special Council meeting to elect the Mayor and Deputy Mayor from 30 November 2023m to enable all Councillors to attend.

CARRIED**For:** Cr's Dimitriadis, Rennie, Greco, McCarthy, Laurence, and Williams (6)**Against:** Cr. Newton (1)

The updated Instrument of Delegation from Council to members of Council Staff (S6) has been included as Attachment 1 of the minutes.

REPORTS BY MAYOR AND COUNCILLORS – 25 SEPTEMBER 2023**REPORT OF CR. JULIE WILLIAMS, MAYOR**

Cr. Williams reported on her attendance at the following functions/activities

- 3 x Councillor Briefing Sessions
- 4 x Councillor only meetings
- 1 x Mayor, Deputy Mayor, and CEO meeting
- 1 x Mayor, Deputy Mayor meeting
- 2 x Mayor and CEO meeting
- Monthly Council Meeting
- 2 x Meeting with local resident
- Joint Councillor and Officer Victorian Local Government Association Governance Advisory Network Meeting
- Women and Girls Football Extravaganza Day at the Home of the Matildas
- Ganbu Gulin: Lore - FUSE Spring 2023 Opening Event
- Breavington Day Celebration - Memorial Award Ceremony and Formal Presentation
- FUSE Festival - Pony Cam - All Of This Could Be Yours
- Townhall Avenue Preston Welcome and Walkthrough
- Victoria Police Darebin Community Safety Forum
- Northcote Aquatic Recreation Centre video package with Kane
- Darebin Mayors Writing Awards Announcement of Winners & Launch D'Scribe
- AGAPI Care Academy and Community Centre – Grand Opening
- Rezza Murals Launch
- Bundoora Homestead Arts Centre - Truth Telling Launch Event
- St Mark's Coptic Orthodox Church - Annual Festival 2023 Banquet Lunch
- Preston Symphony Orchestra - Awards Presentation at the Annual Youth Concerto Competition
- Audit and Risk Committee Meeting
- Planning Committee Meeting
- Site visit regarding caravan problem at Cramer Street, Preston
- Meeting with artist and activist - Merri Creek and the Art of Detritus: An Exhibition - Caroline Lunt - Northcote Library
- Citizenship Ceremony
- Northern Councils Alliance - Mayor and CEO Meeting
- Meeting with Save The Preston Market Group
- Pieces of Darebin Spring Salon - Community Art Exhibition Opening – Darebin Bridge

- FUSE Films Family Matinee – Preston City Hall
- Smoking Ceremony performed by Wurundjeri Woi-wurrung Elder - Council Chambers
- Intercultural Centre Holiday Program: Calligraphy with Kids - Celebrating Our Names
- Reservoir Suburban Revitalisation Board Meeting
- Pre-Council Meeting Briefing
- Victorian Wheelchair Rugby Grand Final Event - Narrandjeri Stadium
- Rezza Bike Day Event

REPORT OF CR. LINA MESSINA

Cr. Messina was on approved leave of absence and did not submit a report.

REPORT OF CR. GAETANO GRECO

Cr. Greco reported on his attendance at the following functions/activities:

- Pre-Council meeting briefing
- Catch-up with CEO
- Chaired Welcoming Cities Reference Group
- Chaired Interfaith Advisory Committee
- Weekly Councillor Meeting
- Councillor's Briefing
- Darebin Arts and Heritage Advisory Panel
- AHAAC
- CEO Employment Matters Committee
- Attending to issues raised by resident's:
 - Local traffic management
 - Council Home care services
 - Vacant Council buildings in Darebin

REPORT OF CR. TIM LAURENCE

Cr. Laurence reported on his attendance at the following functions/activities:

- Council meeting
- Planning meeting
- Councillor briefings
- Bundoora Homestead Arts Centre First Nations exhibition
- Reservoir Leisure Centre - Rezza bike day
- Reservoir revitalisation community Planting day Cheddar Rd

- Consultation on sports, Darebin Creek and animal control issues
- Consultation with residents
- Meeting of Darebin residents on planning issues

REPORT OF CR. SUSANNE NEWTON

Cr. Newton reported on her attendance at the following functions/activities:

- Fortnightly meetings with Mayor Williams
- Fortnightly meetings with CEO Peter Smith and Mayor Williams
- Smoking ceremony of Council chamber
- Weekly Councillor briefings
- Pre-Council meeting briefing
- Williamson Community Leadership Program visit to Servants Community House; visit to Repurpose It in Epping, panel discussion on prosperity; and leadership day.
- Melbourne 'Yes' rally
- Chairing Darebin's Sexuality, Sex and Gender Diversity (SSGD) Advisory Committee
- Climate change and wellbeing: how can we strengthen our communities? Climate Emergency Australia webinar
- Metropolitan Transport Forum ambassadors meeting
- Metropolitan Transport Forum monthly meeting
- Chairing Darebin Art & Heritage Advisory Panel meeting
- Launch and walk through of new social housing project built over council land in Preston
- Ganbu Gulin FUSE Spring opening event
- Local Government Governance Advisory Network (GAN) meeting (VLGA)
- Celebratory concert at the Salvation Army Preston - Centenary of the Preston Citadel Band
- Meeting with CEO Peter Smith
- Celebration of life for Darebin resident
- Buses and the future of Australian cities, online lecture
- Board Representation: Promoting Cultural Safety and Addressing the Power Gap, Creative Australia Governance Conversations webinar
- Public Galleries of Victoria tour of City of Melbourne Art and Heritage Collection store

REPORT OF CR. SUSAN RENNIE

Cr. Rennie reported on her attendance at the following functions/activities:

- Council meeting
- Weekly Councillor informal meetings
- Council briefings
- Melbourne 'Yes' rally
- Launch and walk through of new social housing project built over council land in Preston
- Ganbu Gulin FUSE Spring opening event
- Celebratory concert at the Salvation Army Preston - Centenary of the Preston Citadel Band
- Your CH Referendum event with Sheena Watts
- Screening of The Last Daughter at the Darebin Intercultural Centre
- Gender Equity Advisory Meeting
- Gambling Reform celebration at Parliament house
- Village Power Ministerial Announcement at ACC
- Emails and phone calls with residents

REPORT OF CR. TRENT MCCARTHY

Cr. McCarthy reported on his attendance at the following functions/activities:

- Planning Committee meeting
- Councillor briefings
- Councillor meetings
- Climate Emergency Australia (CEA) Executive meeting
- Cities Power Partnership Climate Summit
- Cities Power Partnership EV Campaign media event
- Ganbu Gulin FUSE Spring opening event
- Meeting with new MCMC Executive Officer

REPORT OF CR. EMILY DIMITRIADIS

Cr. Dimitriadis did not submit a report.

REPORT OF CR. TOM HANNAN

Cr. Hannan was on approved leave of absence and did not submit a report.

9.9 SUBMISSION TO THE FEDERAL GOVERNMENT MULTICULTURAL FRAMEWORK REVIEW

EXECUTIVE SUMMARY

The Federal Government, through the Department of Home Affairs is receiving submissions on a review of the Multicultural Framework (the Review). The Review is looking at ways for government and the community to work together to support a cohesive multicultural society and advance a vibrant and prosperous future for all Australians.

The Submission (**Appendix A**) includes an overview of Council's leadership in cultural diversity inclusion activities and provides recommendations for the panel's consideration based on relevant priorities and Council's Advocacy Strategy 2021 – 2026.

Council is an executive member of the Mayoral Taskforce Supporting People Seeking Asylum (Taskforce), this report also considers a draft submission (**Appendix B**). from the Taskforce. Submissions to the Review close on 29 September.

Officer Recommendation

That Council:

- (1) Welcomes the Federal Government's Multicultural Framework Review which is looking at ways for all levels of government and the community to work together to support a cohesive multicultural society and advance a vibrant and prosperous future for all Australians.
- (2) Endorses the Council submission as outlined in (**Appendix A**) and delegates to the Chief Executive Officer (or delegate) the ability to make minor editorial amendments that do not alter the substantive submission to enable lodgement by 29 September 2023.
- (3) Notes the draft submission (**Appendix B**) by the Mayoral Taskforce Supporting People Seeking Asylum and supports the high-level intent provided.

Motion

MOVED: Cr. G Greco
SECONDED: Cr. T Laurence

That Council:

- (1) Welcomes the Federal Government's Multicultural Framework Review which is looking at ways for all levels of government and the community to work together to support a cohesive multicultural society and advance a vibrant and prosperous future for all Australians.
- (2) Endorses the Council submission as outlined in (Appendix A) and delegates to the Chief Executive Officer (or delegate) the ability to make minor editorial amendments that do not alter the substantive submission to enable lodgement by 29 September 2023 **with the following amendments:**

- a) 2.1 Request that the Federal Government broaden the scope of the review of the Framework to ensure that mainstream Australia is also addressed as part of the Review Panel's deliberations.
 - b) 2.2 Make specific reference to the reinstatement of the Office of Multicultural Affairs, the co-ordinating policy section in Prime Minister and Cabinet to ensure a whole of government approach that provides for a cross-portfolio and an inter-governmental leadership role in the machinery of government.
 - c) 2.3 Make specific reference to the re-establishment of an empirically focussed Bureau for Immigration Multicultural and Population Research.
- (3) Notes the draft submission (Appendix B) by the Mayoral Taskforce Supporting People Seeking Asylum and supports the high-level intent provided.

Cr. Rennie proposed a minor amendment to point (2) a) to replace the words "mainstream Australia" with "the wider Australian community" as follows:

- (2) a) 2.1 Request that the Federal Government broaden the scope of the review of the Framework to ensure that ~~Mainstream Australia~~ **the wider Australian community** is also addressed as part of the Review Panel's deliberations.

The amendment was accepted by the mover and the seconder.

The motion was put and carried and became the council resolution as follows:

Council Resolution

MINUTE NO. 23-087

MOVED: Cr. G Greco
SECONDED: Cr. T Laurence

That Council:

- (1) Welcomes the Federal Government's Multicultural Framework Review which is looking at ways for all levels of government and the community to work together to support a cohesive multicultural society and advance a vibrant and prosperous future for all Australians.
- (2) Endorses the Council submission as outlined in (Appendix A) and delegates to the Chief Executive Officer (or delegate) the ability to make minor editorial amendments that do not alter the substantive submission to enable lodgement by 29 September 2023 with the following amendments:
 - a) 2.1 Request that the Federal Government broaden the scope of the review of the Framework to ensure that the wider Australian community is also addressed as part of the Review Panel's deliberations.
 - b) 2.2 Make specific reference to the reinstatement of the Office of Multicultural Affairs, the co-ordinating policy section in Prime Minister and Cabinet to ensure a whole of government approach that provides for a cross-portfolio and an inter-governmental leadership role in the machinery of government.
 - c) 2.3 Make specific reference to the re-establishment of an empirically focussed Bureau for Immigration Multicultural and Population Research.
- (3) Notes the draft submission (Appendix B) by the Mayoral Taskforce Supporting People Seeking Asylum and supports the high-level intent provided.

CARRIED UNANIMOUSLY

10. ITEMS TO BE TABLED

Nil

11. NOTICES OF MOTION

Nil

12. URGENT BUSINESS

Nil

13. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

Nil

14. CLOSE OF MEETING

The meeting closed at 8.06pm.



S6 Instrument of Delegation to Members of Council Staff

Darebin City Council

Instrument of Delegation

to

Members of Council Staff



INSTRUMENT OF DELEGATION MEMBERS OF COUNCIL STAFF

In exercise of the powers conferred by the 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. record that reference in the Schedule are as follows:

Acronym		Title
Admin – P&B	means	All Administration Staff – Planning and Building
AA	means	Appeals Advocate
AMCD	means	Assistant Manager City Development
BSO(B&P)	means	Business Support Officer (Business and Performance)
BSO(HP)	means	Business Support Officer (Health Protection)
CAS	means	Coordinator Asset Strategy
CEO	means	Chief Executive Officer
CFO	Means	Chief Finance Officer
CG&C	means	Coordinator Graffiti & Compliance
CHP	means	Coordinator Health Protection
CI&FM	means	Coordinator Infrastructure and Fleet Maintenance
CPD	means	Coordinator Priority Development
CSP	means	Coordinators Statutory Planning
CSTP	means	Coordinator Strategic Planning
CST	Means	Coordinator Sustainable Transport
CW&DRRC	means	Coordinator Waste & DRRC
EHT	Means	Environmental Health Technician
GMC	means	General Manager Community
GMCS&S	means	General Manager City Sustainability and Strategy
GMG&E	means	General Manager Governance & Engagement
GMO&C	means	General Manager Operations & Capital

HGR	means	Head of Governance & Risk
HPO	means	Health Protection Officer
MBS	means	Municipal Building Surveyor
MC&MP	means	Manager Capital & Major Projects
MCD	means	Manager City Development
MCF	means	Manager City Futures
MCS&C	means	Manager City Safety & Compliance
MCW	means	Manager City Works
MCE&ST	means	Manager Climate Emergency & Sustainable Transport
MG&C	means	Manager Governance & Communications
MP&AS	means	Manager Property & Asset Strategy
PIO	means	Planning Investigation Officer
PDP	means	Priority Development Planner
PSP	means	All Principal Statutory Planners
SCL	means	Subdivision Customer Liaison
Service Manager or Coordinator	means	The Manager or Coordinator responsible for Council service or facility
SEHO	means	Senior Environmental Health Officer
SO	means	Subdivision Officer
SP	means	All Statutory Planners
SPA	means	Statutory Planning Assistants
SPIO	means	Senior Planning Investigation Officer
SSO	means	Senior Subdivision Officer
SSP	means	All Senior Statutory Planners
STDP	means	Student Planner
STE	Means	Senior Transport Engineer
STP	means	All Strategic Planners
TE	means	All Transport Engineers
TLB&P	means	Team Leader Business and Performance
TLCP&P	means	Team Leader Community Projects & Programs
TLLL	means	Team Leader Local Laws
TLTP	means	Team Leader Transport Planning
TLTS1	means	Team Leader Transport Safety

- 3. declares that:
 - 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 24 May 2023; and
 - 3.2 the delegation:
 - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 3.2.2 revokes the delegation issued by Council on 28 November 2022 ;
 - 3.2.3 remains in force until varied or revoked;
 - 3.2.4 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 3.2.5 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 3.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 3.3.1 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;
 - 3.3.2 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
 adopted by Council;
 - 3.3.3 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; or
 - 3.3.4 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 or delegated committee.

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

Signed by the Mayor in the presence of)
)

Witness

Date:

Signed by the Chief Executive Officer of Council in the presence of)
)

Witness

Date:

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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	GMCS&S, MCS&C, TLB&P, TLLL	Council may delegate this power to a Council authorised officer.

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	CHP, SEHO, HPO	If s 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	CHP, SEHO, HPO	If s 19(1) applies.
s.19(3)	power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	CEO	If s 19(1) applies. Only in relation to temporary food premises or mobile food premises.
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	GMCS&S, CHP, SEHO, HPO, EHT	If s 19(1) applies.
s.19(6)(a)	duty to revoke any order under s 19 if satisfied that an order has been complied with	SEHO, HPO, CHP, EHT	If s 19(1) applies.
s.19(6)(b)	duty to give written notice of revocation under s 19(6)(a) if satisfied that an order has been complied with	CHP, SEHO, HPO, EHT	If s 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).	CHP, SEHO, HPO	Where Council is the registration authority.
s.19AA(4)(c)	power to direct, in an order made under s19AA(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 s 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 s 19AA and give written notice of revocation, if satisfied that that order has been complied with	CHP, SEHO, HPO, EHT	Where Council is the registration authority.
s.19CB(4)(b)	power to request a copy of records	CHP, SEHO, HPO, EHT,	Where Council is the registration authority.
s.19E(1)(d)	power to request a copy of the food safety program	CHP, SEHO, HPO, EHT	Where Council is the registration authority.
s.19EA (3)	Function of receiving copy of revised food safety program	CHP, SEHO, HPO, EHT, BSO(HP)	Where Council is the registration authority.

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19GB	power to request a proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	CHP, SEHO, HPO, EHT, BSO(HP)	Where Council is the registration authority.
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	CHP, SEHO, HPO	Where Council is the registration authority.
s19IA(2)	Duty to give written notice to the proprietor of the premises	CHP, SHE, HPO	Where Council is the registration authority. Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))
s.19M(4)(a) & (5)	power to conduct a food safety audit and take actions where deficiencies are identified	CHP, SEHO, HPO,EHT	Where Council is the registration authority.
s19N (2)	Function of receiving notice from the auditor	CHP, SEHO, HPO, EHT, BSO(HP)	Where Council is the registration authority.
s.19NA(1)	power to request food safety audit reports	CHP, SEHO, HPO,EHT	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	CHP	
s.19UA	power to charge fees for conducting a food safety assessment or inspection	CHP	Except for an assessment required by a declaration under s 19C or an inspection under s 38B(1)(c) or 39.
s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	CHP, SEHO, HPO,EHT	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	CHP, SEHO, HPO,EHT	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	CHP, SEHO, HPO,EHT	Where Council is the registration authority.

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
---	power to register or renew the registration of a food premises	CHP, SEHO, HPO,EHT	Where Council is the registration authority. Refusal to grant/or renew the registration of a food premises must be ratified by Council or the CEO (see section 58A (2)).
s. 36A	power to accept an application for registration or notification using online portal	CHP, SEHO, HPO, EHT, BSO(HP)	Where Council is the registration authority
s.36B	duty to pay the charge for use of online portal	CHP, SEHO, HPO	Where Council is the registration authority
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	CHP, SHE, HPO, EHT	Where Council is the registration authority.
s.38AB(4)	power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	CHP	Where Council is the registration authority.
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.38A(4)	power to request a copy of a completed food safety program template	CHP, SEHO, HPO,EHT	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	CHP, SEHO, HPO,EHT	Where Council is the registration authority.
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of s 38A	CHP, SEHO, HPO, EHT	Where Council is the registration authority.
s.38B(2)	duty to be satisfied of the matters in s 38B(2)(a)-(b)	CHP, SEHO, HPO, EHT	Where Council is the registration authority.
s.38D(1)	duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	CHP, SEHO, HPO, EHT	Where Council is the registration authority.
s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	CHP, SEHO, HPO, EHT	Where Council is the registration authority.
s.38D(3)	power to request copies of any audit reports	CHP, SEHO, HPO, EHT, BSO(HP)	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	CHP	Where Council is the registration authority. Not exceeding the prescribed time limit defined under S 38E(5)
s.38E(4)	duty to register the food premises when conditions are satisfied	CHP, SEHO, HPO, EHT	Where Council is the registration authority.
s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	CHP, SEHO, HPO, EHT	Where Council is the registration authority.
s. 38G(1)	power to require notification of change of the food safety program type used for the food premises	CHP, SEHO, HPO, EHT	Where Council is the registration authority
s. 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	CHP, SEHO, HPO, EHT	Where Council is the registration authority
s. 38G(4)	power to require the proprietor of the food premises to comply with any requirement of the Act	CHP, SEHO, HPO, EHT	Where Council is the registration authority
s. 39 (2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	CHP, SEHO, HPO, EHT	Where Council is the registration authority
s.39A	power to register or renew the registration of a food premises despite minor defects	CHP, SEHO, HPO, EHT	Where Council is the registration authority. Only if satisfied of matters in s 39A(2)(a)-(c)
s 39A (6)	Duty to comply with a direction of the Secretary	CHP, SEHO, HPO, EHT	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	CHP, SEHO, HPO, EHT	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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>	CHP	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	CHP, SEHO, HPO, EHT	Where Council is the registration authority.
s.40D(1)	power to suspend or revoke the registration of food premises	CHP	Where Council is the registration authority. In consultation with the GMSC&S. Action must be ratified by Council.
s. 40E	Duty to comply with direction of the Secretary	CHP, SEHO, HPO, EHT, BSO(HP)	
s. 40F	power to cancel registration of food premises	CHP, SEHO, HPO, EHT, BSO(HP)	Where Council is the registration authority
s. 43	Duty to maintain records of registration	CHP, SEHO, HPO, EHT, BSO(HP)	Where Council is the registration authority
s.43F(6)	duty to be satisfied that registration requirements under Division 3 have been met prior to registering, or renewing registration of a component of a food business	CHP, SEHO, HPO, EHT	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	CHP, SEHO, HPO, EHT	Where Council is the registration authority.
s.45AC	Power to bring proceedings	CHP, SEHO	
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	CHP, SEHO	Where Council is the registration authority. In consultation with the GMCS&S.

HERITAGE ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.116	power to sub-delegate the Executive Director's functions, duties or powers	MCD, AMCD	<p>Must first obtain the Executive Director's written consent.</p> <p>Council can only sub-delegate if the instrument of delegation from the Executive Director authorises sub- delegation.</p> <p>'Executive Director' means the Executive Director of Heritage Victoria.</p>

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.185L(4)	Power to declare and levy a cladding rectification charge	CEO ²	Council has not entered into any cladding rectification charge agreements.

²The only member of staff who can be a delegate in Column 3 is the CEO.

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 Victorian Planning Provisions	MCD, AMCD, MCF, CSTP	If authorised by the Minister.
s.4G	function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	GMCS&S, MCD, AMCD, MCF	
s.4H	duty to make amendment to the Victorian Planning Provisions available in accordance with public availability requirements	MCF, CSTP, STP	
s.4I (2)	duty to make a copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	MCF, CSTP	
s.8A(2)	power to prepare an amendment to the planning scheme where the Minister has given consent under s 8A	MCF, CSTP	
s.8A(3)	power to apply to the Minister to prepare an amendment to the planning scheme	GMCS&S, MCF, MCD, AMCD	
s.8A(5)	function of receiving notice of the Minister's decision	GMCS&S, MCF, MCD, AMCD	
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	MCF, 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	
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	MCF, CSTP	
s.12B(1)	duty to review the planning scheme	MCF, CSTP	
s.12B(2)	duty to review planning scheme at direction of the Minister	MCF, CSTP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.12B(5)	duty to report findings of a review of the planning scheme to the Minister without delay	MCF, CSTP	
s.14	Duties of a Responsible Authority as set out in s 14 (a)-(d)	MCD, AMCD, MCF, CSP, CPD	
s.17(1)	duty of giving a copy of an amendment to the planning scheme	MCF, CSTP, STP,SCL, STDP, Admin - P&B	
s.17(2)	duty of giving a copy of a s 173 agreement	MCD, AMCD, MCF, CSP, CPD, PSP, PDP, AA, SSP, SP, STP	
s.17(3)	duty of giving a copy of amendment, explanatory report and relevant documents to Minister within 10 business days	GMCS&S, MCD, AMCD, CSP, CPD, PSP, PDP, AA,	
s.18	duty to make an amendment etc. available in accordance with public availability requirements	MCF, CSTP, STP	Until the proposed amendment is approved or lapsed
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 s 19 to a planning scheme	MCD, AMCD, MCF	
s.19	function of receiving notice of preparation of an amendment to a planning scheme	GMCS&S, MCF, MCD, AMCD,	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(A)	Power to apply to Minister to prepare an amendment in a prescribed class	GMCS&S	To allow officers to apply to Minister to carry out an amendment to the Darebin Planning Scheme for prescribed classes of fix ups to the Darebin Planning Scheme These are always administrative and minor in nature and require no notice through the Act.
s.20(1)	power to apply to Minister for exemption from the requirements of s 19	GMCS&S, MCD, AMCD, MCF	Where Council is a Planning authority

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.20(2) GMCS&S	Power to apply to Minister for a planning scheme amendment exemption from the requirements of s 19	GMCS&S	To allow officers to apply to Minister to carry out an amendment to the Darebin Planning Scheme for fix-up amendments that require no notice.
s.20(4)	Power to apply to Minister to prepare a planning scheme amendment to exempt themselves from notice requirements of s 19	GMCS&S	To allow officers to apply to Minister to carry out Ministerial amendment for an interim heritage overlay, where Council has already resolved to seek an interim heritage overlay. This is for the time before an interim heritage overlay is approved by the Minister, if any demolition requests come in where we need to lodge a fresh amendment request in order to suspend demolition S29A request under the Building Act.
s.21(2)	duty to make submissions available in accordance with public availability requirements	MCF, CSTP, STP	Relates to planning scheme amendments. Until the end of 2 months after the amendment comes into operation or lapses
s.21A(4)	Duty to publish notice	MCF, CSTP, STP	
s.22 (1)	duty to consider all submissions received before the date specified in the notice	Not delegated	Except submissions which request a change to the items in s.22(5)(a) and (b). Council/Planning Committee decision required.
s.22 (2)	Power to consider a late submission Duty to consider a late submission, if directed by the Minister	GMCS&S, MCF, CSTP	
s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	MCF, CSTP,	
s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	MCF, CSTP, STP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.24	function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	MCD, AMCD, MCF CSP, CPD, CSTP, PSP, PDP, AA, SSP, SP, STP	
s.26(1)	power to make a report available for inspection in accordance with the requirements set out in s 197B of the Act	MCD, AMCD, MCF, CSP, CPD, CSTP, PSP, PDP, AA, SSP, SP, STP	
s.26(2)	duty to keep the report of panel available in accordance with public availability requirements	MCF, CSTP, STP	During the Inspection period
s.27(2)	power to apply for exemption if panel's report is not received	MCD, AMCD, MCF	
s.28 (1)	duty to notify Minister if abandoning an amendment	GMCS&S, MCD, AMCD, MCF	Note: the power to make a decision to abandon an amendment cannot be delegated.
s. 28(2)	duty to publish notice of the decision on Internet site	MCD, AMCD	
s. 28(4)	duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	MCD, AMCD	
s.30(4)(a)	duty to say if an amendment has lapsed	MCF, CSTP, STP	
s.30(4)(b)	duty to provide information in writing upon request	MCF, CSTP, STP	
s.32(2)	duty to give more notice if required	MCF, CSTP, STP	
s.33(1)	duty to give more notice of changes to an amendment	MCF, CSTP, STP	
s.36(2)	duty to give notice of approval of amendment	MCF, CSTP, STP	
s.38(5)	duty to give notice of revocation of an amendment	MCF, CSTP, STP	
s.39	function of being a party to a proceeding commenced under s 39 and duty to comply with a determination by VCAT	MCF, CSTP, STP	
s.40(1)	function of lodging copy of approved amendment	MCF, CSTP, STP	
s.41 (1)	duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	MCF, CSTP, STP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.41 (2)	duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	MCF, CSTP, STP	
s.42 (2)	duty to make copy of planning scheme available in accordance with the public availability requirements	MCF, CSTP, STP	
s.46AAA	duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	Not applicable	Where Council is a responsible public entity and is a planning authority. Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of Councils.
s.46AW	function of being consulted by the Minister	GMCS&S, MCD, AMCD, MCF	Where Council is a responsible public entity.
s.46AX	function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy power to endorse the draft Statement of Planning Policy	GMCS&S, MCD, AMCD, MCF	Where Council is a responsible public entity.
s.46AZC2	to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	GMCS&S, MCD, AMCD, MCF, CSTP	Where Council is a responsible public entity.
s.46AZK	duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	GMCS&S, MCD, AMCD, MCF, CSTP	Where Council is a responsible public entity.
s.46GI(2)(b)(i)	power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	GMCS&S, CFO	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency.
s.46GJ(1)	function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	GMCS&S, CFO	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GK	duty to comply with a Minister's direction that applies to Council as the planning authority	GMCS&S, MCD, AMCD, MCF	
s.46GN(1)	duty to arrange for estimates of values of inner public purpose land	GMCS&S, MCD, AMCD, MCF, CFO	
s.46GO(1)	duty to give notice to owners of certain inner public purpose land	GMCS&S, MCD, AMCD, MCF	
s.46GP	function of receiving a notice under s 46GO	GMCS&S, MCD, AMCD, MCF, CFO	Where Council is the collecting agency.
s.46GQ	function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	GMCS&S, MCD, AMCD, MCF, CFO	
s.46GR(1)	duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	GMCS&S, MCD, AMCD, MCF, CSTP	
s.46GR(2)	power to consider a late submission duty to consider a late submission if directed to do so by the Minister	GMCS&S, MCD, AMCD, MCF, CSTP	
s.46GS(1)	power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	GMCS&S, MCD, AMCD, MCF, CFO	
s.46GS(2)	duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	GMCS&S, MCD, AMCD, MCF, CFO	
s.46GT(2)	duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	GMCS&S, MCD, AMCD, MCF, CFO	
s.46GT(4)	function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	GMCS&S, MCD, AMCD, MCF, CFO	
s.46GT(6)	function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	GMCS&S, MCD, AMCD, MCF, CFO	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GU	duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	Not delegated.	
s.46GV(3)	function of receiving the monetary component and any land equalisation amount of the infrastructure contribution power to specify the manner in which the payment is to be made	GMCS&S, MCD, AMCD, MCF, CFO	Where Council is the collecting agency
s.46GV(3)(b)	power to enter into an agreement with the applicant	GMCS&S, MCD, AMCD, MCF, CFO	Where Council is the collecting agency
s.46GV(4)(a)	function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	GMCS&S, MCD, AMCD, MCF, CFO	Where Council is the development agency
s.46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	GMCS&S, MCD, AMCD, MCF, CFO	Where Council is the collecting agency
s.46GV(7)	duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	GMCS&S, MCD, AMCD, MCF, CSTP	
s.46GV(9)	power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	GMCS&S, MCD, AMCD, MCF, CFO	Where Council is the collecting agency
s.46GX(1)	power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	GMCS&S, MCD, AMCD, CSP CPD	Where council is the collecting agency
s.46GX(2)	duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	GMCS&S, MCD, AMCD, CSP CPD	Where Council is the collecting agency
s.46GY(1)	duty to keep proper and separate accounts and records	GMCS&S, MCD, AMCD, CFO	Where Council is the collecting agency

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GY(2)	duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	GMCS&S, MCD, AMCD, CFO	Where Council is the collecting agency
s.46GZ(2)(a)	duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	MCD, AMCD	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is that planning authority
s.46GZ(2)(a)	function of receiving the monetary component	MCD, AMCD	Where the Council is the planning authority This duty does not apply where Council is also the collecting agency
s.46GZ(2)(b)	duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan as responsible for those works, services or facilities	MCD, AMCD	Where Council is the collecting agency under an approved infrastructure contribution plan This provision does not apply where Council is also the relevant development agency
s.46GZ(2)(b)	function of receiving the monetary component	MCD, AMCD	Where Council is the development agency under an approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s.46GZ(4)	duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	GMCS&S, CFO	Where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZ(5)	duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	GMCS&S, MCD, AMCD	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
s.46GZ(5)	function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	GMCS&S, MCD, AMCD	Where Council is the development agency specified in the approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZ(7)	duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	MCD, AMCD, CFO	Where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZ(9)	duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan responsible for the use and development of that land	MCD, AMCD, CFO	If any inner public purpose land is vested in Council under the <i>Subdivision Act</i> 1988 or acquired by Council before the time it is required to be provided to Council under s.46GV(4) Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s.46GZ(9)	function of receiving the fee simple in the land	MCD, AMCD	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
s.46GZA(1)	duty to keep proper and separate accounts and records	MCD, AMCD, CFO	Where Council is a development agency under an approved infrastructure contributions plan
s.46GZA(2)	duty to keep the accounts and records in accordance with the <i>Local Government Act</i> 2020	MCD, AMCD, CFO	Where Council is a development agency under an approved infrastructure contributions plan
s.46GZB(3)	duty to follow the steps set out in s 46GZB(3)(a)–(c)	CFO, MCD, AMCD	Where Council is a development agency under an approved infrastructure contributions plan
s.46GZB(4)	duty, in accordance with requirements of the VPA to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	CFO, MCD, AMCD, MG&C, HGR	If the VPA is the collecting agency under an approved infrastructure contributions plan Where Council is a development agency under an approved infrastructure contributions plan
s.46GZD(2)	duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	CFO, MCD, AMCD	Where Council is a development agency under an approved infrastructure contributions plan

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZD(3)	duty to follow the steps set out in s 46GZD(3)(a) and (b)	CFO, MCD, AMCD	Where Council is the collecting agency under an approved infrastructure contributions plan
s46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	CFO, MCD, AMCD	Where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZE(2)	duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	MCD, AMCD, CFO	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
s.46GZE(2)	function of receiving the unexpended land equalisation amount	MCD, AMCD, CFO	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s.46GZE(3)	duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3) (a) and (b)	CFO	Where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZF(2)	duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	MCD, AMCD, CFO	Where Council is the development agency under an approved infrastructure contributions plan
S.46GZF(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46GZF(3)(a) and (b)	MCD, AMCD, CFO	Where Council is the development agency under an approved infrastructure contributions plan
s.46GZF(3)	Function of receiving proceeds of sale	MCD, AMCD, CFO	Where Council is the collection agency under an approved infrastructure contributions plan This provision does not apply where Council is also the development agency

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZF(4)	duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	MCD, AMCD, CFO	Where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZF6	duty to make the payments under section 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	CFO, MCD, AMCD	Where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZH	power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	CFO	Where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZI	duty to prepare and give a report to the Minister at the times required by the Minister	MCD, AMCD, CFO	Where Council is a collecting agency or development agency
s.46GZK	power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	MCD, AMCD, CFO	Where Council is a collecting agency or development agency
s.46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB(2)	MCD, AMCD, CFO	
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SSO	
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	MCD, AMCD, MCF, CSP, CPD	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	MCD, AMCD, MCF, CSP, CPD	
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, AMCD, MCF, CSP, CPD, MBS	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	MCD, AMCD, MCF, CSP, CPD,	
s.46P(1)	power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	CHP, MCF, CSP, CPD,	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	MCD, AMCD, MCF	
s.46Q(1)	duty to keep proper accounts of levies paid	MCD, AMCD, MCF	
s.46Q(1A)	duty to forward to 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, AMCD, CSP CPD,	
s.46Q(2)	duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc.	MCD, AMCD, MCF, CSP CPD,	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	MCD, AMCD, CSTP, CSP, CPD, MC&MP	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, AMCD, CSP CPD,	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.
s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	GMCS&S, MCD, AMCD, MCF	Must be done in accordance with Part 3.
s.46Q(4)(e)	duty to expend that amount on other works etc.	MCD, AMCD, MCF, MC&MP	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, AMCD, MCF	
s.46QD	duty to prepare report and give a report to the Minister	GMCS&S, MCD, AMCD, MCF	Where Council is a collecting agency or development agency.

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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 in accordance with the public availability requirements, during the inspection period	Not applicable	
s.46V(4)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with s 197B of the Act and on payment of the prescribe fee, after the inspection period	Not applicable	
s.46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	Not applicable	
s.46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public available requirements	Not applicable	
s.46Y	duty to carry out works in conformity with the approved strategy plan	Not applicable	
s.47	power to decide that an application for a planning permit does not comply with that Act	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SO, SSO	
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	MCD, AMCD, CSP, CPD, PSP, SSP, SP, SPA, SO, SSO, SCL, STDP, Admin - P&B	
s.49(2)	duty to make register available for inspection in accordance with the public availability requirements	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SO, SSO, SCL, STDP, Admin - P&B	
s.50(4)	duty to amend applications	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SO, SSO	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.50(5)	Power to refuse to amend application	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SO, SSO	
s.50(6)	Duty to make note of amendment to application in register	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SO, SSO	
s.50A(1)	power to make amendment to application	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SO, SSO	
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SO, SSO	
s.50A(4)	duty to note amendment to an application in register	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SO, SSO, SCL, STDP, Admin – P&B	
s.51	duty to make a copy of an application available for inspection in accordance with the public availability requirements	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO, SCL, STDP, Admin – P&B	
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, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.52(1)(b)	duty to give notice of the application to other municipal Council where appropriate	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SO	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, 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, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SO	
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.52(3)	power to give any further notice of an application where appropriate	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.53(1)	power to require the applicant to give notice under s 52(1) to persons specified by it	MCD, AMCD, CSP, CPD, PSP, SSP, SP, SPA, SSO, SO	
s.53(1A)	power to require the applicant to give the notice under s 52(1AA)	MCD, AMCD, CSP, CPD, PSP, SSP, SP, SPA, SSO, SO	
s.54(1)	power to require the applicant to provide more information	CHP, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.54(1A)	duty to give notice in writing of information required under s 54(1)	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.54(1B)	duty to specify the lapse date for an application	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, 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 s 54A(3)	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.55(1)	duty to give copy application, together with the prescribed information to every referral authority specified in the planning scheme	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO, SCL, STDP, Admin - P&B	
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	MCD, AMCD, CSP, CPD, PSP, PDP, AA,	
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO, SCL, STDP, Admin - P&B	
s.57(5)	duty to make a copy of all objections available in accordance with the public availability requirements	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO, SCL, STDP, Admin - P&B	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to s 57A(5)	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SO SSO,	
s.57A(5)	power to refuse to amend application	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.57A(6)	duty to note amendments to application in register	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO, SCL, STDP, Admin - P&B	
s.57B(1)	duty to determine whether and to whom notice should be given	CMCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.57B(2)	duty to consider certain matters in determining whether notice should be given	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.57C(1)	duty to give copy of amended application to referral authority	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO, SCL, STDP, Admin - P&B	
s.58	duty to consider every application for a permit	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.58A	power to request advice from the Planning Application Committee	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.60	duty to consider certain matters	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s60(1A)	power to consider certain matters	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.60(1B)	duty to consider number of objectors in considering whether use or development may have significant social effect	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, 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, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i> . In accordance with Council's Planning Committee Charter.

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without 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, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.62(1)	duty to include certain conditions in deciding to grant a permit	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.62(2)	power to include other conditions	MCD, AMCD, CSP, CPD, PSP, SSP, SP, SPA, SSO, SO	
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SO	
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, 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 s 173 agreement	MCD, AMCD,	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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 ss 46N(1), 46GV(7) or 62(5)	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.62(6)(b)	duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SO, SCL, STDP, Admin - P&B	This provision applies also to a decision to grant an amendment to a permit – see s 75
s.64(3)	duty not to issue a permit until after the specified period	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	This provision applies also to a decision to grant an amendment to a permit – see s 75
s.64(5)	Duty to give each objector a copy of an exempt decision	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	This provision applies also to a decision to grant an amendment to a permit – see s 75
s.64A	duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	This provision applies also to a decision to grant an amendment to a permit - see s 75A
s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under s 57	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO, SCL, STDP, Admin - P&B	
s.66(1)	duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO, SCL, STDP, Admin - P&B	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO, SCL, STDP, Admin - P&B	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 a copy of its decision to refuse any permit	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO, SCL, STDP, Admin - P&B	If the recommending referral authority did not object 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 s 64 or 65	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO, SCL, STDP, Admin - P&B	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, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO, SCL, STDP, Admin - P&B	
s.69(1A)	function of receiving application for extension of time to complete development	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO, SCL, STDP, Admin - P&B	
s.69(2)	power to extend time	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.70	duty to make copy permit available in accordance with the public availability requirements	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO, SCL, STDP, Admin - P&B	
s.71(1)	power to correct certain mistakes	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.71(2)	duty to note corrections in register	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO, SCL, STDP, Admin - P&B	

PLANNING AND ENVIRONMENT ACT 1987			
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, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	In accordance with Council's Planning Committee Charter
s.74	duty to issue amended permit to applicant if no objectors	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SO	
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO, SCL, STDP, Admin - P&B	
s.76A(1)	duty to give relevant determining referral authorities copy of an amended permit and copy of notice	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO, Admin - P&B	
s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO, SCL, STDP, Admin - P&B	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, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO, Admin - P&B	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 s 64 or 76	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO, SCL, STDP, Admin - P&B	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit.
s.76D	duty to comply with direction of Minister to issue amended permit	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.83	function of being respondent to an appeal	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.83B	duty to give or publish notice of application for review	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO, SCL, STDP, Admin - P&B	
s.84(1)	power to decide on application at any time after an appeal is lodged against failure to grant a permit	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, 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, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.84(3)	duty to tell Principal Registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.84(6)	duty to issue permit on receipt of advice within 3 business days	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.84AB	power to agree to confining a review by the Tribunal	MCD, AMCD, CSP, CPD, PSP, PDP, AA,	
s.86	duty to issue a permit at order of Tribunal within 3 business days	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	MCD, AMCD, CSP, CPD, PSP, PDP, AA,	
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SPIO, PIO	
s.91(2)	duty to comply with the directions of VCAT	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.91(2A)	duty to issue amended permit to owner if Tribunal so directs	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.93(2)	duty to give notice of VCAT order to stop development	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPIO. PIO	
s.95(3)	function of referring certain applications to the Minister	GMCS&S, MCD, AMCD, CSP CPD,	
s.95(4)	duty to comply with an order or direction	MCD, AMCD, CSP,CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, 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 MP&AS.
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 MP&AS
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	MCD, AMCD, MCF, CSP CPD,	
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	MCD, AMCD, MCF, CSP, CPD, PSP, PDP, AA, SSP, SP, SSO, SO, SPA	
s.96F	duty to consider the panel's report under s 96E	MCD, AMCD,	
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 s 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	MCD, AMCD, MCF, CSP, CPD, PSP, PDP, AA, SSP, SP, SSO, SO, SPA	
s.96H(3)	power to give notice in compliance with Minister's direction	MCD, AMCD, MCF, CSP CPD,	
s.96J	Duty power to issue permit as directed by the Minister	MCD, AMCD, MCF, CSP, CPD,, PSP, PDP, AA, SSP, SP, SSO, SO, SPA	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.96K	duty to comply with direction of the Minister to give notice of refusal	MCD, AMCD, MCF, CSP, CPD, PSP, PDP, AA, SSP, SP, SSO, 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	GMCS&S, MCD, AMCD	
s.97C	power to request Minister to decide the application	GMCS&S, MCD, AMCD, CSP CPD,	
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	MCD, AMCD, MCF, CSP, CPD, PSP, PDP, AA, SSP, SP, SSO, SO, SPA, Admin – P&B	
s.97G(3)	function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	MCD, AMCD, CSP, CPD,	
s.97G(6)	duty to make a copy of permits issued under s 97F available in accordance with the public availability requirements	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SSO, SO, SPA, SCL, STDP, Admin – P&B	
s.97L	duty to include Ministerial decisions in a register kept under section 49	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, , SSO, SO, SPA, SCL, STDP, Admin – P&B	
s.97MH	duty to provide information or assistance to the Planning Application Committee	MCD, AMCD, CSP, CPD, PSP, PDP, AA,	
s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	MCD, AMCD, CSP, CPD,	
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SSO, 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, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.97Q(4)	duty to comply with directions of VCAT	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, SO	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	MCD, AMCD, CSP, CPD, PSP, SSP, SP, SPA, SSO, SO, SCL, STDP, Admin - P&B	
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	GMCS&S, MCD, AMCD	
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	GMCS&S, MCD, AMCD	
s.101	function of receiving claim for expenses in conjunction with claim	GMCS&S, MCD, AMCD	
s.103	power to reject claim for compensation in certain circumstances	GMCS&S, MCD, AMCD	
s.107(1)	function of receiving claim for compensation	GMCS&S, MCD, AMCD	
s.107(3)	power to agree to extend time for making claim	GMCS&S, MCD, AMCD	
s.113 (2)	Power to request a declaration for land to be proposed to be reserved for public purposes		
s.114(1)	power to apply to the VCAT for an enforcement order	MCS&C, CCC, MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPIO, PIO	
s.117(1)(a)	function of making a submission to the VCAT where objections are received	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA	
s.120(1)	power to apply for an interim enforcement order where s 114 application has been made	MCS&C, CCC, MCD, AMCD, CSP, CPD, SPIO, PIO	Subject to prior discussion with the GMCS&S.
s.123(1)	power to carry out work required by enforcement order and recover costs	MCS&C, CCC, SPIO, MCD, AMCD, CSP, CPD	
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	Not delegated.	Except Crown land.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.129	function of recovering penalties	MCD, AMCD, MCS&C, CCC, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SPIO, PIO, SCL, STDP, Admin – P&B, , TLB&P, BSO(B&P)	
s.130(5)	power to allow person served with an infringement notice further time	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SPIO, PIO, MH&C, MCS&C, CCC, TLB&P	
s.149A(1)	power to refer a matter to the VCAT for determination	MCD, AMCD, CSP CPD, MCS&C, CCC,	
s.149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s 173 agreement	MCD, AMCD, CSP, CPD, PSP, PDP, AA	
s.156	duty to pay fees and allowances (including a payment to the Crown under s 156(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 s 156(2B) power to ask for contribution under s 156 (3) and power to abandon amendment or part of it under s 156 (4)	MCD, AMCD, MCF, CSTP, STP	Where Council is the relevant planning authority.
s.171(2)(f)	power to carry out studies and commission reports	MCD, AMCD, MCF, CSTP, STP	
s.171(2)(g)	power to grant and reserve easements	MCD, AMCD, CSP, CPD	
s.172C	power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	Not delegated.	Where Council is a development agency specified in an approved infrastructure contributions plan
s.172D(1)	power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	Not delegated.	Where Council is a collecting agency specified in an approved infrastructure contributions plan
s.172D(2)	power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	Not delegated.	Where Council is the development agency specified in an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.173(1)	power to enter into agreement covering matters set out in s 174	CEO, GMCS&S, MCD, AMCD, MCF	
s.173(1A)	power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	Not delegated.	Where Council is the relevant responsible authority
---	power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	MCD, AMCD, CSP, CPD, PSP, PDP, AA	
---	power to give consent on behalf of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	MCD, AMCD, CSP, CPD, PSP, PDP, AA	
s.177(2)	power to end 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, GMCS&S, MCD, AMCD, MCF	
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, GMCS&S, MCD, AMCD, MCF	
s.178A(1)	function of receiving application to amend or end an agreement	MCD, AMCD, CSP, CPD, PSP, PDP, AA SSP, SP, SPA, SSO, SO, SCL, STDP, Admin – P&B	
s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	MCD, AMCD, CSP, CPD, PSP, SSP, SP, SSO, SO, SPA	
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	MCD, AMCD, CSP, CPD, PSP, PDP, AA SSP, SP, SSO, SO, SPA	
s.178A(5)	power to propose to amend or end an agreement	MCD, AMCD, CSP, CPD, PSP, PDP, AA SP, SSO, SO, SPA	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	MCD, AMCD, CSP, CPD, PSP, PDP, AA SSP, SP, SSO, SO, SPA	
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	MCD, AMCD, CSP, CPD, PSP, PDP, AA SSP, , SP, SSO, 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, AMCD, CSP, CPD, PSP, PDP, AA SSP, SP, SSO, SO, SPA	
s.178C(4)	function of determining how to give notice under s 178C(2)	MCD, AMCD, CSP, PSP, PDP, AA SSP, SP, SSO, SO, SPA	
s.178E(1)	duty not to make decision until after 14 days after notice has been given	MCD, AMCD, CSP, PSP, PDP, AA SSP, SP, SSO, SO, SPA	
s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	MCD, AMCD, CSP, PSP, PDP, AA SSP, SP, SSO, SO, SPA	If no objections are made under s 178D. Must consider matters in s 178B.
s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	MCD, AMCD, CSP, CPD, PSP, PDP, AA SSP, , SP, SSO, SO, SPA	If no objections are made under s178D Must consider matters in s78B
s.178E(2)(c)	power to refuse to amend or end the agreement	MCD, AMCD, CSP, CPD, PSP, PDP, AA SSP, SP, SSO, SO, SPA	If no objections are made under s178D Must consider matters in s.178B
s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	MCD, AMCD, CSP, CPD, PSP, PDP, AA , SSP, SP, SSO, SO, SPA	After considering objections, submissions and matters in s.178B
s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SSO, SO, SPA	After considering objections, submissions and matters in s.178B

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	MCD, AMCD, CSP, CPD	After considering objections, submissions and matters in s.178B.
s.178E(3)(d)	power to refuse to amend or end the agreement	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SSO, SO, SPA	After considering objections, submissions and matters in s.178B.
s.178F(1)	duty to give notice of its decision under s 178E(3)(a) or (b)	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SSO, SO, SPA	
s.178F(2)	duty to give notice of its decision under s 78E(2)(c) or (3)(d)	MCD, AMCD, CSP, CPD	
s.178F(4)	duty not to proceed to amend or end an agreement under s 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, AMCD, CSP, CPD, PSP, PDP, AA, SSP, , SP, SSO, SO, SPA	
s.178G	duty to sign amended agreement and give copy to each other party to the agreement	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SSO, 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, AMCD, CSP, CPD	
s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, , SP, SSO, SO, SPA	
s.179(2)	duty to make a copy of each agreement available in accordance with the public availability requirements	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, , SP, SSO, SO, SPA	
s.181	duty to apply to the Registrar of Titles to record the agreement	MCD, AMCD, CSP, CPD	
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SSO, SO, SPA	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SSO, SO, SPA	
s.182	power to enforce an agreement	MCD, AMCD, CSP, CPD, PIO	
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA, SSO, 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, AMCD, CSP, CPD, PSP, SSP, SP, SSO, 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, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SSP, SP, SSO, SO, SPA	
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, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SSP, SP, SSO, 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, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SSO, SO, SPA, SCL, STDP, Admin – P&B	
s.184G(2)	duty to comply with a direction of the Tribunal	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, , SP, SSO, SO, SPA	
s.184G(3)	duty to give notice as directed by the Tribunal	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSPM, SP, SSO, SO, SPA, SCL, STDP, Admin – P&B	
s.185B (1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	MCD, AMCD, CSP, CPD	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.198(1)	function to receive application 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 certificate to 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 application for declaration of underlying zoning	Not applicable.	
s.201(3)	duty to make 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, AMCD, CSP, CPD, PSP, PDP, AA, 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, AMCD, CSP, CPD, PDP, PSP, PDP, AA, 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, AMCD, CSP, , CPD, PSP, PDP, AA, SSP, SP, SPA	
-	power to give written authorisation in accordance with a provision of a planning scheme	MCD, AMCD, CSP, CPD, PSP, PDP, AA, SSP, SP, SPA	
-	Power to respond to the Minister / State Government with respect to planning permit applications and approvals being considered under Clauses 52.20, 53.19, 53.20 and 53.13 of the Darebin Planning Scheme	MCD, AMCD, CSP, CPD	
-	Power to respond to the Minister / State Government with respect to planning permit applications being considered because the Minister is the responsible authority under Clause 72.01 of the Darebin Planning Scheme	MCD, AMCD, CSP, CPD	

-	Power to respond to the Minister / State Government with respect to State Projects approvals referred to Council under Clauses 52.03, 52.30, 52.35, 52.36, 53.21 of the Darebin Planning Scheme	MCD, MCF, AMCD, CSP, CPD, CSTP	
-	Power to respond to the Minister / State Government with respect to combined Planning Scheme amendments / permit applications under section 96	MCD, MCF, AMCD, CSP, CPD, CSTP	
-	Power to respond to the Minister / State Government with respect to Planning Scheme Amendments	MCD, MCF, AMCD, CSP, CPD, CSTP	
-	Power to respond to the Minister / State Government when a planning matter has been informally referred to Council	MCD, MCF, AMCD, CSP, CPD, CSTP	
s.201UAB(1)	function of providing the Victoria Planning Authority with information relating to any land within municipal district	MCD, AMCD, MCF	
s.201UAB(2)	duty to provide the Victoria Planning Authority with information requested under S 201UAB(1) as soon as possible	MCD, AMCD, MCF	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	MCD, AMCD, HPO, SEHO, CHP, EHT	
s.522(1)	power to give a compliance notice to a person	MCD, AMCD, HPO, SEHO, CHP	
s.525(2)	power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	GMCS&S	
s.525(4)	duty to issue identity card to authorised officers	MCD, AMCD, GMCS&S	
s.526(5)	duty to keep record of entry by authorised officer under s 526	MCD, AMCD, BSO(HP)	
s.526A(3)	function of receiving report of inspection	MCD, AMCD, HPO, BSO(HP), CHP, SEHO	
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	MCD, AMCD	

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	GMCS&S, GMG&E, GMO&C, MP&AS	Obtain consent in circumstances specified in s 11(2).
s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	Not delegated	
s.11(9)(b)	duty to advise the Registrar	GMCS&S, GMG&E, GMO&C, MP&AS	
s.11(10)	duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	GMCS&S, GMG&E, GMO&C, MP&AS	Subject to section 11 (10A).
s.11(10A)	duty to inform Secretary to Department of Environment, Land Water and Planning or nominated person	GMCS&S, GMG&E, GMO&C, MP&AS	Where Council is the coordinating road authority.
s.12(2)	power to discontinue road or part of a road	Not delegated.	Where Council is the coordinating road authority.
s.12(4)	duty to publish, and provide copy, notice of proposed discontinuance	GMO&C, MP&AS,	Power of the coordinating road authority where it is the discontinuing body. Unless s (11) applies.
s.12(5)	duty to consider written submissions received within 28 days of notice	GMO&C, MP&AS	Duty of the coordinating road authority where it is the discontinuing body. Unless s 12 (11) applies.
s.12(6)	function of hearing a person in support of their written submission	GMO&C, MP&AS	Function of coordinating road authority where it is the discontinuing body. Unless s 12 11) applies.
s.12(7)	duty to fix the day, time and place of meeting under s 12 (6) and to give notice	GMO&C, MP&AS	Duty of the coordinating road authority where it is the discontinuing body. Unless s 12 (11) applies.
s.12(10)	duty to notify of decision made	GMO&C, MP&AS	Duty of 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.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.13(1)	power to fix a boundary of a road by publishing notice in Government Gazette	GMCS&S, GMG&E, GMO&C, MP&AS	Power of the coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate.
s.14(4)	function of receiving notice from the Head, Transport for Victoria	GMCS&S, MCE&ST	
s.14(7)	power to appeal against a decision of the Head, Transport for Victoria	GMCS&S, MCE&ST	
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	GMCS&S, GMG&E	
s.15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	GMCS&S, GMG&E	
s.15(2)	duty to include details of arrangement in public roads register	GMO&C, MP&AS	
s.16(7)	power to enter into an arrangement under s 15	GMCS&S, GMG&E, GMO&C	
s.16(8)	duty to enter details of determination in the public roads register	GMO&C, MP&AS	
s.17(2)	duty to register public road in public roads register	GMO&C, MP&AS	Where Council is the coordinating road authority.
s.17(3)	power to decide that a road is reasonably required for general public use	GMCS&S, GMO&C, MP&AS, MCE&ST	Where Council is the coordinating road authority.
s.17(3)	duty to register a road reasonably required for general public use in public roads register	GMO&C, MP&AS	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	GMCS&S, GMO&C, MP&AS	Where Council is the coordinating road authority.
s.17(4)	duty to remove road no longer reasonably required for general public use from public roads register	GMO&C, GMCS&S, MP&AS, MCE&ST	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.18(1)	power to designate ancillary area	GMCS&S, GMO&C	Where Council is the coordinating road authority, and obtains consent in circumstances specified in s 18(2).
s.18(3)	duty to record designation in the public roads register	GMO&C, MP&AS	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	GMO&C, MP&AS	
s.19(4)	duty to specify details of discontinuance in public roads register	GMO&C, MP&AS	
s.19(5)	duty to ensure public roads register is available for public inspection	GMO&C, MP&AS	
s.21	function of replying to request for information or advice	GMO&C, MP&AS, CAS	Obtain consent in circumstances specified in s 11(2).
s.22(2)	function of commenting on proposed direction	GMCS&S, GMO&C	
s.22(4)	duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	GMCS&S, GMO&C	
s.22(5)	duty to give effect to a direction under s 22.	GMCS&S, GMO&C	
s.40(1)	duty to inspect, maintain and repair a public road.	GMO&C, MCW, CG&C MP&AS, CAS	
s.40(5)	power to inspect, maintain and repair a road which is not a public road	GMO&C, MCW, MP&AS, CAS	
s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	GMO&C, MP&AS, CAS, MCW	
s.42(1)	power to declare a public road as a controlled access road	GMCS&S, MCE&ST	Power of coordinating road authority and Sch 2 also applies.
s.42(2)	power to amend or revoke declaration by notice published in Victoria Government Gazette	GMCS&S, MCE&ST	Power of coordinating road authority and. Sch 2 also applies.
s.42A(3)	duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	GMO&C, GMCS&S, MP&AS, MCE&ST	Where Council is the coordinating road authority. If road is a municipal road or part thereof.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.42A(4)	power to approve the Minister's decision to specify a road as a specified freight road	GMCS&S, MCE&ST	Where Council is the coordinating road authority. If road is a municipal road or part thereof and where the road is to be specified a freight road.
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)	GMCS&S, GMO&C, MCE&ST, MCW	Where Council is the responsible road authority, infrastructure manager or works manager.
s.48M(3)	function of consulting with the relevant authority for purposes of developing guidelines under s 48M	GMCS&S, GMO&C, MCW, MCE&ST	
s.49	power to develop and publish a road management plan	MCW & MP&AS	
s.51	power to determine standards by incorporating the standards in a road management plan	MCW & MP&AS	
s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	GMO&C, MCW MP&AS	
s.54(2)	duty to give notice of proposal to make a road management plan	GMO&C, MCW, MP&AS	
s.54(5)	duty to conduct a review of road management plan at prescribed intervals	GMO&C, MCW	
s.54(6)	power to amend road management plan	GMO&C, MCW	
s.54(7)	duty to incorporate the amendments into the road management plan	GMO&C, MCW	
s.55(1)	duty to cause notice of road management plan to be published in the Victoria Government Gazette and newspaper	GMO&C, MCW, MP&AS	
s.63(1)	power to consent to conduct of works on road	GMO&C, MC&MP MCW, MCE&ST, CST, TLTP, TLTS1, STE, TE	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	GMO&C, MC&MP, MCW, CIM&S	Where Council is the infrastructure manager.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.64(1)	duty to comply with cl 13 of Sch 7	GMO&C, MC&MP, MCW	Where Council is the infrastructure manager or works manager.
s.66(1)	power to consent to structure etc	GMCS&S, GMO&C, MCE&ST, MC&MP	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	GMCS&S, GMO&C, MCD, AMCD, MCF, MCE&ST, MC&MP	Where Council is the coordinating road authority.
s.67(3)	power to request information	GMCS&S, GMO&C, MCD, AMCD, MCF, MCE&ST, MC&MP, CST, TLTP, TLTS1, STE, TE	Where Council is the coordinating road authority.
s.68(2)	power to request information	GMCS&S, GMO&C, MCD, AMCD, MCF, MCE&ST, MC&MP, CST, TLTP, TLTS1, STE, TE	Where Council is the coordinating road authority.
s.71(3)	power to appoint an authorised officer	CEO, GMG&E	
s.72	duty to issue an identity card to each authorised officer	GMG&E, MG&C, HGR	
s.85	function of receiving a report from an authorised officer	GMCS&S, GMO&C	
s.86	duty to keep a register re s 85 matters	GMO&C	
s.87(1)	function of receiving complaints	GMCS&S, GMO&C	
s.87(2)	duty to investigate complaint and provide report	GMCS&S, GMO&C	
s.96	power to authorise a person for the purpose of instituting legal proceedings	GMCS&S, GMO&C	
s.112(2)	power to recover damages in court	GMCS&S, GMO&C	
s.116	power to cause or carry out inspection	GMO&C, MC&MP, MCW	.

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.119(2)	function of consulting with the Head, Transport for Victoria	GMCS&S, GMO&C, MCE&ST, MC&MP, CST	
s.120(1)	power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	GMO&C, MC&MP, MCW	
s.120(2)	duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	GMO&C, MC&MP, MCW, MCE&ST, CST, TLTP, TLTS1, STE, TE	
s.121(1)	power to enter into an agreement in respect of works	GMO&C, MC&MP, MCW, CIM&S, MG&P, MCE&ST, CST	
s.122(1)	power to charge and recover fees	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CI&FM, CST, TLTP, TLTS1, STE, TE	
s.123(1)	power to charge for any service	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CIM&S, CST, TLTP, TLTS1, STE, TE	
Sch 2 CI 2(1)	power to make a decision in respect of controlled access roads	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CI&FM, CST, TLTP, TLTS1, STE, TE	
Sch 2 CI 3(1)	duty to make policy about controlled access roads	GMCS&S, MCE&ST	
Sch 2 CI 3(2)	power to amend, revoke or substitute policy about controlled access roads	GMCS&S, MCE&ST	
Sch 2 CI 4	function of receiving details of proposal from the Head, Transport for Victoria	GMCS&S, MCE&ST	
Sch 2 CI 5	duty to publish notice of declaration	GMCS&S, GMO&C, MCE&ST, MG&P	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Sch 7, CI 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	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CI&FM, CST, TLTP, TLTS1, STE, TE	Where Council is the infrastructure manager or works manager.
Sch 7, CI 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	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CI&FM, CST, TLTP, TLTS1	Where Council is the infrastructure manager or works manager.
Sch 7, CI 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	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CI&FM, CST, TLTP, TLTS1	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure.
Sch 7, CI 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	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CI&FM, CST, TLTP, TLTS1	Where Council is the infrastructure manager or works manager.
Sch 7, CI 10(2)	where Sc 7 CI 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CI&FM, CST, TLTP, TLTS1	Where Council is the infrastructure manager or works manager.
Sch 7 CI 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CI&FM, CST, TLTP, TLTS1	Where Council is the coordinating road authority.
Sch 7 CI 12(3)	power to take measures to ensure reinstatement works are completed	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CI&FM, CST, TLTP, TLTS1	Where Council is the coordinating road authority.
Sch 7 CI 12(4)	duty to ensure that works are conducted by an appropriately qualified person	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CI&FM, CST, TLTP, TLTS1	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
Sch 7 CI 12(5)	power to recover costs	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CI&FM, CST, TLTP, TLTS1	Where Council is the coordinating road authority.
Sch 7, CI 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Sch 7, CI 13(2)	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CI&FM	Where Council is the works manager.
Sch 7 CI 13(2)	power to vary notice period	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CI&FM	Where Council is the coordinating road authority.
Sch 7, CI 13(3)	duty to ensure works manager has complied with obligation to give notice under Sch 7, CI 13(1)	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CI&FM CST	Where Council is the infrastructure manager.
Sch 7 CI 16(1)	power to consent to proposed works	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CI&FM, CST, TLTP, TLTS1, STE, TE	Where Council is the coordinating road authority.
Sch 7 CI 16(4)	duty to consult	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CI&FM , CST, TLTP, TLTS1	Where Council is the coordinating road authority, responsible authority or infrastructure manager.
Sch 7 CI 16(5)	power to consent to proposed works	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CI&FM, CST, TLTP, TLTS1, STE, TE	Where Council is the coordinating road authority.
Sch 7 CI 16(6)	power to set reasonable conditions on consent	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CI&FM , CST, TLTP, TLTS1, STE, TE	Where Council is the coordinating road authority.
Sch 7 CI 16(8)	power to include consents and conditions	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CI&FM , CST, TLTP, TLTS1, STE, TE	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
Sch 7 CI17(2)	power to refuse to give consent and duty to give reasons for refusal	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CIM&S, CST, TLTP, TLTS1, STE, TE	Where Council is the coordinating road authority.
Sch 7 CI 18(1)	power to enter into an agreement in relation to	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CI&FM , CST, TLTP, TLTS1, STE, TE	Where Council is the coordinating road authority.
Sch 7 CI 19(1)	power to give notice requiring rectification of works	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CI&FM, CST, TLTP, TLTS1	Where Council is the coordinating road authority.
Sch 7 CI 19(2) & (3)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CI&FM	Where Council is the coordinating road authority.
Sch 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	GMCS&S, GMO&C, MCE&ST, MC&MP, MCW, CI&FM, CST, TLTP, TLTS1, STE, TE	Where Council is the coordinating road authority.
Sch 7A Clause 2	power to cause street lights to be installed on roads	GMCS&S, GMO&C, MCE&ST, MC&MP	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road.
Sch 7A Clause 3(1)(d)	duty to pay installation and operation costs of street lighting - where road is not an arterial road	GMCS&S, GMO&C, MCE&ST, MC&MP	Where Council is the responsible road authority.
Sch 7A CI 3(1)(e)	duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	GMCS&S, GMO&C MCE&ST, MC&MP	Where Council is the responsible road authority.
Sch 7A CI (3)(1)(f),	duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with cl 3(2) and 4	GMCS&S, GMO&C, CE&ST, MC&MP	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 s 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme.	GMCS&S, MCF, 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, AMCD, MCF, CSTP, CSP, CPD, PSP, PDP, AA, SSP, SP, STP	
r.25(a)	duty to make copy of matter considered under s 60 (1A)(g) in accordance with the public availability requirements	MCD, AMCD, MCF, CSTP, CSP, CPD, PSP, PDP, AA, SSP, SSO, SO, SP, SPA, STP	Where Council is the responsible authority.
r.25(b))	function of receiving a copy of any document considered under s 60(1A)(g) by the responsible authority and duty to make the document available in accordance with the public availability requirements	MCD, AMCD, MCF, CSTP, CSP, CPD, PSP, PDP, AA, SSP, SSO, SO, SP, SPA, STP, SCL, STDP, Admin - P&B	Where Council is not the responsible authority but the relevant land is within Council's municipal district.
r.42	function of receiving notice under s 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	MCF, 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 (FEES) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.19	power to waive or rebate a fee relating to an amendment of a planning scheme	MCF, CSTP	
r.20	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	MCD, AMCD, CSP, CPD	
r.21	duty to record matters taken into account and which formed the basis of the decision to waive or rebate a fee under r 19 or 20	MCD, AMCD, CSP, CPD	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.7	Power to enter into a written agreement with a caravan park owner	MCD, AMCD, CHP, SEHO	
r.10	Function of receiving application for registration	MCD, AMCD, HPO, CHP, SEHO, BSO(HP)	
r.11	Function of receiving application for renewal of registration	MCD, AMCD, HPO, CHP, SEHO, BSO(HP)	
r.2(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	MCD, AMCD, HPO, SEHO, CHP	
r.12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	MCD, AMCD, HPO, SEHO, CHP	
r.12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	MCD, AMCD, HPO, SEHO, CHP, BSO(HP)	
r.12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	MCD, AMCD, CHP	
r.12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	MCD, AMCD, HPO, CHP, SEHO	
r.12(4) & (5)	Duty to issue certificate of registration	MCD, AMCD, BSO(HP), CHP	
r.14(1)	Function of receiving notice of transfer of ownership	MCD, AMCD, HPO, BSO(HP), SEHO, CHP	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
r.14(3)	power to determine where notice of transfer is displayed	MCD, AMCD, HPO, SEHO, CHP	
r.15(1)	duty to transfer registration to new caravan park owner	MCD, AMCD, HPO, SEHO, CHP	
r.15(2)	duty to issue a certificate of transfer of registration	MCD, AMCD, CHP, BSO(HP)	
r.15(3)	power to determine where certificate of transfer of registration is displayed	MCD, AMCD, HPO, SEHO, CHP	
r.16(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	MCD, AMCD, CHP	
r.17	duty to keep register of caravan parks	MCD, AMCD, BSO(HP), CHP,	
r.18(4)	power to determine where the emergency contact person's details are displayed	MCD, AMCD, HPO, SEHO, CHP	
r.18(6)	power to determine where certain information is displayed	MCD, AMCD, HPO, SEHO, CHP	
r.22(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	MCD, AMCD, HPO, SEHO, CHP	
r.22(2)	duty to consult with relevant emergency services agencies	MCD, AMCD, HPO, SEHO, CHP	
r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	MCD, AMCD, HPO, SEHO, CHP	
r.24	power to determine places in which caravan park owner must display copy of public emergency warnings	MCD, AMCD, HPO, SEHO, CHP	
r.25(3)	duty to consult with relevant floodplain management authority	MCD, AMCD, HPO, SEHO, CHP	
r.26	duty to have regard to any report of the relevant fire authority	MCD, AMCD, HPO, SEHO, CHP	
r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	MCD, AMCD, HPO, SEHO, CHP	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
r.40	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	MCD, AMCD, HPO, SEHO, CHP, BSO(HP)	
r.40(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	MCD, AMCD, CHP	
r.41(4)	function of receiving installation certificate	MCD, AMCD, HPO, BSO(HP), CHP, SEHO	
r.43	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	MCD, AMCD, CHP	
Sch 3 cl 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	MCD, AMCD, CHP	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.8(1)	duty to conduct reviews of road management plan	GMO&C, MCW	
r.9(2)	duty to produce written report of review of the road management plan and make report available	GMO&C, MCW	
r.9(3)	duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	GMO&C, MCW	Where council is the coordinating road authority
r.10	duty to give notice of an amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	GMO&C, MCW, GMG&E, MPBIMP&AS	
r.13(1)	duty to publish notice of amendments to road management plan	GMO&C, MCW	Where Council is the coordinating road authority
r.13(3)	duty to record on road management plan the substance and date of effect of any amendment	GMO&C, MCW	
r.16(3)	power to issue a permit	MC&MP, MCW, CI&FM, MCE&ST, CST, TLTP, TLTS1, STE, TE	Where Council is the coordinating road authority
r.18(1)	power to give written consent re damage to road	GMCS&S, MCE&ST	Where Council is the coordinating road authority
r.23(2)	power to make a submission to Tribunal	GMCS&S, MCS&C, MCE&ST	Where Council is the coordinating road authority
r.23(4)	power to charge a fee for application under s 66(1) of the Road Management Act	GMCS&S, MCS&C, MCE&ST, CST, TLTP, TLTS1, STE, TE	Where Council is the coordinating road authority
r.25(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	MCW, CWO, MCE&ST	Where Council is the responsible road authority
r.25(2)	power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	MCW, CWO, MCE&ST,	Where Council is the responsible road authority.

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.25(5)	power to recover in the Magistrates' Court, expenses from the person responsible	MCW, CWO, MCE&ST,	


ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 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 cl 13(1) of Sch 7 of the Act to give notice as to the completion of those works	MC&MP, MCE&ST, CST	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act.
r.22(2)	power to waive whole or part of fee in certain circumstances	MC&MP, MCE&ST, CST, TLTP, TLTS1, STE	Where Council is the coordinating road authority.

**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
darebin.vic.gov.au

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