



COUNCIL MEETING

Tuesday 22 November 2022

6:00pm

Room 1 Community Hub

AGENDA

Item	Title	Page
1.	Commencement of Meeting, Welcome	4
2.	Apologies	6
3	Leave of Absence	8
4	Disclosures of Conflicts of Interest	10
5.	Confirmation of the Minutes of Previous Council Meetings	13
	5.1 Confirmation of the Minutes of Previous Council Meetings	14
	5.1.1 Unconfirmed Council Meeting Minutes 25 October 2022	16
6.	Minutes of Delegated and Advisory Committee	22
7	Petitions	23
8.	Officer Reports	24
	8.1 Finance Report October 2022	25
	8.2 Annual Action Plan Quarterly Progress Report	37

8.3	Permit Application 024/22 62 Golden Wattle Drive, Maryborough	57
8.4	Civil Engineering Consultancy Panel - Contract No G1643-22	110
8.5	Porter Avenue and Primrose Street Maryborough Road Reconstruction Works - Contract No G1699-22	113
8.6	2022-23 Resealing Works - Contract No G1696-22Q (G1459-20)	116
8.7	S6 Instrument of Delegation - Statutory Planner	119
9.	Notices of Motion	283
10	Urgent Business	284
11.	Confidential Business	286
12.	Meeting Close	289

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Council meeting

Commencement of Meeting

Council meeting

Councils must, in the performance of its role, give effect to the overarching governance principles in the *Local Government Act 2020*.¹ These are included below to guide Councillor consideration of issues and Council decision making.

- a) Council decisions are to be made and actions taken in accordance with the relevant law;
- b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- d) the municipal community is to be engaged in strategic planning and strategic decision making;
- e) innovation and continuous improvement is to be pursued;
- f) collaboration with other Councils and Governments and statutory bodies is to be sought;
- g) the ongoing financial viability of the Council is to be ensured;
- h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
- i) the transparency of Council decisions, actions and information is to be ensured.

¹ Section 9.

Apologies

Council meeting

Apologies

Council's Governance Rules require that the minutes of Council meetings record the names of Councillors present and the names of any Councillors who apologised in advance for their non-attendance.¹

The annual report will list councillor attendance at Council meetings.

Councillor attendance at Councillor briefings is also recorded.

¹ Chapter 2, rule 62.

Leave of Absence

Council meeting

Leave of absence

One reason that a Councillor ceases to hold the office of Councillor (and that office becomes vacant) is if a Councillor is absent from Council meetings for a period of 4 consecutive months without leave obtained from the Council. (There are some exceptions to this – see section 35 for more information.)

A Councillor can request a leave of absence. Any reasonable request for leave must be granted.¹

Leave of absence is approved by Council. Any request will be dealt with in this item which is a standing item on the agenda. The approvals of leave of absence will be noted in the minutes of Council in which it is granted. It will also be noted in the minutes of any Council meeting held during the period of the leave of absence.

¹ See *Local Government Act 2020* s 35 (4) and s 35 (1) (e).

Disclosures of Conflicts of Interest

Council meeting

Conflicts of interest

Conflicts of Interest must be disclosed at the commencement of a Council meeting or Councillor briefing, or as soon as a Councillor recognises that they have a conflict of interest.

The relevant provisions in the *Local Government Act 2020* include those in Part 6, Division 2 (from section 126). Failing to disclose a conflict of interest and excluding themselves from the decision making process is an offence.

Disclosures at Council meetings

Under the Governance Rules:¹

A Councillor who has a conflict of interest in a matter being considered at a Council meeting at which he or she:

1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the Council meeting immediately before the matter is considered; or

2 intends to be present must disclose that conflict of interest by providing to the Chief Executive Officer before the Council meeting commences a written notice:

2.1 advising of the conflict of interest;

2.2 explaining the nature of the conflict of interest; and

2.3 detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the:

(a) name of the other person;

(b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

(c) nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the Chief Executive Officer under this sub-Rule.

The Councillor must, in either event, leave the Council meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

¹ Chapter 5, Rule 3.

Disclosures at councillor briefings (and other meetings)

Also under the Governance Rules,² a Councillor who has a conflict of interest in a matter being considered by a meeting held under the auspices of Council at which he or she is present must:

- 1 disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the meeting immediately before the matter is considered;
- 2 absent himself or herself from any discussion of the matter; and
- 3 as soon as practicable after the meeting concludes provide to the Chief Executive Officer a written notice recording that the disclosure was made and accurately summarising the explanation given to those present at the meeting.

Councillor form to disclose conflicts of interest

Name: _____

Date: _____

Meeting type:

- Briefing
- Meeting
- Other _____

Nature of the conflict of interest (describe):

If the nature of the conflict of interest involves a Councillor’s relationship with or a gift from another person:

- name of the other person (gift giver): _____
- nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person: _____
- nature of that other person’s interest in the matter: _____

² Chapter 5, Rule 4.

Confirmation of minutes of previous Council meeting

Council meeting

5. CONFIRMATION OF THE MINUTES OF PREVIOUS COUNCIL MEETING

Author: Governance Officer

Responsible Officer: General Manager Corporate Performance

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

SUMMARY/PURPOSE

To present for confirmation the minutes of the ordinary Council Meeting held on 25 October 2022.

RECOMMENDATION

That Council:

- *Confirms the minutes of the ordinary Council Meeting held on 25 October 2022.*

LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2021-2025 - Leading Change

The Community's vision 4. Good planning, governance, and service delivery

BACKGROUND INFORMATION

The minutes of meetings remain unconfirmed until the next meeting of Council.

REPORT

Council keeps minutes of each meeting of the Council and those minutes are submitted to the next appropriate meeting for confirmation.

CONSULTATION/COMMUNICATION

Once confirmed minutes become available, they will replace the unconfirmed minutes currently on the Council's website.

FINANCIAL & RESOURCE IMPLICATIONS

Costs included in the Governance and Community Engagement budgets.

RISK MANAGEMENT

This report addresses Council's strategic risk Governance - Failure to transparently govern and embrace good governance practices. This process conforms to the requirements of the Governance Rules. Publication of the minutes increases transparency and reduces the risk of maladministration.

CONCLUSION

The minutes of the ordinary Council Meeting held on 25 October 2022 are presented for confirmation.

ATTACHMENTS

1. Unconfirmed minutes of the Council Meeting held 25 October 2022



MEETING OF COUNCIL MINUTES

Tuesday 25 October 2022

6:00pm

Meeting held in person

MEMBERSHIP

Councillors

Liesbeth Long

Gerard Murphy

Wayne Sproull

Geoff Lovett

Grace La Vella

Chris Meddows-Taylor (Mayor)

Anna de Villiers

To be confirmed at the Council Meeting
scheduled for 22 November 2022

UNCONFIRMED MINUTES

1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6:00pm.

The Mayor, Cr Meddows-Taylor welcomed everybody with acknowledgement of Country and Council prayer.

PRESENT

Councillors

Chris Meddows-Taylor (Mayor)

Wayne Sproull

Grace La Vella

Geoff Lovett

Liesbeth Long

Anna de Villiers

Gerard Murphy

IN ATTENDANCE

Officers

General Manager Infrastructure Assets and Planning, Matthew Irving

General Manager Community Wellbeing, Emma Little

General Manager Corporate Performance, Mick Smith

Chief Executive Officer, Lucy Roffey

2. APOLOGIES

Nil

3. LEAVE OF ABSENCE

Nil

4. DISCLOSURES OF CONFLICTS OF INTEREST

Nil

5. CONFIRMATION OF THE MINUTES OF PREVIOUS COUNCIL MEETINGS

To present for confirmation the Confidential minutes of special Council meeting held 27 September 2022, and minutes of the ordinary Council Meeting held on 27 September 2022.

The 'Comic Sans' font and page colour are being used in this report to improve accessibility.

UNCONFIRMED MINUTES

Mayor declared minutes are confirmed.

6. REPORTS FROM COMMITTEES

Nil

7. PETITIONS

Nil

8. OFFICER REPORTS

8.1 SEPTEMBER FINANCIAL REPORT

The purpose of this report is to advise Council on the financial performance for the year to date and how it is tracking against the adopted budget, noting any material differences.

Council Resolution

That Council:

1. Receives and notes the attached Finance Report for the period to 30 September 2022.

Moved **Cr Lovett**
Seconded **Cr Murphy**

Cr Lovett and Cr Murphy spoke to the motion

CARRIED

8.2 CENTRAL GOLDFIELDS SHIRE COUNCIL 2021-2022 ANNUAL REPORT

The purpose of this report is to present the *Central Goldfields Shire Council 2021-2022 Annual Report* for Council's consideration. The CEO Lucy Roffey introduced and spoke to the Annual Report, highlighting and thanking the combined effort of staff, Councillors, volunteers, community groups and businesses.

Cr de Villiers left the chamber at 6:10PM.

Council Resolution

That Council:

UNCONFIRMED MINUTES

1. adopts the Annual Report 2021-2022, and
2. notes the Annual Report 2021-2022 has been prepared in accordance with the Local Government Act 2020.

Moved **Cr La Vella**
Seconded **Cr Lovett**

Cr La Vella, Cr Lovett and Cr Meadows-Taylor spoke to the motion.

Cr de Villiers returned to the chamber at 6:13PM.

CARRIED

8.3 Maryborough Railway Station Activation Project - Construction Works

The purpose of this report is for Council to consider awarding contract G1645-22 Maryborough Railway Station Activation - Construction Works.

Council Resolution

That Council:

1. Award contract G1645-22 Maryborough Railway Station Activation - Construction Works to Barpa Pty Ltd; and
2. Authorise the Chief Executive Officer to execute the contract.

Moved **Cr Lovett**
Seconded **Cr La Vella**

Cr Lovett, Cr La Vella, Cr Sproull and Cr Meadows-Taylor spoke to the motion.

CARRIED

CEO Notation:

The contract has been awarded by Council to Barpa to the value of \$1,038,724 excluding GST

8.4 BOARD APPOINTMENT CENTRAL VICTORIAN GREENHOUSE ALLIANCE

The purpose of this report is for Council to nominate a Councillor to the board of CVGA. Councillor Long is currently a board member of CVGA as decided by Council in November 2020.

UNCONFIRMED MINUTES

Council Resolution

That Council nominates Councillor Sproull as board member and representative for the Central Victorian Greenhouse Alliance.

Moved Cr Long
Seconded Cr de Villiers

Cr Long, Cr de Villiers, Cr Sproull and Cr Murphy spoke to the motion.

CARRIED

Cr Murphy asked a question on notice to officers to know the four (4) Council's that are not involved in the CVGA.

9 NOTICES OF MOTION

Nil

10 URGENT BUSINESS

Nil

11 CONFIDENTIAL BUSINESS

11.1 CEO EMPLOYMENT CONTRACT

Council Resolution

That Council enter into an in-camera session to discuss matters of a confidential nature, and close the meeting formally to the public.

Moved Cr Lovett
Seconded Cr La Vella

CARRIED

The meeting closed to the public at 6:27 pm with the Mayor thanking those who joined the meeting on Council's Facebook page as well as in the gallery.

A separate confidential minute records a resolution of Council.

Council Resolution

That Council go out of camera.

UNCONFIRMED MINUTES

Moved Cr La Vella
Seconded Cr Lovett

CARRIED

13 MEETING CLOSURE

The meeting closed at 6:39PM.

To be confirmed at the Council Meeting
to be held on 22 November 2022.

Minutes of Delegated and Advisory Committees

Council meeting

Petitions

Council meeting

Officer Reports

Council meeting

8.1 OCTOBER FINANCIAL REPORT

Author: Manager Finance

Responsible Officer: General Manager Corporate Performance

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

SUMMARY/PURPOSE

The purpose of this report is to advise Council on the financial performance for the year to date and how it is tracking against the adopted budget, noting any material differences.

RECOMMENDATION

That Council:

1. Receives and notes the attached Finance Report for the period to 31 October 2022.

LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2021-2025 - Our Growing Economy

The Community's vision 4. Effective and sustainable financial management.

Initiative: Review budget and financial reporting processes to improve monitoring of financial performance

BACKGROUND INFORMATION

This finance report is provided for the period to 31 October 2022.

The report compares year to date results against the adopted budget.

REPORT

The monthly financial report comprises the following:

- Income Statement;
- Balance Sheet;
- Statement of Capital Works
- Cash Flow Statement

Income Statement

The operating result for the period ending 31 October 2022 is a surplus of \$11.2 million.

The favourable YTD result is almost entirely caused by total income being greater than budget which has been caused by the timing of capital and operating grant received. As discussed in the EOFY paper there were several operating and capital grants that were received in advance in 2021-22 which needed to be carried forward into 2022-23.

The total grants carried forward into 2022-23 amounted to \$11.7m, \$2.2m operating and \$9.5m in capital grants.

The main projects that make up the carried forward amount of \$11.7m are:

- Operating \$2.2m
 - Go Goldfields \$0.7m
 - Talbot waste water \$0.6m
 - Flood mapping \$0.2m
 - Municipal energy resourcing \$0.1m

- Capital \$9.5m
 - Carisbrook drainage mitigation \$1.2m
 - Maryborough railway station \$1.2m
 - Carisbrook recreation reserve \$1.8m
 - Maryborough outdoor pool \$1.8m
 - Art Gallery \$0.9m

The balance of \$11.7m was transferred to the balance sheet at year end (30 June 2022) and has now all been accounted for as revenue in the current Income Statement.

This income will be offset over the course of the financial year as Council meets its funding obligations delivering these services and projects.

Rates notices have been issued for the financial year. Rates are in line with budget.

All other revenue and expense categories are in line or favourable to budget except for depreciation which is slightly unfavourable to budget.

Materials and services are also unfavourable to budget due to unbudgeted Kindergarten master plan project (\$80k). This is a grant funded project. Cost incurred because of the recent floods of \$80k have also caused the unfavourable variance. The flood related costs are just a timing issue as council received a grant of \$500k in November to support council and to cover any immediate/emergency flood relief and clean-up costs incurred.

Capital Works Statement

The 2022-23 budget included a capital works program of \$19.4m across property, plant and equipment and infrastructure asset classes. As at the 31 October 2022, Council had expended \$3.8 million on capital works. This is \$3.5 million unfavourable to budget YTD.

When reviewing the Capital Works statement, it is important to note that there are numerous projects which have no budget but spend attached. These projects are either carryover projects or allocated projects. This will increase the Capital Works spend for the year which will be picked up in the in the FY23 forecast. It is anticipated that the forecast carry forward capital expenditure will be \$3.0 million higher than budget.

To review the status of the capital works program please refer to the capital works report presented by the infrastructure team.

Balance Sheet

Cash and cash equivalents

Cash flow is monitored to enable completion of scheduled works and meet recurrent obligations, as well as ensuring surplus funds are invested to generate maximum interest revenue. The invested cash is spread across numerous options to ensure risk and diversity are balanced.

Cash on hand \$2.5m

Short term investments \$13m.

A cash flow statement has been included in the finance report which notes the cash in and outflows.

Rate notices have been issued for the year and have resulted in an increase in rate debtors. The balance of the rate debtors will decrease during the year as rates are paid. The rates debtor balance as at the end of October 2022 was \$15.0m.

Council liabilities at the reporting date are \$20.3 million a decrease of \$1.0 million on last month.

Consisting of:

- Trade Payables \$13.8 million
- Fire services property levy \$ 1.6 million
- Employee Benefits \$ 2.9 million
- Loans & Borrowings \$ 2.1 million (split between current / non-current)

Employee benefits provision is \$2.9 million and of this \$1.7 million is made up of long service leave. Probability of employee entitlement provisions is reviewed on an annual basis currently however with continued improvements in processes and month end processing this is anticipated to be done on a more regular basis.

SUMMARY

CGSC is tracking ahead of budget YTD. This relates to the recognition of previously received grants. This surplus will reduce in line with spend on these grant funded projects.

The balance sheet remains strong with a strong cash position. This cash is anticipated to be drawn down on as the Capital Works program ramps up.

The Capital Works statement is showing a YTD spend of \$3.8 million.

Finance will be consulting with all departments in November to discuss forecast revenue and expenditure for the period January 2023 - June 2023. This review will also take into account spend and income received YTD, comparison to budget and any known changes to budget. The forecast will be influenced by external events such as the recent floods and subsequent impact of the floods to the business for the remainder of the financial year.

CONSULTATION/COMMUNICATION

Internal only required for this report.

FINANCIAL & RESOURCE IMPLICATIONS

The financial statements were prepared internally by Council officers.

RISK MANAGEMENT

This report addresses Council's strategic risk Financial sustainability - Failure to maintain our long term financial sustainability . Any risks in relation to this report have been discussed in the report above.

CONCLUSION

Council's financial position at the end of October 2022 is sound with cash and cash equivalents totalling \$15.5 million and no major issues of concern in either the operating or capital budgets.

Surplus funds have been invested to ensure interest earnings are maximised, and cash flows continue to be monitored closely.

ATTACHMENTS

1. October Financial Statements

Income Statement Period to 31 October 2022

	2021/22 Actuals	2022/23 Total Budget	2022/23 YTD Budgets October	2022/23 YTD Actuals October	2022/23 YTD Variance October
Income					
Rates and service charges	16,166,155	16,781,170	5,558,032	5,540,649	(17,383)
Contributions - monetary	768,269	119,417	1,388	223,830	222,442
Grants - capital	6,645,637	11,957,536	2,061,666	10,323,304	8,261,638
Grants - Operating	10,774,026	10,062,879	1,554,002	4,231,643	2,677,641
Other Income	274,697	487,670	24,440	96,685	72,245
Statutory fees and fines	532,443	541,400	120,428	166,269	45,841
User Charges	1,753,120	2,077,344	630,100	828,558	198,458
Total Income	36,914,347	42,027,416	9,950,056	21,410,938	11,460,882
Expenses					
Bad and doubtful debts	12,885	1,000	0	990	(990)
Borrowing costs	35,385	25,271	6,318	17,323	(11,005)
Depreciation	6,526,455	6,750,433	2,250,136	2,375,827	(125,691)
Employee costs	12,573,800	11,445,337	4,998,488	4,965,339	33,149
Materials and services	12,902,403	12,794,769	3,053,560	3,223,029	(169,469)
Net loss on disposal of property, infrastructure, plant and equipment	18,994	(90,000)	0	10,003	(10,003)
Other Expenses	355,072	344,000	94,664	92,729	1,935
Total Expenses	32,424,994	31,270,811	10,403,166	10,685,239	(282,073)
Surplus / (Deficit)	4,489,353	10,756,605	(453,110)	10,725,699	11,178,809

Balance Sheet Period to 31 October 2022

	2021/22 Actuals	2022/23 Actuals
	\$	\$
Assets		
Current Assets		
Cash and cash equivalents	20,552,441	15,529,069
Inventories	13,559	23,339
Non-current assets classified as held for sale	245,223	245,223
Other financial assets	793,202	1,431,908
Trade and other receivables	2,853,234	16,719,026
Total Current Assets	24,457,658	33,948,565
Non-current assets		
Property, infrastructure, plant and equipment	354,828,403	356,138,428
Total Non-Current Assets	354,828,403	356,138,428
Total Assets	379,286,061	390,086,993
Liabilities		
Current Liabilities		
Interest-bearing loans and borrowings	(2,089,000)	(2,089,000)
Provisions	(2,774,938)	(2,837,847)
Trade & other payables	(14,918,192)	(13,718,094)
Trust funds & deposits	(480,012)	(1,707,316)
Total Current Liabilities	(20,262,142)	(20,352,256)
Non Current Liabilities		
Other NC Liabilities	(197,041)	(182,159)
Prepaid Revenue	0	0
Provisions NC	0	0
Total Non-Current Liabilities	(197,041)	(182,159)
Total Liabilities	(20,459,183)	(20,534,415)
Net Assets	358,826,878	369,552,578
Equity		
Accumulated Surplus	(129,482,306)	(140,105,505)
Reserves		
Asset Revaluation Reserve	(228,764,222)	(228,856,222)
Open Space Reserve	(130,350)	(140,850)
Other Reserves	(450,000)	(450,000)
Total Equity	(358,826,878)	(369,552,578)

Capital Works Statement Period to 31 October 2022

Project	2022/23 Total Budget	2022/23 YTD Budgets October	2022/23 YTD Actuals October
Infrastructure			
Bridges and major culverts	30,500	10,168	-
63241.01. Minor Culverts Renewal	15,500	5,168	-
63330.622. Major Culvert Renewal Program	-	-	-
63340.01. Minor Culverts New	15,000	5,000	-
	30,500	10,168	0
Drainage	1,797,398	888,332	630,795
63271.01. Kerb & Channel Renewal	118,400	-	44,351
64306.21. Drainage Renewal	168,000	-	10,412
64306.25. Tabledrain Renewals	66,000	-	9,116
64306.341. Carisbrook Drainage Mitigation Levee -Creek Clearing	-	-	9,964
64306.344. Carisbrook Drainage Mitigation Levee - Stg 3 North Pyrenees Hwy	-	-	16,651
64306.345. Carisbrook Drainage Mitigation Levee - Stg 4 South Pyrenees Hwy	-	-	-
64306.347. Carisbrook Drainage Mitigation Levee (NFMP)	1,219,998	813,332	540,301
64306.38. Central Goldfields Flood Mapping Project	225,000	75,000	-
	1,797,398	888,332	630,795
Other Infrastructure	1,014,146	338,052	37,753
63251.01. Street Furniture Renewal	30,600	10,200	5,611
63261.01. Signs Renewal	24,000	8,000	10,905
63281.01. Traffic Control Facilities Renewal	10,000	3,336	-
63360.01. Signs New	10,000	3,336	2,057
63410.01. (LRCI 1) Shire Wide Upgrades	-	-	19,180
63410.02. (LRCI 3) Extension	789,546	263,180	-
63510.02. Aerodrome Fence Renewal	150,000	50,000	-
	1,014,146	338,052	37,753
Parks, Open Space & Streetscapes	15,000	5,000	0
63352.01. Streetscape Renewal	15,000	5,000	-
	15,000	5,000	0
Pathways	200,000	33,332	0

Capital Works Statement Period to 31 October 2022

Project	2022/23 Total Budget	2022/23 YTD Budgets October	2022/23 YTD Actuals October
63291.01. Pathways Renewal	100,000	33,332	-
63390.01. Pathways New	100,000	-	-
	200,000	33,332	-
Roads	3,315,999	100,000	39,235
63200.01. Design Capital Works	150,000	100,000	-
63210.132. Road Renewal Porter Avenue FY22-23 (R2R \$289,546/CGS \$180,454K)	470,000	-	-
63210.134. Road Renewal Cotswold Road FY22-23 (R2R \$500K/CGS\$260K)	760,000	-	-
63210.135. Road Renwal Primrose Street	370,000	-	-
63210.4. Major Patches RG	120,000	-	8,195
63212.01. Sealed Road Shoulders Renewal	60,000	-	-
63215.01. Unsealed Roads Renewal	466,000	-	27,305
63220.01. Seals Renewal Reseals	820,000	-	3,735
63220.011. Seals Renewal Asphalt	100,000	-	-
	3,315,999	100,000	39,235
Infrastructure Total	6,373,043	1,374,884	707,784
Plant and equipment			
Fixtures, fittings and furniture	594,500	328,164	32,598
64751.03. General Office Equipment			27,120
64751.04. PC Network/Hardware	65,000	21,664	5,478
64751.33. IT Strategy	306,500	306,500	-
64751.362. IT Strategy Initiatives - Human Resources Information System	80,000	-	-
64751.363. IT Strategy Initiatives - Financial Management System and Payroll	55,000	-	-
64751.37. Customer Service and Mobility Module	88,000	-	-
	594,500	328,164	32,598
Plant, machinery and equipment	770,000	150,000	48,872
63820.91. Operating Plant WIP	450,000	150,000	649
63820.93. Vehicles Cars WIP	200,000	-	48,223

Capital Works Statement Period to 31 October 2022

Project	2022/23 Total Budget	2022/23 YTD Budgets October	2022/23 YTD Actuals October
63820.94. Vehicles Utes WIP	120,000	-	-
	770,000	150,000	48,872
Plant and equipment Total	1,364,500	478,164	81,470
Property			
Buildings	6,541,996	4,300,995	2,110,743
60217.24. Worsley Cottage - Internal and external wall repairs	200,000	133,335	-
60217.25. Building Renewal - Unallocated	110,000	36,664	-
60217.26. Maryborough Railway Station Activation Project	1,500,000	1,000,000	76,510
60616.01. Child Care Centre	-	-	5,973
61511.2. (LRCI) Hall Improvements - Talbot	58,000	58,000	520
61511.26. Maryborough Town Hall - Building Upgrade	220,000	-	31,717
61511.27. (LRCI 3) Hall Improvements - Talbot	440,000	-	13,909
61565.01. Essential Safety Measures Buildings Upgrade	5,000	-	3,648
61565.12. Building Insurance Risk Reduction Upgrades	21,000	5,000	-
61575.02. Living Libraries - Capital Expenditure	-	-	6,978
61611.17. Art Gallery Expansion	200,000	200,000	366,901
61611.18. Art Gallery Development (Phases 2 and 3)	600,000	480,000	640,501
61611.19. Art Gallery Development (Phase 4)	300,000	100,000	7,342
62470.28. Carisbrook Recreation Reserve Upgrades Stage 1 Project	954,997	954,997	324,476
62470.29. Closed Carisbrook Recreation Reserve Building Project Management	-	-	-
62470.291. Carisbrook Recreation Reserve Upgrades Stage 2	1,332,999	1,332,999	622,086
64225.02. Rene Fox Gardens Toilet Refurbishment	200,000	-	-
64751.014. Building Upgrades Civic Centre	400,000	-	10,182
	6,541,996	4,300,995	2,110,743
Land Improvements	5,099,350	1,130,084	879,750
60180.059. Healthy Hearts - Go & Play Activation and Infrastructure Stream 3	-	-	59
60180.06. Healthy Hearts Infrastructure Grant - Carisbrook Market Reserve Fitness Equipment	-	-	870

Capital Works Statement Period to 31 October 2022

Project	2022/23 Total Budget	2022/23 YTD Budgets October	2022/23 YTD Actuals October
60181.01. Energy Breakthrough (EBT) Land Improvements	61,912	20,636	230,726
60216.21. Bike Racks New	30,000	-	-
62121.69. Recreation Open Space Strategy Implementation	-	-	2,040
62121.7. Recreation Planning - Splash Park	30,000	-	-
62121.73. Whirakee Rise Public Space Enhancement	30,000	-	-
62316.03. Maryborough Outdoor Pool - Octagon Pool, Pavilion & Plant Room Heritage Works	1,799,996	665,488	31,854
62316.04. (LRCI 3) Pool Upgrades Dunolly, Talbot and MSLC Pool Maintenance Works	1,102,000	-	10,545
62316.15. Swimming Pool Renewal	15,000	-	-
62400.16. Parks Renewal	12,000	-	-
62400.18. Parks Renewal Derby Road Beautification Stage 3	40,000	-	-
62410.01. Renewal Surrounds	20,000	-	-
62410.08. Growing Victoria Botanic Gardens Phillips Gardens Round one	200,000	66,664	-
62410.09. Growing Victoria Botanic Gardens Phillips Garden Irrigation Round 2	-	-	131,818
62411.03. Gordon Gardens Master Plan Works	150,000	-	-
62421.21. Rubbish Bins Renewal General	10,000	3,336	-
62430.01. Renewal Playgrounds	15,000	5,000	-
62470.3. Maryborough Skate and Scooter Park	538,443	358,961	468,366
62470.31. Goldfields Reservoir Dam Stabilisation	700,000	-	3,100
63820. Asset Clearing Account	-	-	-
64110.35. Carisbrook Transfer Station Pavement Rehabilitation Grant (Sus Vic)	-	-	371
64110.76. Bealiba Landfill Rehabilitation	15,000	5,000	-
64110.77. Dunolly Landfill Rehabilitation	15,000	5,000	-
64110.79. Transfer Station Upgrades(Carisbrook,Dunolly,Talbot) Kerbside	300,000	-	-
64150.02. Recycled Watermain Replacement	15,000	-	-
	5,099,350	1,130,084	879,750
Property Total	11,641,346	5,431,079	2,990,493
Capital Works Total	19,378,890	7,284,127	3,779,746

Cash Flow Period to 31 Oct 2022

	2021/22 Actuals	2022/23 YTD Oct
	\$'000	\$'000
Cash Flows from Operating Activities		
Rates and charges	16,520	2,694
User fees, statutory fees and fines	2,419	995
Grants - operating	10,067	2,053
Grants - capital	7,417	789
Contributions - monetary	370	224
Interest received	80	97
Trust funds and deposits taken	(40)	1,167
Other receipts	195	0
Net GST refund/(payment)	1,809	0
Employee costs	(14,979)	(4,857)
Materials and services	(12,499)	(4,371)
Other payments	(355)	(93)
Net cash provided by/(used in) operating activities	11,004	(1,303)
Cash flows from investing activities		
Payments for property, infrastructure, plant and equipment	(10,831)	(3,696)
Proceeds from sale of property, infrastructure, plant and equipment	0	0
Payments for other financial assets	250	3,980
Net cash provided by/(used in) investing activities	(10,581)	284
Cash flows from financing activities		
Finance costs	(26)	(17)
Repayment of borrowings	(668)	0
Repayment of lease liabilities	(32)	0
Net cash provided by/(used in) financing activities	(726)	(17)
Net increase (decrease) in cash and cash equivalents	(303)	(1,037)
Cash and cash equivalents at the beginning of the financial year	3,855	3,552
Cash and cash equivalents at the end of the financial year	3,552	2,515

8.2 COUNCIL PLAN ACTION PROGRESS REPORT

Author: Governance Officer

Responsible Officer: General Manager Corporate Performance

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

SUMMARY/PURPOSE

The purpose of this report is to provide Council with an update on the status of the projects identified in the 2022-23 Action Plan.

RECOMMENDATION

That Council note as detailed in the report an update on the status of the projects identified in the 2022-23 Action Plan.

LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2021-2025 - Leading Change

The Community's vision 4. Good planning, governance, and service delivery

Under Section 90 of the *Local Government Act 2020* Council must prepare a Council Plan which includes; the strategic direction and objectives for achieving the strategic direction, strategies for achieving the objectives for at least the next four financial years, strategic indicators for monitoring the achievement of the objectives, a description of the Council's initiatives and priorities for services, infrastructure and amenity.

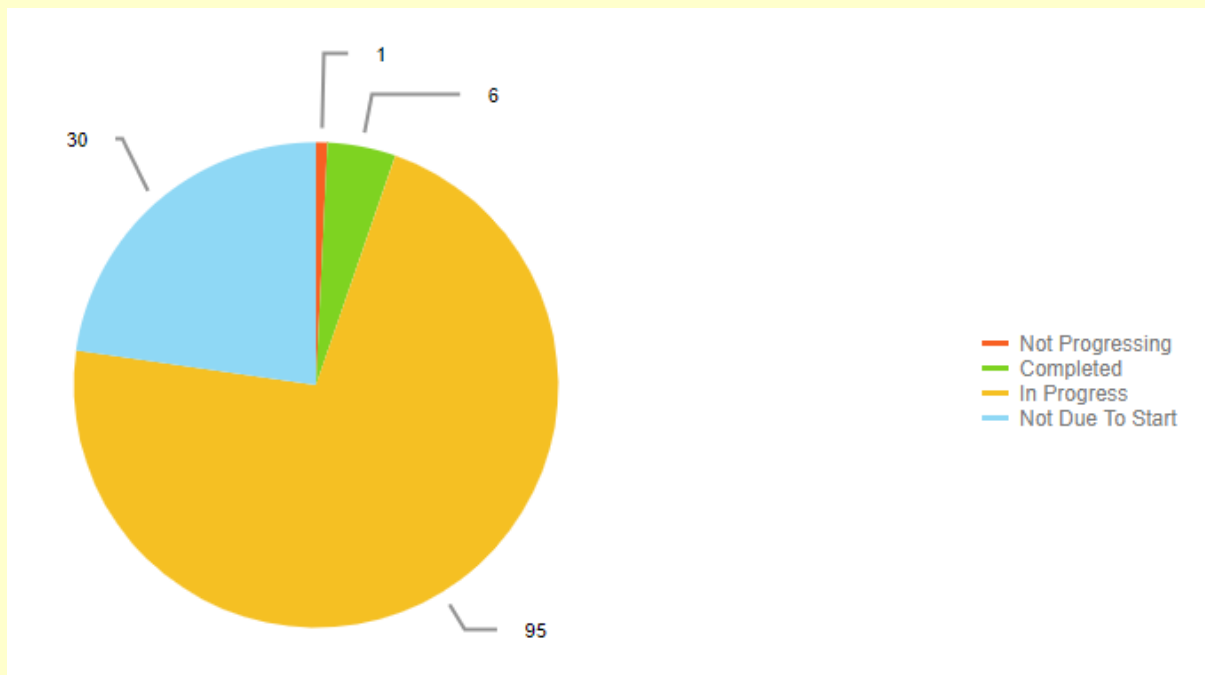
BACKGROUND INFORMATION

The 2022-23 Action Plan was developed to support the achievement of the strategic objectives identified in the Council Plan and to provide a reporting framework to measure progress against the Council Plan. The 2022-23 Action Plan was adopted by Council in August 2022.

REPORT

There has been progress against the initiatives and projects outlined in the 2022-23 Action Plan. There are 132 actions identified in the plan with 17 actions focused on advocacy, and 115 new and ongoing initiatives. The chart below provides a summary of

progress for the year to end of the first quarter. It is important to note some items are across a number of years so carry through each year's action report.



CONSULTATION/COMMUNICATION

Council has developed the Action Plan through consultation with the community during the development of the current Council Plan, through Listening Posts held quarterly across the Shire, and the development of the 2022-2023 Budget.

FINANCIAL & RESOURCE IMPLICATIONS

The current year's Budget was prepared in line with the initiatives identified in the Annual Plan subject to grants from State and Federal Government being received in some cases.

RISK MANAGEMENT

This report addresses Council's strategic risk Governance - Failure to transparently govern and embrace good governance practices.

CONCLUSION










The 2022-23 Action Plan outlines the projects and programs that were undertaken during the year to meet the objectives of the Council Plan. This report provides an update.









ATTACHMENTS

1. 2022-23 Action Plan Progress Report Quarter 1









Quarterly Progress Report 2022/2023, Q1









Our focus on advocacy











Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
1.1	Our Community and People	1.	Advocate for ongoing operational funding for the art gallery	Manager Tourism Events and Culture	In Progress	20%	Informal advocacy is ongoing. Draft Gallery Strategic Plan will be updated next quarter and will support advocacy for funding.		
1.1	Our Community and People	2.	Seek funding to plan the Bristol Hill Urban Bike Park	Manager Community Partnerships	Completed	100%	An application to fund the planning component of the Bristol Hill Urban Bike Park was submitted to Sport and Recreation Victoria's 2022 Local Sports Infrastructure Fund (Planning Stream) and was announced as successful in October 2022. The grant amount is \$30,000 and Council will contribute an additional \$35,000 to the project and provide project management support.		
1.1	Our Community and People	3.	Continue involvement in the Libraries Change Lives advocacy initiative	Manager Tourism Events and Culture	In Progress	25%	The first stage of this initiative has been completed with a series of highly successful mindfulness and meditation sessions delivered in September.		
1.1	Our Community and People	4.	Advocate for ongoing investment and support for Go Goldfields	Chief Executive Officer	In Progress	20%	Advocacy documents have been prepared and endorsed by the Go Goldfields Leadership Table		
1.1	Our Community and People	5.	Apply for funding to support the delivery of the Gender Equity Action Plan	General Manager Community Wellbeing	In Progress	10%	A funding application to the Free From Violence Program, submitted in March 2022 for a part-time Gender Equality Officer was unsuccessful. Other opportunities will be pursued when identified, however, the Gender Equality Committee continues to work through the identified actions.		
1.2	Growing Economy	6.	Advocate for increased passenger rail services on weekdays for residents and for weekend passenger services to Dunolly	Manager Strategy and Economic Development	In Progress	10%	Advocacy is continuing, with representation being made to appropriate candidates during current state elections to see this outcome achieved		
1.2	Growing Economy	7.	Advocate for Myki services at Maryborough Train Station	Manager Strategy and Economic Development	In Progress	10%	Advocacy is continuing, with representation being made to appropriate candidates during current state elections to see this outcome achieved		
1.2	Growing Economy	8.	Advocate for funding for an Events Prospectus for Central Goldfields Shire (and events tiering model)	Manager Tourism Events and Culture	In Progress	20%	The Events Prospectus has been included in Council's Priority Projects as well as in the Commonwealth Games submission, Currently no specific funding programs have been identified for this project.		
1.2	Growing Economy	9.	Support the establishment of events (such as the proposed music festival and the Goldrush Festival in Dunolly) through letters of support, navigation of planning processes and advocacy at a regional tourism level	Manager Tourism Events and Culture	In Progress	50%	Dunolly Gold Rush Festival was successfully presented in October with minor adaptations made necessary by weather conditions.		











Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
1.2	Growing Economy	10.	Work with the new Victorian Skills Authority to develop programs for our Shire	Manager Strategy and Economic Development	In Progress	10%	Commenced liaison with the Authority and provided our Recruitment and Retention report to help shape programs.		
1.2	Growing Economy	11.	In partnership with Telstra, develop innovative model for Regional Connectivity Program funding to enhance mobile coverage for Talbot	Manager Strategy and Economic Development	In Progress	50%	Talbot included in Connecting Victoria announcement 5/10/22 with work to follow to ensure this announcement achieves desired results for Talbot.		
1.3	Spaces & places	12.	Continue to raise awareness of the Priority Projects Plan and actively advocate for funding for major projects	Chief Executive Officer	In Progress	20%	The Priority Project plan has been provided to relevant Ministers, MPs and Government departments. Funding applications have been made when relevant funding streams become available.		
1.3	Spaces & places	13.	Support the World Heritage Bid for funding for heritage preservation and continue to advocate for Maryborough as the Goldfields and World Heritage Centre	Chief Executive Officer	In Progress	25%	A report detailing the economic benefits has been completed showing that the World Heritage Listing is worth \$1.0 billion to the region, with nearly 2,000 new jobs generated. Advocacy also undertaken to progress the project in time for the 2026 Commonwealth Games in Victoria.		
1.3	Spaces & places	14.	Apply for funding to assist moving events into a low waste outcome	Manager Infrastructure	Completed	100%	Council has received funding to move the largest events within the shire Energy Breakthrough to a low waste event over the coming years. This work will be used as a pilot to set the direction for future management of events within the shire.		
1.3	Spaces & places	15.	Investigate the Sustainability Victoria Organics Fund for opportunities to reduce contamination and increase the capacity of the Carisbrook facility	Manager Infrastructure	Not Due To Start	0%	There is no available Organic Funding Opportunities at this moment; application will be submitted when funding will be available. Ten-year Plan for the Waste Services and Upgrading Infrastructures (Shed, Fences, Storage Facility, etc.) needs to be developed. New Shredding and Monitoring Equipment will also be acquired under this funding.		
1.3	Spaces & places	16.	Work with the community and community groups to identify opportunities for collection points for the Container Deposit Scheme (CDS) and facilitate engagement with state government for sites within Central Goldfields Shire	Manager Infrastructure	Not Due To Start	0%	This will be initiated in early 2023 as part of the kerbside transition program.		
1.4	Leading change	17.	Advocate for, support and implement system change recommendations in the Go Goldfields 'Every Child, Every Chance' Change Plan	Manager Go Goldfields	In Progress	70%	Advocacy document completed. Two presentations to Councilors on Every Child, Every Chance conducted.		







Ongoing initiatives



Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
2.1	Our Community and People	89.	Undertake a feasibility study for alternative locations for the men's shed to allow it to expand and increase membership	Manager Community Partnerships	In Progress	15%	Council has included this initiative in its advocacy program to State Government for development and re-use of buildings that would support community organisations such as The Men's Shed.		
2.1	Our Community and People	90.	Facilitate Healthy Heart of Victoria (HHV) activities locally	Manager Community Partnerships	In Progress	10%	The State Government announced funding in the 2022 budget to extend the Healthy Loddon Campaspe program (renamed from Healthy Heart of Victoria) for another four years. Program planning is currently underway, including two regional workshops in November, before new projects are scheduled to be announced in early 2023.		
2.1	Our Community and People	91.	Continue to deliver and improve library services including: <ul style="list-style-type: none"> ■ An annual calendar of events for Maryborough Library including the Words in Winter program ■ A home library service for people unable to visit the library due to living with a disability 	Manager Tourism Events and Culture	In Progress	25%	The library's annual calendar of events is currently published up until April, The popular cookbook book club will recommence in February alongside other events including the ongoing children's program 4 days per week and the digital literacy program. Words in Winter will be programmed again for 2023. There is increasing demand for the home library service which was delivered to 65 people during July - September, approximately a 60% increase on pre-covid numbers.		
2.1	Our Community and People	92.	Coordinate the School Holiday program across the libraries, Art Gallery and Youth Services	Manager Community Engagement	In Progress	0%	This initiative was successfully delivered this quarter and the processes are in place to support delivery in subsequent quarters.		
2.1	Our Community and People	93.	Develop an Implementation Plan for the Disability Action Plan	Manager Community Services	Not Due To Start	0%	Implementation has not commenced, planning on the structure of this is being discussed. Due to commence in Q2.	31/03/2023	
2.1	Our Community and People	94.	Facilitate and support the LGBTIQ+ Youth Group	Manager Community Partnerships	In Progress	25%	Support for the LGBTIQ+ Youth Social Group is ongoing. Discussions are occurring within the group about the best format for the group to move forward with, and staff are working to support this conversation. Activities held recently include a badge-making workshop and pizza lunch.		
2.1	Our Community and People	95.	Host the annual Community Arts Exhibition as part of the Central Goldfields Art Gallery exhibition program	Manager Tourism Events and Culture	Not Due To Start	0%		30/06/2023	
2.1	Our Community and People	96.	Continue to implement the Children and Young People First program funded through the VicHealth Local Government Partnership	Manager Community Partnerships	In Progress	25%	Planning and development for Year 2 of the Program has been finalised. A Partner Workshop is scheduled for 3 Nov 2022 to plan the implementation phase and		

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
							identify actions against each Impact Stream for delivery over the next 12 months.		
2.1	Our Community and People	97.	Continue to partner with Mt Alexander Shire Council to influence the Aged Care Reform Review	Manager Community Services	In Progress	10%	Consultant, Paxon Group, have been appointed. Project to commence with PCG meeting scheduled for early November. Review will take 12 weeks and be completed in early January 2023.		
2.1	Our Community and People	98.	Participate in the Go Goldfields Leadership Table with State Government and service providers	Chief Executive Officer	In Progress	20%	The Go Goldfields Leadership Table meets on a quarterly basis.		
2.1	Our Community and People	99.	Develop and implement Child Safe Standards	General Manager Community Wellbeing	In Progress	70%	Pertinent policies, procedures, observation reports and code of conduct are in final draft form and soon to be presented to EMT for review.	30/09/2022	
2.1	Our Community and People	100.	Strengthen emergency management in Central Goldfields Shire through training opportunities and community education	Manager Community Partnerships	In Progress	50%	The Community Based Emergency Management Education Program was delivered across the Shire in Mar-July 2022. This involved the recruitment of an Emergency Management Officer, who coordinated and delivered a series of public meetings and community outreach activities to conduct a public information campaign to promote preparedness and education concerning emergencies.	31/03/2023	
2.1	Our Community and People	101.	Support parents and carers of young children through a range of programs including the healthy and supported pregnancies priority action group	Manager Go Goldfields	In Progress	50%	Term 4 programs currently underway and advertised online via the Nest page. Continuing to work with MDHS and MCH on enhanced supports for soon to be and new parents. Healthy and Supported Pregnancies working group currently being reconstituted to support endorsed priority area logic plan.		
2.1	Our Community and People	102.	Support delivery of MASH solar and battery information sessions & promotion of community bulk buy opportunity	Manager Strategy and Economic Development	In Progress	20%	MASH residential solar program is under review by CVGA with a view to developing a more comprehensive approach to addressing energy issues for households and businesses. CGSC is participating in the review as a CVGA member. Maryborough Community House has been granted \$5,000 from the MASH community benefit fund.	30/06/2023	
2.1	Our Community and People	103.	Continue to host an annual volunteer thank you event during National Volunteer Week	Manager Tourism Events and Culture	Not Due To Start	0%	National Volunteers Week will be held in May 2023		
2.1	Our Community and People	104.	Support the Maryborough Volunteer Resource Centre to strengthen volunteering within the municipality	Manager Tourism Events and Culture	Not Progressing	25%	Council's Coordinator Events and Volunteer Development attends regular meetings with the Volunteer Resource Centre Committee. The Centre is also currently located within the co-working space at the Maryborough Railway Station.	30/06/2023	










Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
2.1	Our Community and People	105.	Finalise the Reflect Reconciliation Action Plan	Manager Community Partnerships	In Progress	25%	A draft Reconciliation Action Plan has been developed and submitted to Reconciliation Australia for feedback. The feedback received is now informing a final Plan draft, which will be distributed internally and to selected external audiences for review, before presentation to Executive and Councillors for feedback.	31/12/2022	
2.2	Growing Economy	106.	Complete the Framework Plan for Maryborough North, Flagstaff and Carisbrook	Manager Strategy and Economic Development	In Progress	25%	Consultant recruitment complete and work has commenced with initial site assessments, document review, research and preparation of community engagement plan underway. Draft bushfire assessment to support the project has been completed.	30/06/2023	
2.2	Growing Economy	107.	Participate in the development of the Loddon Mallee Housing Revitalisation Strategy and implement identified actions	General Manager Community Wellbeing	In Progress	40%	DJPR currently finalising the Action Plan following stakeholder engagement sessions in April.	30/06/2023	
2.2	Growing Economy	108.	Participate in Central Victorian Greenhouse Alliance Community Sparks project to investigate feasibility of a community battery site in the Shire	Manager Strategy and Economic Development	In Progress	20%	CGSC has participated in early planning for this project. Feasibility work by CVGA investigation is continuing.	30/06/2023	
2.2	Growing Economy	109.	Continued participation in the regional Connecting Victoria Program and Bendigo Loddon Campaspe Region 100 Gig Project	Manager Strategy and Economic Development	In Progress	25%	Talbot included in Connecting Victoria announcement 5/10/22 with work to follow to ensure this announcement achieves desired results for Talbot. Follow up actions to be determined. No outcome yet on 100 Gig project.		
2.2	Growing Economy	110.	Support the growth of digital capability in the Shire through the Digital Connection for Seniors Program and digital devices for loan	Manager Community Services	In Progress	10%	Promotion due to commence in January 2023 through community services newsletter and community care services.		
2.2	Growing Economy	111.	Investigate other digital literacy programs that are government funded	Manager Community Services	Not Due To Start	0%	Action has not yet commenced. Due to commence in early January 2023.	31/03/2023	
2.2	Growing Economy	112.	Planning and renewal of toilets in Rene Fox Gardens Dunolly	Manager Project Management Office	In Progress	5%	Final planning scoping is underway.	30/06/2023	
2.2	Growing Economy	113.	Replace Talbot Town Hall toilets	Manager Infrastructure	In Progress	25%	Contract for renewal works has been awarded and contractor is completing preliminaries before work is scheduled to commence in the new calendar year	31/12/2022	
2.3	Spaces & places	114.	Review and update the Road Management Plan	Manager Infrastructure	Not Due To Start	0%		31/12/2022	









Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
2.3	Spaces & places	115.	Undertake key road renewal projects (Porter Avenue, Primrose Street and Cotswold Road)	Manager Infrastructure	In Progress	25%	Contract for works at Porter Avenue and Primrose Street scheduled for ward in November with all road rehabilitation works to commence early in 2023	30/06/2023	
2.3	Spaces & places	116.	Continue to upgrade Philips Gardens through the design and installation of an Irrigation Plan	Manager Operations	Completed	100%	Phillips Irrigation project has been completed	31/12/2022	
2.3	Spaces & places	117.	Implement Shire wide footpath upgrade program with a focus on age friendliness and safety for people who use motorised mobility devices	Manager Infrastructure	In Progress	25%	Design work is underway with construction of key new footpaths to commence in early 2023	30/06/2023	
2.3	Spaces & places	118.	Construct the Maryborough Skate and Scooter Park	Manager Community Partnerships	In Progress	75%	The Skate and Scooter Park project is currently in the construction phase. Wet weather has caused delays to the commencement and progress of the construction and the revised completion date (weather permitting) is now early December 2022.	31/03/2023	
2.3	Spaces & places	119.	Complete the construction of Carisbrook Recreation Reserve upgrade project	Manager Community Partnerships	In Progress	50%	Both building components of the project, Reserve Main Pavilion and Carisbrook Bowls Club Pavilion, are currently in the construction phase. Covid and material shortage issues have caused delays with the original project timelines and completion of Main Pavilion now expected end of Feb 2023 and Bowls Club Pavilion end of Jan 2023.	31/03/2023	
2.3	Spaces & places	120.	Implement major upgrades to the Maryborough Heritage Outdoor Pool Complex	Manager Community Partnerships	Not Due To Start	0%		31/03/2023	
2.3	Spaces & places	121.	Complete Review of Heritage Overlay in Central Maryborough	Manager Strategy and Economic Development	In Progress	25%	Partnering with DELWP Regional Planning Hub on this project. Consultant recruitment complete and work has commenced. EOI has been released for participants to be part of a community reference group as this work progresses.	31/03/2023	
2.4	Leading change	122.	Continue to involve the community in Council's decision making through high quality communications and engagement (including the Engaging Central Goldfields website)	Manager Community Engagement	In Progress	0%	Add stat's from the team		
2.4	Leading change	123.	Redesign Council's website including enhancing the content and accessibility of the platform	Manager Community Engagement	In Progress	0%	This initiative is ongoing and change is improvement is achieved overtime. This quarter we made simple improvements to the homepage to ensure that the key areas which community search for (based on user data), are easy for them to access.	31/12/2022	
2.4	Leading change	124.	Review Council's e-bulletins to ensure all people and groups are reached with current news and opportunities	Manager Community Engagement	Not Due To Start	0%	This initiative will commence in Q3.	31/12/2022	










Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
2.4	Leading change	125.	Develop a Community Township Plan for Daisy Hill	Manager Community Engagement	In Progress	0%	This initiative will be actively progressed in Q3 in collaboration with the Community Partnerships area.		
2.4	Leading change	126.	Complete a review of Community Asset Committees and create a consistent and equitable approach for the management of buildings	General Manager Community Wellbeing	In Progress	5%	Public tender out to market to bring focus to leases, licenses and community asset committees.		
2.4	Leading change	127.	Continue to support the community through Council's annual Community Grant Program and review and improve the process for allocating community grants	Manager Community Partnerships	In Progress	25%	Payments to successful 2022/23 Community Grant recipients have been delivered and acquittals of 2021/22 projects are currently being processed. A review of the Program's processes is scheduled to commence in Quarter 2.		
2.4	Leading change	128.	Review 10-year financial plan based on information from the service plans, in consultation with community (following completion of the 2021/2022 financial statements) and, evaluate Council's borrowing requirements and develop a Borrowings Strategy	Manager Finance	In Progress	15%	<p>As 2021-22 financial statements have now been audited and approved LTFP can now be updated with last year's financials.</p> <p>Over the new few months Finance will review any known future events i.e October flood and update LTFP with suspected impact both from a funding and cost point of view.</p> <p>Finance will also need to sit down with EMT and update LTFP with known future events or future requirements.</p> <p>LTFP should also form part of the budgeted process and align with council strategic plan.</p> <p>Finance team also involved with future capex working group to assist with future capex requirements and wish list.</p>	31/03/2023	
2.4	Leading change	129.	Improve the financial reporting to Council through improved cash flow forecasting	Manager Finance	In Progress	80%	<p>Have developed a cashflow forecast to determine cash in and out of business on a weekly and monthly basis. This is reviewed every week and updated with actual bank balance which shows variance to forecast.</p> <p>Set up monthly meeting with capex/major projects team to determine major monthly capex spend now and, in the future, to determine how much cash is required each month. This allows finance to reinvest excess or recall funds to manage cashflow efficiently.</p>	31/12/2022	
2.4	Leading change	130.	Review, improve and deliver on Council's reporting framework including the Annual Action Plan, Annual Report and LGPRF	Manager Community Engagement	Not Due To Start	0%	This initiative will commence late in Q2.	30/09/2022	












Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
2.4	Leading change	131.	Review and update the Councillor Code of Conduct and Transparency Policy	Manager Governance Property and Risk	Not Due To Start	0%		30/06/2023	
2.4	Leading change	132.	Report on Community Township Plan progress to the community through the Engaging Central Goldfields website and Councillor updates in the Community Update newsletter	Manager Community Engagement	In Progress	0%	This is an ongoing activity ensuring regular updates with the community. The Engage engagement website is up to date, and the Community New Update featured Councillor updates on the progress with Community Plans.		








New initiatives











Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
3.1	Our Community and People	18.	Celebrate the 30th anniversary of Energy Breakthrough	Manager Tourism Events and Culture	In Progress	90%	Energy Breakthrough will celebrate its 30th anniversary and its return to the community in November following two years of event cancellations as a result of the pandemic.	31/12/2022	
3.1	Our Community and People	19.	Support the community to establish a Pride Festival	Manager Tourism Events and Culture	In Progress	50%	Mill House leading the development of a Pride Festival and recently received notification of funding through DFFH.	30/06/2023	
3.1	Our Community and People	20.	Support the Inaugural Goldfields Community Festival	Manager Tourism Events and Culture	In Progress	30%	The Festival was postponed due to flooding event and being rescheduled for March 2023	31/12/2022	
3.1	Our Community and People	21.	Purchase equipment to provide an inclusive play space at Goldfields Family Centre	Manager Community Services	Completed	100%	Funding received and equipment has been purchased and in use. Acquittal due in December.	31/12/2022	
3.1	Our Community and People	22.	Support the implementation of the Empowering Parents, Empowering Communities program	Manager Go Goldfields	In Progress	60%	Term 4 class currently underway. Eight parents enrolled with 2 facilitators. Weekly sessions occurring at MEC.		
3.1	Our Community and People	23.	Working closely with local leaders to facilitate the Welcome to Central Goldfields project	Manager Community Engagement	In Progress	0%	This initiative progressed well with agreement on a Statement of Intention by the Community Reference Group, noting by Council and the establishment of a support network for new residents		
3.1	Our Community and People	24.	Launch and activate the Art Gallery through a Dean Bowen sculpture exhibition and including a pop up gallery and educational workshop spaces	Manager Tourism Events and Culture	In Progress	95%	Exhibition planning well underway, ready to launch a revitalised gallery in the New Year.	31/12/2022	
3.1	Our Community and People	25.	Deliver the VicHealth module for Supporting Everyday Creativity by improving opportunities for young people to lead creative programs	Manager Community Partnerships	In Progress	25%	The Art Gallery is currently in the recruitment process for an Education and Public Program Officer (funded by the VicHealth program). This role will undertake an audit of existing creative programs for young people in Central Goldfields and facilitate co-design workshops to develop new youth-led initiatives, in line with the minimum deliverables of the 'Supporting Everyday Creativity' module. This project will also be supported by Community Partnerships staff and the Youth Council.		
3.1	Our Community and People	26.	Develop the Municipal Early Years Municipal Plan	Manager Community Services	Not Due To Start	0%	The early years plan will commence in the last quarter of 2023.	30/06/2023	












Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
3.1	Our Community and People	27.	Develop and Early Years Infrastructure Masterplan in line with Building Blocks Infrastructure Grant	Manager Community Services	In Progress	50%	Phase 1 of 3 of the masterplan is complete. Phase 2 about to commence with a meeting scheduled in October and December for the advisory committee to review the progress so far. Project is due to be completed in March 2023.	30/06/2023	
3.1	Our Community and People	28.	Establish and promote an outreach service for outlying communities within Central Goldfields Shire for Maternal and Child Health and Immunisation services	Manager Community Services	In Progress	70%	Outreach program for MCH will launch early 2023. Van has been purchased and is currently being refurbished to be fit for purpose. Immunisation services have scheduled community sessions in outlying areas and will conduct 4 sessions in each town over 4 months from September to December 2022.	31/03/2023	
3.1	Our Community and People	29.	Support the implementation of a whole of Shire Transition Plan (co-ordinated transition into Kinder and School)	Manager Go Goldfields	In Progress	70%	Final multidisciplinary early years workshop (of 4) completed with input for Transition Plan to be reviewed by the Great Start to School Governance group in mid November. Whole of Shire Transition Plan expected to be launched in February 2023.	31/03/2023	
3.1	Our Community and People	30.	Promote the drop in space for parents at the Maternal and Child Health space at Goldfields Family Centre	Manager Community Services	In Progress	50%	Drop in space has been refurbished. MCH nurse Leonie Harper has recently undertaken studies to become a lactation nurse, once qualification has formally arrived the space will be promoted along with the availability of assistance.	30/09/2022	
3.1	Our Community and People	31.	Re-launch 'The Nest' incorporating parent drop-in sessions and programming at Go Goldfields HQ	Manager Go Goldfields	Completed	100%	Relaunch event occurred on 7 July. A full-time Nest Facilitator appointed on 18 month contract. Drop in parent and carer sessions running 5 days per week 10am to 4pm. Program timetable available online offering range of activities and supports for parents and carers.	30/09/2022	
3.1	Our Community and People	32.	Support family friendly facilities in the specification for the refurbishment of the main Council office (including the public areas)	Manager Project Management Office	In Progress	5%	Final planning scoping is underway.		
3.1	Our Community and People	33.	Establish and provide support to a Youth Council	Manager Community Partnerships	In Progress	50%	The Central Goldfields Youth Council has been formed and meets on a monthly basis. A Youth Council Priorities statement has been developed and Council elections were held in October, with a mayor and two deputy mayor positions elected and sworn in at the Youth Council Meeting held on 10 October.	30/09/2022	
3.1	Our Community and People	34.	Prepare a Wastewater Management Plan to address existing and future domestic wastewater issues within unsewered townships	Coordinator Statutory Services	In Progress	70%	The DWMP is in its final draft stage with external consultation with the community to begin early next year.	31/12/2022	







Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
3.1	Our Community and People	35.	Implement the Municipal Public Health and Wellbeing Plan 2021-2025: ■ Establish the Health and Wellbeing Partnership and governance structure/framework ■ Develop year 1 Annual Action Plan	Manager Community Partnerships	In Progress	15%	The planned governance structure/framework to support the Plan implementation is currently being reviewed through consultation with key partner organisations in the community and internal stakeholders. A proposed governance framework will then be presented to Executive and Councillors for consideration.	30/06/2023	
3.1	Our Community and People	36.	Implement the Central Goldfields Youth Live4Life suicide prevention and mental wellness program	Manager Community Partnerships	In Progress	10%	Funding sources for the Program have been confirmed and a meeting to gain key stakeholder agreement to commence the Program is scheduled on 2 Nov 2022. Pending this agreement, the recruitment process for a Program Officer will commence in the new year.	30/06/2023	
3.1	Our Community and People	37.	Provide leadership for the implementation of the Gender Equity Action Plan	General Manager Community Wellbeing	In Progress	20%	Council's Gender Equality Action Plan (GEAP) has been reviewed by the Commission for Gender Equality to ensure it complies with the Gender Equality Act 2020. Implementation is being overseen by the Gender Equality Committee, chaired by the General Manager Community Wellbeing.	30/06/2023	
3.1	Our Community and People	38.	Support the Castlemaine - Maryborough Rail Trail feasibility study	General Manager Community Wellbeing	In Progress	20%	Following a public tender process a Consultant has been appointed to undertake the feasibility study.	30/06/2023	
3.1	Our Community and People	39.	Commence the Local Laws Review	Coordinator Statutory Services	In Progress	20%	The initial technical review of the Local Law has begun. Engagement with the community in the initial phase of the project is scheduled to occur in early 2023	31/12/2022	
3.1	Our Community and People	40.	Implement the Enforcement Strategy	Coordinator Statutory Services	Not Due To Start	0%		31/12/2022	
3.1	Our Community and People	41.	Complete and implement the Maryborough Flood Study	Manager Infrastructure	In Progress	90%	Final round public consultation carried out on the draft Flood Study. Flood Study currently being updated to incorporate the feedback received from the NCCMA, prior to being considered for endorsement at the December council meeting.	30/09/2022	
3.1	Our Community and People	42.	Implement the Carisbrook Flood and Drainage Management Plan, specifically the fourth and final phase	Manager Infrastructure	In Progress	60%	Construction works have commenced. Delays have occurred due to wet weather. Revised completion date for construction works is December 2022, weather permitting.	31/03/2023	
3.1	Our Community and People	43.	Undertake Shire-wide Flood Study in partnership with NCCMA	Manager Infrastructure	Not Due To Start	0%		30/06/2023	

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
3.1	Our Community and People	44.	Complete Social and Affordable Housing Needs Analysis	General Manager Community Wellbeing	In Progress	15%	Remplan Housing Analysis Module received, which will inform next stage of needs analysis to be undertaken by a consultant.	31/03/2023	
3.1	Our Community and People	45.	Establish the Central Goldfields Climate Action Partnership	Manager Community Engagement	In Progress	0%	This initiative has been put on hold until November 2022 (as agreed with the Climate Action Core Team), to redirect efforts into the successful delivery of Climate Action Month, a month-long calendar of events designed to raise awareness with the community.		
3.1	Our Community and People	46.	Review and simplify Council's volunteer recruitment processes	Manager Tourism Events and Culture	Not Due To Start	0%		30/06/2023	
3.1	Our Community and People	47.	Build phase 1-3 of the Indigenous Interpretive Garden at the Art Gallery	Manager Tourism Events and Culture	In Progress	0%	Phase 1 of the Indigenous Interpretive Garden is included in the current stage of works at Gallery. Funding has been secured from DJPR for Phase 2 and Phase 3 . Works will commence in 2023.	31/12/2022	
3.1	Our Community and People	48.	Support and participate in the annual NAIDOC week and Reconciliation week events	Manager Community Engagement	Not Due To Start	0%	This initiative is not relevant to this quarter.		
3.1	Our Community and People	49.	Research best practice and principles that support partnerships with First Nations stakeholders and organisations	Manager Community Engagement	Not Due To Start	0%	This initiative will commence in Quarter 3.		
3.1	Our Community and People	50.	Work collaboratively with Bendigo District Aboriginal Corporation to support Aboriginal parents and carers	Manager Go Goldfields	In Progress	15%	Meeting scheduled to discuss BDAC involvement with the Nest and specific event to welcome Aboriginal families in December		
3.1	Our Community and People	51.	Complete Planning Scheme Amendment to implement key recommendations of the Population, Housing and Residential Settlement Strategy	Manager Strategy and Economic Development	In Progress	40%	Amendment C034cgoI currently being exhibited	31/03/2023	
3.1	Our Community and People	52.	Installation of digital infrastructure and an interpretive experience at the Visitor Information Centre	Manager Tourism Events and Culture	Not Due To Start	0%		31/03/2022	
3.1	Our Community and People	53.	Develop partnership with Committee for Maryborough and key shire employers to identify issues and opportunities for both existing and future labour force and seeking funding options	Manager Strategy and Economic Development	In Progress	50%	Acted on via participation in the Welcome to Central Goldfields project		
3.2	Growing Economy	54.	Review our planning processes, policy and delegations to improve efficiency	Coordinator Statutory Services	Completed	100%	A report was put to Council, which included revised delegations and a more transparent planning hearing and mediation process. This was endorsed by Council at the August meeting and has been	30/09/2022	

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
							implemented for improved outcomes, including reduced timeframes in consideration of applications and more efficient resolution of matters.		
3.2	Growing Economy	55.	Feature the story of gold and the journey to world heritage listing as part of the Maryborough Railway Station Activation Project	Manager Tourism Events and Culture	In Progress	15%	Design brief currently out to market, with tender responses scheduled for review in the coming weeks	31/03/2023	
3.2	Growing Economy	56.	Upgrade Princes Park Precinct to improve the Energy Breakthrough visitor experience	Manager Tourism Events and Culture	In Progress	90%	Improvements scheduled for completion prior to the 2022 Energy Breakthrough event.	31/12/2022	
3.2	Growing Economy	57.	Support RV friendly town status for Dunolly	Manager Tourism Events and Culture	Not Progressing	20%	Council is in support of Dunolly becoming a RV friendly town. A condition of RV friendly status is that there is a free camping ground available. Deledio Recreation Reserve was proposed as a being potentially suitable for this purpose. Council received notification from DELWP in September that the Dunolly Recreation Reserves Committee of Management Incorporated, who are appointed under the Crown Land Reserve Act 1978 to manage the Deledio Recreation Reserve on DELWP's behalf, resolved not to move forward with the proposal to list the reserve as a free camping area. The committee considered the proposal closely but identified several major risks by listing the area as a free camping site that they are not able to mitigate. One of these risks included the safety of children in the vicinity of the camp area.		
3.2	Growing Economy	58.	Develop an Implementation Plan for the Maryborough Retail Recovery Program	Manager Strategy and Economic Development	In Progress	25%	Draft is being prepared for consideration by Council in early 2023.		
3.2	Growing Economy	59.	Partner with CVGA to support small business investment in low emissions equipment through Sustainability Victoria's Small Business Energy Saver Program	Manager Strategy and Economic Development	In Progress	10%	Program is under review by CVGA with a view to developing a more comprehensive approach to addressing energy issues for households and businesses. CGSC is participating in the review as a CVGA member.		
3.2	Growing Economy	60.	Work with local Business Associations to facilitate e-learning training opportunities for small business	Manager Strategy and Economic Development	In Progress	50%	Local businesses recruited for Navii training program which commenced in September 2022.	30/06/2023	
3.2	Growing Economy	61.	Initiate partnerships between Central Goldfields Art Gallery and local businesses	Manager Strategy and Economic Development	In Progress	25%	Economic Development Officer has provided support to Art Gallery staff in developing a model for business partnerships	31/12/2022	

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
3.2	Growing Economy	62.	Work with partners on innovative activities to attract and retain early childhood teachers and educators in the Shire	Manager Go Goldfields	In Progress	40%	Partial completion of this project however some components of the project rescoped seek alternative activity to adapt to current situation of staff shortages.	31/03/2023	
3.2	Growing Economy	63.	Complete and activate the extended co-working space and artist workshop components of the Maryborough Railway Station Activation Project	Manager Strategy and Economic Development	In Progress	25%	Tenders for building works were considered at October Council meeting with contract awarded to allow construction to commence on this project	30/06/2023	
3.2	Growing Economy	64.	Develop a Play Spaces Strategy	Manager Community Partnerships	In Progress	10%	Project scope and brief currently being finalised before procurement tender for consultancy services to deliver strategy is released to the market in November 2022.	30/06/2023	
3.2	Growing Economy	65.	Commence implementation of the Maryborough Major Reserves Masterplans including completion of all the capital works projects and undertake a review of the rental payments	Manager Community Partnerships	Not Due To Start	0%		30/06/2023	
3.2	Growing Economy	66.	Scope potential locations for bike self service stations in the Shire including bike parking in Maryborough	Manager Community Partnerships	Not Due To Start	0%			
3.3	Spaces & places	67.	Reduce obstructions on footpaths by developing a Safe Street Policy and program of works	Coordinator Statutory Services	Not Due To Start	0%		30/06/2023	
3.3	Spaces & places	68.	Review the amount of quality seating along highly pedestrianised routes including parks, public transport stops, walkways and areas near main streets to ensure they provide protection from the sun and inclement weather and enable ageing residents to make best use of the Shire's facilities	Manager Infrastructure	In Progress	25%	Installation of seating around Goldfields Reservoir is scheduled to occur in December 2022 with seating ordered to achieve this desired outcome	30/06/2023	
3.3	Spaces & places	69.	Review installation priorities from pedestrian crossings with a focus on busy neighbourhood centres and meeting places	Manager Infrastructure	Not Due To Start	0%		30/06/2023	
3.3	Spaces & places	70.	Implement priority works and a revised procedures and maintenance regime at the Maryborough Aerodrome	Manager Infrastructure	In Progress	25%	Outcome from grant application to carry out priority works is unknown at this stage. Work is underway with task force to revise operations plan in line with best practices	30/06/2023	
3.3	Spaces & places	71.	Develop a business case for long term management of the Maryborough Aerodrome	Manager Strategy and Economic Development	In Progress	25%	Brief finalised in conjunction with Taskforce; Request for Quote process underway	31/03/2023	

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
3.3	Spaces & places	72.	Update the Nolan Street Customer Service Centre and Offices to provide accessible and COVID Safe facilities	Manager Project Management Office	In Progress	5%	Final planning scoping is underway.		
3.3	Spaces & places	73.	Install a drinking fountain in Bealiba	Manager Infrastructure	Not Due To Start	0%	This Drinking Fountain will be installed in this Financial Year (2022-23).		
3.3	Spaces & places	74.	Upgrade the electrical system in the Maryborough Town Hall	Manager Project Management Office	In Progress	40%	Electrical design being finalised. Tender for works currently out to market to source a contractor to complete this work		
3.3	Spaces & places	75.	Implement building structural upgrade works to Worsley Cottage, Maryborough	Manager Infrastructure	In Progress	25%	Contract has been awarded with preliminaries underway before construction works commence in early 2023	30/06/2023	
3.3	Spaces & places	76.	Identify and review the opportunity for glass bins located throughout the Shire	Manager Infrastructure	Not Due To Start	0%	This will be initiated in early 2023 as part of the kerbside transition program.	30/06/2023	
3.3	Spaces & places	77.	Identify opportunities for glass and other recycled products to be utilised in products such as concrete and asphalt by trialling and demonstrating products through grants	Manager Infrastructure	In Progress	90%	Project underway to utilise crushed glass in concrete works for a new hardstand area at the Carisbrook Transfer Station.	30/06/2023	
3.3	Spaces & places	78.	Connect to other Councils in the Loddon and Grampians region through future forums (and informally) and encourage field days at facilities to exchange practical information	Manager Infrastructure	Not Due To Start	0%	Need to start the Communications with Councils in the Loddon and Grampians region to create a Forum.		
3.3	Spaces & places	79.	Waterway Management Plan for Carisbrook Governance Committee	Manager Community Engagement	Not Due To Start	0%	This initiative will commence in Q3.		
3.3	Spaces & places	80.	Promote design intent of Indigenous Interpretive Garden including the rock wells and fire practices	Manager Tourism Events and Culture	Not Due To Start	0%		31/03/2023	
3.3	Spaces & places	81.	Investigate options to track emissions data, including group procurement of emissions data management system in collaboration with other CVGA Councils	Manager Strategy and Economic Development	In Progress	25%	A brief for an emissions data management system tailored to CGSC needs has been drafted. Joint procurement not likely to be an option.	30/09/2022	
3.4	Leading change	82.	Implement the new payroll system for Council to ensure efficiency and compliance with legislative requirements	Manager People and Culture	In Progress	60%	The new payroll system is currently being implemented. Expected date of stage one with core modules to be completed by end of December 2022. Second parallel pay run is currently being undertaken. Stage two - the implementation of Employee Self Service expected to be completed by end of March 2023.	31/12/2022	

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
3.4	Leading change	83.	Investigate and implement a customer request management (CRM) tool in collaboration with Pyrenees Shire Council utilising the Rural Council Transformation Program funding to assist in the management and monitoring of customer interactions and complaint handling	General Manager Corporate Performance	In Progress	5%	There has been initial meetings with Pyrenees Shire, Department of Jobs, Precincts and Regions and Council officers. From those meetings there has been agreement to modify the funding agreement to release 10% of the funding \$50K to support resources to initiate the project.	30/06/2023	
3.4	Leading change	84.	Implement the key actions identified in the Workforce Plan	Manager People and Culture	In Progress	70%	<p>The following policies and procedures have been completed: Staff Code of Conduct, Gender Equity Plan, Sexual Harassment policy, Recruitment policy, Flexible Working policy, Leave Management policy, Pandemic and Epidemic policy, Study Leave policy and Higher Duties policy.</p> <p>Enterprise Agreement implemented, Staff Survey currently underway and closes on 22 November 2022. Leave Management Reports provided to Executive monthly, and People and Culture follow up excess balances with managers. E-learning modules completed by new staff on commencement and existing redo modules every two years. A monthly report is provided to Executive on progress and staff who have outstanding modules to complete. Performance Development Plans have been completed except for one unit - this is currently being worked on with the manager and general manager. The lack of completion was due to staff turnover at the supervisory level.</p>	30/06/2023	
3.4	Leading change	85.	Implement an Occupational Health and Safety review at the Depot	Manager People and Culture	Not Due To Start	0%		30/06/2023	
3.4	Leading change	86.	Develop and implement a Risk & Assurance system and culture change	Manager Governance Property and Risk	Not Due To Start	0%		30/06/2023	
3.4	Leading change	87.	Work with Dja Dja Wurrung Corporation (in line with the Reconciliation Action Plan) to deliver Cultural Awareness Training across the organisation	Manager Community Engagement	Not Due To Start	0%	This initiative will commence once the Reconciliation Action Plan has been completed.		
3.4	Leading change	88.	Implement an Intranet platform	General Manager Corporate Performance	In Progress	20%	Work has commenced on the intranet using internal IT Officer skills, due to their resignation further work is on hold due to limited resources and other demands. The Manager Technology & Customer	31/03/2023	



Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
							Service has just commenced and this and other IT project will be part of their review and work planning.		

8.3 PLANNING PERMIT 042-22 62 GOLDEN WATTLE DRIVE - DEVELOPMENT OF SIX DWELLINGS, REDUCTION OF CAR PARKING, AND A SIX-LOT SUBDIVISION AT 62 GOLDEN WATTLE DRIVE, MARYBOROUGH

Author: Statutory Planner

Responsible Officer: General Manager Infrastructure Assets and Planning

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

SUMMARY/PURPOSE

The purpose of this report is to seek a Council determination for planning permit application 024/22 for the development of the land for six dwellings with associated works, reduction of car parking, and a six-lot subdivision with creation of common property at 62 Golden Wattle Drive, Maryborough.

Notice of the application has been given and two objections were received.

The application has been assessed against the Central Goldfields Planning Scheme and it is considered that the proposed development and subdivision is appropriate.

This report recommendation is that a planning permit be granted and a Notice of Decision to Grant a Permit be issued.

RECOMMENDATION

That Council, having caused notice of Planning Permit Application No. 024/22 to be given under section 52 of the Planning and Environment Act 1987 and the Central Goldfields Planning Scheme and having considered all the matters generally required, resolves to grant a planning permit and issue a Notice of Decision to Grant a Permit in respect of Planning Permit Application No. 024/22 for the land known and described as 62 Golden Wattle Drive, Maryborough, for development of the land for six dwellings with associated works, reduction of car parking, and a six-lot subdivision with creation of common property, subject to the following conditions:

Amended plans

- 1. Prior to commencement of development, amended plans must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale*

and fully dimensioned. The plans must be generally in accordance with the plans submitted with the application, but modified to show:

- a) Elevations of the proposed lattice screen along the north-eastern and south-western boundaries.*
- b) Lighting bollards along the south-western boundaries of the common driveways to provide a low-level illumination of these driveways. The lighting bollards shall be suitably directed, baffled, screened (or other) to prevent light spill to adjoining properties.*

Endorsed plans

- 2. The development and subdivision must be generally in accordance with the plans endorsed as part of this permit and must not be altered or modified without the written consent of the responsible authority.*

Formal plan of subdivision

- 3. The formal plan of subdivision submitted for certification must be in accordance with the endorsed plan and must not be modified except to comply with statutory requirements or with the further written consent of the responsible authority.*

Construction Management Plan

- 4. Prior to commencement of development, a Construction Management Plan (CMP) must be submitted to and approved by the responsible authority. When approved, the CMP will be endorsed and will then form part of the permit. The CMP must suitably detail:*
 - a) Hours of demolition and construction to accord with Local Laws.*
 - b) Methods to contain dust, dirt and mud within the site and the method and frequency of clean up procedures, including the management of on-site storage waste construction bins and vehicle washing.*
 - c) How the parking of construction machinery and workers vehicles will be managed to prevent adverse impacts on nearby properties.*
 - d) Management of staging of heavy vehicles, site deliveries and unloading and lifting points with expected frequency, and traffic management in the vicinity, ensure routes to and from the site minimise disruption to residential properties.*
 - e) Minimising disruption to pedestrian access along footpaths.*

- f) *Measures to minimise noise and other amenity impacts from mechanical equipment, including idling trucks, and demolition/construction activities.*
 - g) *The provision of adequate environmental awareness training for all on-site contractors and sub-contractors.*
 - h) *A liaison officer for contact by the public and the responsible authority in the event of relevant queries or problems experienced.*
5. *All works must be undertaken in accordance with the endorsed CMP to the satisfaction of the responsible authority.*

Landscape Plan

6. *Prior to commencement of development, a Landscape Plan must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and show:*
- a) *Details of surface finishes of pathways and driveway.*
 - b) *A planting schedule of all proposed trees, shrubs, and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.*
 - c) *Details of any vegetation to be retained.*
 - d) *Landscaping and planting within all open areas of the site.*
 - e) *An outline of buildings. No floor plans are to be shown on the landscape plan; however, the outline of buildings is to be informed by the approved site plan.*
 - f) *Location and depth of all surface treatments with materials and colours notated.*
 - g) *Clear graphics to indicate trees (deciduous or evergreen), shrubs, ground covers, grass etc.*

Note, that any foundations of built structures, including any concrete areas such as paths/driveways, must be protected with appropriate tree root/moisture barriers to ensure the integrity of the foundations are not compromised.

Completion of landscaping

7. *Before the occupation of the development or by such later date as is approved by the responsible authority in writing, the landscaping shown on the endorsed*

plan(s) must be carried out and completed to the satisfaction of the responsible authority.

General amenity

8. *The development and the appearance of the subject land permitted by this permit must not, in the opinion of the responsible authority, adversely affect the amenity of the locality.*

Construction activities

9. *The development must be managed during construction to the satisfaction of the responsible authority so that the amenity of the area is not detrimentally affected through the:*
 - a) *Transport of materials, goods, or commodities to or from the land.*
 - b) *Appearance of any building, works, or materials.*
 - c) *Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, litter, dust, wastewater, waste products, grit, or oil.*
 - d) *Presence of vermin or animals.*
10. *The developer must restrict sediment discharges from any construction sites within the land in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995).*

Asset protection

11. *At any time, the permit holder must ensure that the operation and condition of Council assets (including street trees, drainage pits and covers, footpaths and kerb and channel) are not damaged by the site construction works. If the responsible authority deems Council assets have been detrimentally affected or damaged by development construction access, then the assets will be required to be repaired and reinstated by the permit holder to the satisfaction of the responsible authority.*

Boundary walls

12. *The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the responsible authority.*

Use of parking areas

13. *Areas set aside for the parking and movement of vehicles, as shown on the endorsed plans, must be maintained in a usable and safe condition to the*

satisfaction of the responsible authority. The areas must be made available for the parking and movement of vehicles and must not be used for any other purpose.

Provision for waste collection

14. *Provision must be made for an acceptable pick-up point for waste collection services to the satisfaction of the responsible authority.*

Occupation of development

15. *Before the occupation of the development or by such later date as is approved by the responsible authority in writing:*
- a) *The access and parking area(s) shown on the endorsed plan(s) must be constructed to the requirements and satisfaction of the responsible authority.*
 - b) *The garden and landscape area(s) shown on the endorsed plan(s), including external fixtures such as clotheslines, storage sheds and water tanks, must be provided and completed to the requirements and satisfaction of the responsible authority.*

Completion of development

16. *Prior to the issue of a Statement of Compliance under the Subdivision Act 1988, the development allowed under this permit must be completed including that:*
- a) *The access and parking area(s) shown on the endorsed plan(s) must be constructed to the requirements and satisfaction of the responsible authority.*
 - b) *The garden and landscape area(s) shown on the endorsed plan(s) including external fixtures such as clotheslines, storage sheds and water tanks must be provided and completed to the requirements and satisfaction of the responsible authority.*

Public open space contribution

17. *Prior to the issue of the Statement of Compliance, a monetary contribution of an amount equal to 5% of the current value of all the land within the subdivision shall be paid to the responsible authority.*

Engineering

18. *Prior to the issue of a Statement of Compliance and use of the dwellings, the following must be undertaken by the applicant/owner to the requirements and satisfaction of the responsible authority:*

Access

19. *Vehicular access must be provided from Golden Wattle Drive for Dwellings 1, 2 and 3, and from Spring Street for Dwellings 4, 5 and 6.*
20. *Any existing or new vehicular crossovers/driveways must be constructed between Dwellings 1, 2 and 3 and Golden Wattle Drive, and between Dwellings 4, 5 and 6 and Spring Street. Such crossovers/driveways must be of concrete construction and be from kerb to property boundary (refer Infrastructure Design Manual Standard Drawing 240).*
21. *The permit holder/landowner must make an application for a driveway crossover permit (or permits) for relevant works and have this approved. All works constructed or carried out must be in accordance with the approved plans/permit(s)*
22. *Once constructed, the crossovers/driveways must be thereafter maintained by the landowner to the satisfaction of the responsible authority.*
23. *Prior to the occupation of the development, the permit holder/landowner must ensure the internal driveway access is to an all-weather standard to the satisfaction of the responsible authority.*
24. *The driveway(s) must be designed and constructed so that vehicles associated with Dwellings 2, 3, 4 and 5 can leave the respective sites in a forward direction.*
25. *Any disused crossovers/driveways must be removed, and the kerb and channel and nature strip reinstated to the satisfaction of the responsible authority.*

Drainage

26. *All stormwater must be accommodated and treated within the subject land.*
27. *The permit holder/landowner must design a drainage system to drain each lot to the legal point of discharge, which is the relevant kerb and channel.*

Landscaping

28. *Upon completion of all off-site works, all nature strips must be levelled, topsoiled, and seeded. Alternate landscaping methods may be undertaken, but must be approved, in writing, by the responsible authority prior to any works being undertaken.*

Mandatory BMO condition

29. *The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.*

Country Fire Authority - Amended Bushfire Management Plan

30. *Prior to commencement of development, an amended Bushfire Management Plan must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. Once endorsed, the plan must not be altered unless agreed to in writing by the Country Fire Authority and the responsible authority. The plan must be generally in accordance with the BMP prepared by Greenwood Consulting Pty Ltd (Appendix B - Ref: 6649 220419 BMS SPD, dated 19/4/2022) but modified to replace the conditions for water supply with:*

a) Water supply

2500lts of effective water supply for firefighting purposes must be provided for each Lot which meets the following requirements:

- Is stored in an above ground water tank constructed of concrete or metal.*
- All fixed above-ground water pipes and fittings required for firefighting purposes must be made of corrosive resistant metal.*
- Include an outlet for occupant use.*

Powercor Australia

31. *The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with section 8 of that Act.*

32. *The permit holder/landowner shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.*

Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.

33. *The permit holder/landowner shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).*

Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.

Central Highlands Water

34. *Any plan lodged for certification will be referred to the Central Highlands Region Water Corporation pursuant to section 8(1)(a) of the Subdivision Act 1988.*
35. *Reticulated sewerage facilities must be provided to each lot by the owner of the land (or permit holder, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the permit holder.*
36. *A reticulated water supply must be provided to each lot by the owner of the land (or permit holder, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the permit holder.*
37. *The owner will provide easements to the satisfaction of the Central Highlands Region Water Corporation, which will include easements for pipelines or ancillary purposes in favour of the Central Highlands Region Water Corporation, over all existing and proposed sewerage facilities within the proposal.*
38. *If the land is developed in stages, the above conditions will apply to any subsequent stage of the subdivision.*

AusNet Gas Services Pty Ltd / Downer Utilities

39. *The plan of subdivision submitted for certification must be referred to AusNet Gas Services in accordance with section 8 of the Subdivision Act 1988.*

Permit expiry

40. *This permit will expire if one of the following circumstances applies:*
 - a) *The development is not started within two (2) years of the date of this permit.*
 - b) *The development is not completed within four (4) years of the date of this permit.*
 - c) *The plan of subdivision is not certified under the Subdivision Act 1988 within two years of the date of this permit.*
 - d) *Registration of the plan of subdivision is not completed within five years of the certification of the plan of subdivision under the Subdivision Act 1988.*

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards (for a request to extend the time to commence a development) or twelve months after the permit expires (for a request to extend the time to complete the development).

Permit notes:

This permit is issued pursuant to the provisions of the Central Goldfields Planning Scheme and does not relieve the permit holder of the necessity to obtain a building permit pursuant to the Building Act 1993 prior to commencement of any construction or works on any part of the site.

It is recommended that applications for electricity supply to each lot be submitted at the earliest opportunity so that the precise requirements of the Distributor can then be determined and accommodated. Applications for electricity supply shall be submitted via the Distributor's web portal, "mySupply" which can be accessed via the following

link:
<https://customer.portal.powercor.com.au/mysupply/CIAWQuickCalculator>

LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2021-2025 - Leading Change

The Community's vision 4. Transparent decision making;

This report has been developed in accordance with the *Planning and Environment Act 1987* (the Act) and the Central Goldfields Planning Scheme (planning scheme).

BACKGROUND INFORMATION

Planning permit application 024/22 was lodged on 7 March 2022. The application proposes the development of the land for six dwellings with associated works, reduction of car parking, and a six-lot subdivision with creation of common property at 62 Golden Wattle Drive, Maryborough, within the General Residential Zone, Schedule 1 (GRZ1) and Bushfire Management Overlay, Schedule 1 (BMO1). Refer Attachment 1: Proposed plans.

REPORT

Proposal

The application proposes to construct six single-storey dwellings. Each dwelling will contain three bedrooms, a living/kitchen/dining area, two bathrooms, and an attached two-car garage. The dwellings are to be clad in brickwork and roofed in charcoal grey roof tiles. Proposed Dwellings 1, 2 and 3 will be accessed from Golden Wattle Drive, Dwelling 1 via a new vehicle crossover and Dwellings 2 and 3 via a modified crossover and

new common driveway. Proposed Dwellings 4, 5, and 6 will be accessed from Spring Street, Dwelling 6 via a modified crossover and Dwellings 4 and 5 via a new crossover and new common driveway (essentially mirroring the access from Golden Wattle Drive).

Associated works include the demolition/removal of the existing dwelling and outbuildings, noting that this does not require a planning permit. Other works are the vehicle access, connections to reticulated services (electricity, water, sewerage, stormwater, and gas), landscaping, and the replacement of boundary fencing - including the installation of screening (with the cost to be borne by the developer).

The proposal includes subdividing the land into six lots and the creation of common property, upon completion of the proposed dwellings. The subdivision is more procedural in nature given each lot will contain an existing dwelling and car parking space. The proposed lot sizes are as follows:

- Lot 1 - 282.7m²
- Lot 2 - 260.8m²
- Lot 3 - 286.6m²
- Lot 4 - 286.6m²
- Lot 5 - 260.9m²
- Lot 6 - 281.5m²
- Common Area 1 - 145.2m²
- Common Area 2 - 145.9m²

Finally, a reduction of 1 visitor car park is required, as the development is for five or more dwellings and does not propose any visitor car parking.

Site and Surrounds

The site is located within an established residential area on the eastern side of Maryborough, east of the freight railway line and west of the larger area of forest towards Flagstaff. There is also the Maryborough Bushland Reserve directly to the north of the site across Golden Wattle Drive and the former Castlemaine railway line. Refer to Attachment 2: Site and surrounding area.

The site has dual frontages, being located on the southern side of Golden Wattle Drive and the northern side of Spring Street. Both frontages have a width of 20.12m with the site having a length of 96.93m, giving the rectangular site an area of 1950m². Golden Wattle Drive and Spring Street are sealed road formations, while access to all reticulated services is available.

The site contains an existing dwelling in its front (northern) portion with existing outbuildings to the rear. The site is mostly cleared of vegetation and is relatively flat with a gentle upslope in a south-easterly direction.

The surrounding area has an established residential character and is approximately 1km northeast of High Street and the main commercial precinct of Maryborough. The area predominately contains single dwellings although there are various multi-unit developments nearby and in the surrounds. Other nearby features of the area include Roscholler Park and the community centre to the south-east.

Under the planning scheme, the site is within the GRZ1 and affected by the BMO1. The site is also identified as being within a Designated Bushfire Prone Area and is within a Designated Water Supply Catchment (Laanecoorie Reservoir Catchment Loddon River). The site is not within an area of Aboriginal Cultural Heritage Sensitivity.

Planning Permit Triggers

Under the planning scheme, a planning permit is required for the following:

- Pursuant to clause 32.08-3, a permit is required to subdivide land.
- Pursuant to clause 32.08-6, a permit is required to construct two or more dwellings on a lot.
- Pursuant to clause 44.06-2, a permit is required to construct a building or construct or carry out works associated with the use of land for accommodation.
- Pursuant to clause 52.06-3, a permit is required to reduce (including reduce to zero) the number of car parking spaces required under clause 52.06-5.

Planning Scheme Provisions

Planning Policy Framework

11.01-1R Settlement - Loddon Mallee South

- Relevant Strategy: Manage and support growth in Castlemaine, Gisborne, Kyneton and Maryborough as employment and service hubs that reinforce the network of communities in the region.

11.01-1L Settlement - Central Goldfields

- Relevant Strategy: Provide medium density residential opportunities close to Maryborough Central Business Area.

13.02-1S Bushfire planning

- Objective: To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

13.07-1S Land use compatibility

- Objective: To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

14.02-1S Catchment planning and management

- Objective: To assist the protection and restoration of catchments, waterways, estuaries, bays, water bodies, groundwater, and the marine environment.

15.01-1S Urban design

- Objective: To create urban environments that are safe, healthy, functional, and enjoyable and that contribute to a sense of place and cultural identity.

15.01-2S Building design

- Objective: To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.

15.01-3S Subdivision design

- Objective: To ensure the design of subdivisions achieves attractive, safe, accessible, diverse, and sustainable neighbourhoods.

15.01-5 Neighbourhood character

- Objective: To recognise, support and protect neighbourhood character, cultural identity, and sense of place.

16.01-1S Housing supply

- Objective: To facilitate well-located, integrated, and diverse housing that meets community needs.

16.02-1S Housing affordability

- Objective: To deliver more affordable housing closer to jobs, transport, and services.

18.01-1S Land use and transport integration

- Objective: To facilitate access to social, cultural and economic opportunities by effectively integrating land use and transport.

18.01-3S Sustainable and safe transport

- Objective: To facilitate an environmentally sustainable transport system that is safe and supports health and wellbeing.

18.02-4S Roads

- Objective: To facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.

19.03-2S Infrastructure design and provision

- Objective: To provide timely, efficient, and cost-effective development infrastructure that meets the needs of the community.

Zones

32.08 General Residential Zone

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Overlays

44.06 Bushfire Management Overlay

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.
- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

Particular Provisions

52.06 Car Parking

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

53.01 Public Open Space Contribution and Subdivision

- A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the *Subdivision Act 1988*.

53.02 Bushfire Planning

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To ensure that the location, design, and construction of development appropriately responds to the bushfire hazard.
- To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.
- To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.

55 Two or More Dwellings on a Lot and Residential Buildings

- To implement the Municipal Planning Strategy and the Planning Policy Framework.

- To achieve residential development that respects the existing neighbourhood character, or which contributes to a preferred neighbourhood character.
- To encourage residential development that provides reasonable standards of amenity for existing and new residents.
- To encourage residential development that is responsive to the site and the neighbourhood.

56 Residential Subdivision

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To create liveable and sustainable neighbourhoods and urban places with character and identity.
- To achieve residential subdivision outcomes that appropriately respond to the site and its context for:
 - Metropolitan Melbourne growth areas.
 - Infill sites within established residential areas.
 - Regional cities and towns.
- To ensure residential subdivision design appropriately provides for:
 - Policy implementation.
 - Liveable and sustainable communities.
 - Residential lot design.
 - Urban landscape.
 - Access and mobility management.
 - Integrated water management.
 - Site management.
 - Utilities.

General Provisions

65.01 Approval of an Application or Plan

- Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:
- The matters set out in section 60 of the Act.
- Any significant effects the environment, including the contamination of land, may have on the use or development.

- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision. Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the environment, human health, and amenity of the area.
- The proximity of the land to any public land. Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction. Whether native vegetation is to be or can be protected, planted, or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development, or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

65.02 Approval of an Application to Subdivide Land

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.

- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any body corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sillage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.
- The impact the development will have on the current and future development and operation of the transport system.

Operational Provisions

71.01 Operation of the Municipal Planning Strategy

The Municipal Planning Strategy (MPS) provides an overview of important local planning issues in an introductory context, sets out the vision for future use and development in the municipality and establishes strategic directions about how the municipality is expected to change through the implementation of planning policy and the planning scheme.

A responsible authority must take into account and give effect to the MPS when it makes a decision under this planning scheme.

71.02 Operation of the Planning Policy Framework

The Planning Policy Framework (PPF) seeks to ensure that the objectives of planning in Victoria, as set out in section 4 of the Act are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental,

social, and economic factors in the interests of net community benefit and sustainable development.

Society has various needs and expectations such as land for settlement, protection of the environment, economic wellbeing, various social needs, proper management of resources and infrastructure. Planning aims to meet these needs and expectations by addressing aspects of economic, environmental, and social wellbeing affected by land use and development.

Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

Referrals

The following table outlines referrals undertaken under section 55 of the Act and clause 66 of the planning scheme.

<u>Organisation</u>	<u>Response</u>
Goulburn-Murray Water (GMW) cl.66.02-5	Unconditional consent
Country Fire Authority (CFA) cl.44.06-6	Conditional consent
Central Highlands Water (CHW) cl.66.01	Conditional consent
Powercor Australia (Powercor) cl.66.01	Conditional consent
AusNet Gas Services Pty Ltd / Downer Utilities (Downer) cl.66.01	Conditional consent

The application was also referred within the Council for comments and/or conditions.

<u>Department</u>	<u>Response</u>
Engineering	Conditional consent

ASSESSMENT OF APPLICATION

The following assessment addresses the effects that the proposed development and subdivision may have while considering the provisions of the planning scheme and the objectives of planning in Victoria. Further, where relevant, the assessment addresses the objections received as well as the decisions and comments of referral authorities. Finally, the assessment addresses any significant effects the development and subdivision may have on the environment or which the environment may have on the development and subdivision, as well as any significant social effects and economic effects. In this regard, the assessment of the application is consistent with section 60 of the Act.

General Residential Zone

The purpose of the GRZ includes encouraging development that respects the neighbourhood character of the area as well as encouraging a diversity of housing types and housing growth particularly in locations offering good access to services and transport. The GRZ also seeks to implement the MPS and the PPF.

A permit is required to develop land for six dwellings and associated works pursuant to clause 32.08-6. An application under this clause must meet the requirements of clause 55, with clause 55 also being a key decision guideline that the responsible authority must consider. Clause 55 requires that a development must relevantly address objectives, standards, and decision guidelines in relation to neighbourhood character and infrastructure, site layout and building massing, amenity impacts, on-site amenity and facilities, and detailed design. An assessment of clause 55 is provided further below, noting that the proposal is assessed as being acceptable against the relevant provisions, and further noting that the permit applicant has made changes to proposed fencing to alleviate objector concerns.

Clause 32.08-4 requires that a development meet the minimum garden area requirements as set out in the table to clause 32.08-4. The subject site has an area 1950m², meaning that a minimum of 35% of the site must be set aside as garden area. The proposal includes 35.10% (685m²) of the site being set aside as garden area, which is compliant. Garden area is defined in the planning scheme and essentially includes any area with a minimum dimension of 1m but does not include a dwelling or residential building, a driveway, or an area set aside for car parking.

A permit is required to subdivide land pursuant to clause 32.08-3. An application under this clause must meet the requirements of clause 56, with clause 56 also being a key

decision guideline that the responsible authority must consider. Clause 56 requires that a subdivision must relevantly address objectives, standards, and decision guidelines in relation to neighbourhood character and infrastructure, subdivision layout orientation of proposed lots, access arrangements of lots and the capability of the new lots to accommodate future development. An assessment of clause 56 is provided further below, noting that the subdivision component of the application is largely procedural in that the subdivision will not occur until the development of the dwellings and associated works is completed. A permit condition is recommended to be included if a permit requiring the development to be completed prior to the issue of a Statement of Compliance (SOC) for the subdivision. Essentially the subdivision will be of land containing existing dwellings and car parking, giving greater importance to clause 55, which addresses amenity impacts and the site layout of the proposed dwellings as discussed.

Based on the above, and on the ensuing assessment of clauses 55 and 56, the proposal is considered to meet the purpose of the GRZ. The proposal is an appropriate infill development that respects neighbourhood character values. Further, the proposal provides a diversity of housing types and housing growth in Maryborough that is near services and transport.

Bushfire Management Overlay

The site is largely affected by the BMO1, other than a small strip of land at the Spring Street frontage. The BMO1 relates to Maryborough and Dunolly BAL 12.5 areas and applies only to single dwellings on lots that meet relevant approved measures. The application is not for a single dwelling and is therefore assessed under the standard BMO provisions, including the approved measures of clause 53.02, which is addressed further below.

The proposal is considered to respond to bushfire risk for several reasons, including the location of the site in an established residential area, access points connecting to sealed roads, and buffers separating the classified vegetation to the north from the subject site - being the Golden Wattle Drive road formation and the former Castlemaine railway line.

A Bushfire Management Statement (BMS) and Bushfire Management Plan (BMP) have been provided with the application. These set out the required approved measures to be implemented onsite to mitigate bushfire risk, including construction standard, access, defendable space, and static water supply of 2,500L for each dwelling/lot.

The application was referred to the CFA, who have given conditional consent to the proposal, with the BMP to be endorsed as part of any permit issued. The CFA have also given consent under section 8 of the *Subdivision Act 1988* to the SOC being issued at the appropriate time. It is noted that as the application proposes the construction of six dwellings **followed** by a subdivision, the CFA has no conditions for the subdivision component of the application. Existing fire hydrants meet the relevant requirements for subdivision under clause 56. The CFA is satisfied that the mandatory condition of clause

44.06-5 for subdivisions (preparation of a s173 agreement) is not required for this proposal.

Given the above, the proposal is assessed as not creating an unnecessary risk in a bushfire event and to adequately address the requirements of the overlay.

Car parking

Pursuant to clause 52.06-5, a development must provide the specified amount of car parking for a particular use. A development that does not meet the requirement must seek a planning permit to waive or reduce the specified amount of car parking. In this instance, the following amount of car parking is specified to be provided for dwellings:

- Two spaces to each three or more-bedroom dwelling.
- One space for visitors to every 5 dwellings for developments of 5 or more dwellings.

The proposal complies with the specified amount of car parking for the proposed dwellings. All proposed dwellings have a 3-bedroom layout, meaning each require two spaces. Each dwelling is provided with an attached two car garage.

A planning permit is required to reduce the requirement (to zero) to provide the one space for visitor parking. The layout of the site does not allow for visitor parking. The responsible authority must consider whether the reduction will cause detriment and what other options are available if the reduction is permitted.

In this instance, the reduction is considered appropriate, especially given the proposed final layout. Upon completion, the layout will essentially be two three-lot subdivisions, as the part of the site between Dwellings 3 and 4 will be subdivided width ways and fenced appropriately. Dwellings 1, 2, and 3 will only be accessed from Golden Wattle Drive and Dwellings 4, 5, and 6 will only be accessed from Spring Street. Furthermore, traffic flow in the area is typical of a residential area and would not be disrupted by the reduction of one onsite car park. There is opportunity for on-street parking for visitors and as noted each of the proposed dwellings provides the required number of car parks pursuant to clause 52.06-5, meaning possible future residents of the dwellings are unlikely to require on street parking.

Public open space and subdivision

The proposed six-lot subdivision will include a requirement for the developer to make a public open space contribution (monetary contribution) to Council pursuant to section 18 of the *Subdivision Act 1988*. Clause 53.01 of the planning scheme does not specify land that is subject to a public open space contribution. When no land is specified in the planning scheme, the responsible authority then must refer to section 18 of the *Subdivision Act 1988*. In this instance, Council requires a public open space contribution as the proposal is not exempt from the requirements under section 18(8) and there is no land set aside in the proposal as public open space.

Bushfire planning

As noted, a BMS and BMP have been provided with the application to demonstrate the approved measures required by clause 53.02. These set out the requirements to be implemented onsite to mitigate bushfire risk, including construction standard, access, defensible space, and static water supply of 2,500L for each dwelling/lot.

The application was referred to the CFA, who have given conditional consent to the proposal - refer commentary above.

Given the above, the approved measures set out in clause 53.02 of the planning scheme are met.

Clause 55 Two or More Dwellings on a Lot

Clause 55 contains the following:

- **Objectives.** An objective describes the desired outcome to be achieved in the completed development.
- **Standards.** A standard contains the requirements to meet the objective. A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
- **Decision guidelines.** The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Regarding the above, a development:

- Must meet all the objectives of clause 55.
- Should meet all the standards of clause 55.

An assessment of the proposed development is set out in the table below.

Clause	Objective(s)	Standard
55.01-1	Neighbourhood and site description COMPLIES - The application has demonstrated the requirement through submitted plans and an accompanying written submission. The plan demonstrates a settlement pattern showing predominately single dwellings and some nearby multi-unit developments, particularly in Spring Street, Outtrim Street, Gillies Street and Porter Avenue on similar sized allotments. A mixture of finishes is evident, including brick and weatherboard.	
55.01-2	Design Response	

Clause	Objective(s)	Standard
	<p>COMPLIES - Given the scale and positioning of the development, the design response is satisfactory. The proposal is an appropriate infill development and continues the established settlement pattern and character of the area. The written submission by Smart Planning and Design - Planning Report - P0432/21 at section 10.0 provides a satisfactory detailed design response. As demonstrated below, the proposal can meet the objectives of clause 55 and responds to the neighbourhood and site description.</p>	
55.02	Neighbourhood Character and Infrastructure	
55.02-1	<p>Neighbourhood character</p> <ul style="list-style-type: none"> To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. To ensure that the design responds to the features of the site and the surrounding area. 	B1
	<p>COMPLIES - The design is consistent with the existing neighbourhood character. The area predominately contains single dwellings with generous front and side setbacks. However, there is also evidence of multi-unit developments. There is no specific neighbourhood character policy identified in the planning scheme for this area.</p>	
55.02-2	<p>Residential policy</p> <ul style="list-style-type: none"> To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework. To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 	B2
	<p>COMPLIES - The proposal is compliant with the purpose of the GRZ and applicable MPS and PPF. The site is well serviced by transport and supports further growth of Maryborough through an appropriate infill development. The application written submission addresses relevant planning policy.</p>	
55.02-3	<p>Dwelling diversity</p> <ul style="list-style-type: none"> To encourage a range of dwelling sizes and types in developments of ten or more dwellings. 	B3
	N/A - Less than 10 dwellings proposed.	

Clause	Objective(s)	Standard
55.02-4	<p>Infrastructure</p> <ul style="list-style-type: none"> To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure 	B4
	<p>COMPLIES - All reticulated services are available to the site. Six dwellings are not considered to place undue strain on existing distribution networks, which is understood to have available capacity.</p>	
55.02-5	<p>Integration with the street</p> <ul style="list-style-type: none"> To integrate the layout of development with the street. 	B5
	<p>COMPLIES - The proposed development has been appropriately designed to with direct views to Golden Wattle Drive and Spring Street. Dwelling 1 and Dwelling 6 provide passive surveillance over the public realm and the layout of the site provides for passive surveillance internally.</p>	
55.03	Site Layout and Building Massing	
55.03-1	<p>Street setback</p> <ul style="list-style-type: none"> To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. 	B6
	<p>VARIATION</p> <ul style="list-style-type: none"> Dwelling 1 fronting Golden Wattle Drive has a front setback of 4m and requires a setback of the average of the front walls of the dwellings on the abutting allotments on either side. In this instance, the setback would be required to be 4.9m. Dwelling 6 fronting Spring Street has a setback of 4.07m and requires a setback of the average of the front walls of the dwellings on the abutting allotments on either side. In this instance, the setback would be required to be 6.6m. <p>Dwelling 1 requires a variation of 0.9m and Dwelling 6 a variation of 2.53m. In deciding to vary a standard to meet the objective the responsible authority must consider:</p> <ul style="list-style-type: none"> Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots. 	

Clause	Objective(s)	Standard
	<ul style="list-style-type: none"> The visual impact of the building when viewed from the street and from adjoining properties. The value of retaining vegetation within the front setback. <p>Setbacks within the area vary from between 2.2m - 10m or more. Specific examples of this can be seen at 52 Primrose Street and 116 Gillies Street, both examples of multi-dwelling development. The slightly reduced setback would not be inconsistent with the established setbacks in the general area. Furthermore, as shown on the development plans the reduced setback does not affect the ability to create a front garden area including a canopy tree. This makes efficient use of the site as specified in the objective and can maintain the established garden setting as seen within the general area, preserving neighbourhood character.</p>	
55.03-2	<p>Building height</p> <ul style="list-style-type: none"> To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	B7
	<p>COMPLIES - The proposed dwellings are single-storey and substantially less than 11m, which is the maximum building height set out at clause 32.08-10. The height of buildings respects the existing and preferred neighbourhood character.</p>	
55.03-3	<p>Site coverage</p> <ul style="list-style-type: none"> To ensure that the site coverage respects the existing or preferred neighbourhood character. 	B8
	<p>COMPLIES - The site coverage is about 48% (935m²), which is less than the 60% maximum outlined by Standard B8.</p>	
55.03-4	<p>Permeability and stormwater management</p> <ul style="list-style-type: none"> To reduce the impact of increased stormwater run-off on the drainage system. To facilitate on-site stormwater infiltration. To encourage stormwater management that maximises the retention and reuse of stormwater. 	B9
	<p>COMPLIES -36.9% (719m²) of the site area is permeable, which is more than the 20% minimum outlined by Standard B9. Appropriate engineering conditions relating to stormwater will be included on any permit issued. The development includes a rainwater tank for each dwelling, which will encourage stormwater management by retention and reuse.</p>	

Clause	Objective(s)	Standard
55.03-5	Energy efficiency <ul style="list-style-type: none"> • To achieve and protect energy efficient dwellings and residential buildings. • To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. 	B10
	<p>COMPLIES - Given the spacing of the layout, all dwellings can achieve solar access to living areas in a north/north-eastern direction, including daylight to private open space areas.</p>	
55.03-6	Open space <ul style="list-style-type: none"> • To integrate the layout of development with any public and communal open space provided in or adjacent to the development. 	B11
	<p>N/A - No public or communal open space is proposed given the scale of development. Public open spaces exist in the area including Roscholler Park.</p>	
55.03-7	Safety <ul style="list-style-type: none"> • To ensure the layout of development provides for the safety and security of residents and property. 	B12
	<p>COMPLIES - The proposal facilitates passive surveillance both on the street and within the site. Each dwelling will have its own entrance, and none of these are inappropriately obscured or isolated. Landscaping will not create unsafe spaces, and there is good lighting and visibility available in car parks and accessways. Finally, private spaces are suitably fenced and cannot be used as public thoroughfares.</p>	
55.03-8	Landscaping <ul style="list-style-type: none"> • To encourage development that respects the landscape character of the neighbourhood. • To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. • To provide appropriate landscaping. • To encourage the retention of mature vegetation on the site. 	B13
	<p>COMPLIES VIA CONDITION - The application includes a preliminary landscape plan that indicates the extent of landscaping that will be included</p>	

Clause	Objective(s)	Standard
	<p>in the site. A fully detailed landscape plan will be required to be endorsed as part of any permit issued, including requiring implementation and completion prior to occupation. The preliminary landscape design is appropriate and will provide a safe, attractive, and functional environment for residents. It also provides for the planting of trees, as these are part of the character of the neighbourhood.</p>	
55.03-9	<p>Access</p> <ul style="list-style-type: none"> To ensure the number and design of vehicle crossovers respects the neighbourhood character 	B14
	<p>COMPLIES - The proposed crossovers occupy 29% of each street frontage. The crossovers occupy a total of 6m on each 20.12m street frontage which complies with Standard B14 and ensures the development respects the neighbourhood character.</p>	
55.03-10	<p>Parking location</p> <ul style="list-style-type: none"> To provide convenient parking for resident and visitor vehicles. To protect residents from vehicular noise within developments. 	B15
	<p>COMPLIES - Proposed car parking areas (contained in the garages attached to the dwellings) are secure and well ventilated. Residents will be protected from vehicle noise given the setbacks of habitable rooms from accessways and car parks. The attached garages also contain internal access doors into the dwellings.</p>	
55.04	Amenity Impacts	
55.04-1	<p>Side and rear setbacks</p> <ul style="list-style-type: none"> To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	B17
	<p>COMPLIES - The side and rear setbacks of the proposed dwellings respect the existing and preferred neighbourhood character and limits amenity impacts on existing dwellings. All side and rear setbacks comply with the standard with the nearest side and rear setback being 1.32m at a wall height of less than 3.6m.</p>	
55.04-2	Walls on boundaries	B18

Clause	Objective(s)	Standard
	<ul style="list-style-type: none"> To ensure that the location, length, and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	
	<p>COMPLIES - Dwellings 1, 3, 4 and 6 have walls on boundaries.</p> <p>The maximum allowable length of the walls on the boundaries on all sides in this instance is 20m using the relevant formula.</p> <ul style="list-style-type: none"> Wall of Dwelling 1 on the north-east boundary is 6.47m long. Wall of Dwelling 3 on the north-east boundary is 7.4m long. Wall of Dwelling 4 on the north-east boundary is 7.4m long. Wall of Dwelling 6 on the north-east boundary is 6.47m long. <p>All walls have an average and maximum height of 3.2m which complies with the standard.</p>	
55.04-3	<p>Daylight to existing windows</p> <ul style="list-style-type: none"> To allow adequate daylight into existing habitable room windows. 	B19
	<p>COMPLIES - Given the scale and siting of the proposed buildings, adequate daylight will be retained into habitable room windows of existing dwellings.</p>	
55.04-4	<p>North-facing windows</p> <ul style="list-style-type: none"> To allow adequate solar access to existing north-facing habitable room windows. 	B20
	<p>COMPLIES - Given the scale and siting of the proposed buildings and the layout of adjacent development, adequate solar access to north-facing habitable room windows will be retained.</p>	
55.04-5	<p>Overshadowing open space</p> <ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space. 	B21
	<p>COMPLIES - Given the scale and location of the proposed buildings and the layout of adjacent development, sunlight to the secluded private open space of existing dwellings will be reasonably maintained.</p>	
55.04-6	Overlooking	B22

Clause	Objective(s)	Standard
	<ul style="list-style-type: none"> To limit views into existing secluded private open space and habitable room windows. 	
	<p>COMPLIES - The single-storey design and setbacks of the proposal will limit views into secluded private open space and habitable room windows of existing windows. This includes the finished floor levels of the dwellings and via existing and proposed boundary fencing. Fencing is also proposed to have screens applied by the developer to create further visual barriers, which will be secured through a permit condition.</p>	
55.04-7	<p>Internal views</p> <ul style="list-style-type: none"> To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development. 	B23
	<p>COMPLIES - The design of the proposal and the use of internal boundary fencing will avoid views into the secluded private open space and habitable room windows of proposed dwellings within the development.</p>	
55.04-8	<p>Noise impacts</p> <ul style="list-style-type: none"> To contain noise sources in developments that may affect existing dwellings. 	B24
	<p>COMPLIES - Noise levels will be typical of a residential area and there are no external noise sources that require special design consideration.</p>	
55.05	On-Site Amenity and Facilities	
55.05-1	<p>Accessibility</p> <ul style="list-style-type: none"> To encourage the consideration of the needs of people with limited mobility in the design of developments. 	B25
	<p>COMPLIES - The ground floor entries are accessible (or can easily be made accessible) to people with limited mobility.</p>	
55.05-2	<p>Dwelling entry</p> <ul style="list-style-type: none"> To provide each dwelling or residential building with its own sense of identity. 	B26
	<p>COMPLIES - Each dwelling has an entry that is visible, easily identifiable, provides shelter, and a sense of personal address.</p>	
55.05-3	Daylight to new windows	B27

Clause	Objective(s)	Standard
	<ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows. 	
	COMPLIES - Windows of habitable rooms can meet the minimum requirement of 3m ² and 1m clear to the sky given the proposed setbacks from boundaries and internal spacing.	
55.05-4	Private open space <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents. 	B28
	COMPLIES - Each dwelling is provided with private open space (POS) of at least 40m ² , including secluded private open space (SPOS) at the side or rear with a minimum area of 25m ² . POS areas have also been designed to be conveniently accessed from a living room/area. Total POS (including SPOS) <ul style="list-style-type: none"> Dwelling 1 - 127.4m² Dwelling 2 - 85.2m² Dwelling 3 - 118.6m² Dwelling 4 - 124.4m² Dwelling 5 - 86.9m² Dwelling 6 - 124.8m² 	
55.05-5	Solar access to open space <ul style="list-style-type: none"> To allow solar access into the secluded private open space of new dwellings and residential buildings. 	B29
	COMPLIES - The POS for all dwellings has a northern aspect to allow solar access.	
55.05-6	Storage <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	B30
	COMPLIES - An onsite 6m ³ garden shed is proposed for each dwelling.	
55.06	Detailed Design	
55.06-1	Design detail <ul style="list-style-type: none"> To encourage design detail that respects the existing or preferred neighbourhood character. 	B31

Clause	Objective(s)	Standard
	COMPLIES - The design of the dwellings is consistent with the design of adjacent and nearby dwellings. The façade detailing, window and door proportions and roof forms all respect the existing and preferred neighbourhood character, while garages are visually unobtrusive.	
55.06-2	Front fences <ul style="list-style-type: none"> To encourage front fence design that respects the existing or preferred neighbourhood character. 	B32
	N/A - No front fencing is proposed.	
55.06-3	Common property <ul style="list-style-type: none"> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive, and easily maintained. To avoid future management difficulties in areas of common ownership. 	B33
	COMPLIES - Common driveways are proposed for Dwellings 2 and 3 from Golden Wattle Drive and for Dwellings 4 and 5 from Spring Street. These will be formalised through the subdivision of the land to create common property. An owners corporation will be required at the completion of the subdivision. The proposed common property is considered functional and capable of efficient management.	
55.06-4	Site services <ul style="list-style-type: none"> To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate, and attractive. 	B34
	COMPLIES - The design and layout of the dwellings provides sufficient space for services to be installed and maintained efficiently and economically. There is reasonable space for bin and recycling enclosures, mailboxes and other site facilities that can be conveniently accessed.	

Clause 56 Residential subdivision

Clause 56 contains the following:

- **Objectives.** An objective describes the desired outcome to be achieved in the completed subdivision.

- **Standards.** A standard contains the requirements to meet the objective. A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
- **Decision guidelines.** The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Regarding the above, a residential subdivision:

- Must meet all the objectives of this clause.
- Should meet all the standards of this clause.

A subdivision of between 3-15 lots must respond to all clauses under clause 56, other than 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6. An assessment of the proposed subdivision is set out in the table below.

Clause	Objective(s)	Standard
56.01-1	Subdivision site and context description COMPLIES - The application has demonstrated the requirement through submitted plans and an accompanying written submission. The application demonstrates a settlement pattern of similar sized lots and various later smaller subdivisions and multi-dwelling developments.	
56.01-2	Subdivision design response COMPLIES - The design response derives from and responds to the site and context description as well as relevant objectives and policies, particularly those relating to subdivision design. The subdivision creates lots to contain dwellings and common property.	
56.03	Liveable and Sustainable Communities	
56.03-5	Neighbourhood character <ul style="list-style-type: none"> • To design subdivisions that respond to neighbourhood character. 	C6
	COMPLIES - The proposed subdivision allows for the development of six dwellings on the six new lots to be created. The layout and design of the subdivision respects the existing and preferred neighbourhood character and will integrate with the surrounding urban environment. Similar layouts exist in the area including along Gillies and Outtrim Streets.	
56.04	Lot Design	

Clause	Objective(s)	Standard
56.04-1	<p>Lot diversity and distribution</p> <ul style="list-style-type: none"> To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services. To provide higher housing densities within walking distance of activity centres. To achieve increased housing densities in designated growth areas. To provide a range of lot sizes to suit a variety of dwelling and household types. 	C7
	<p>COMPLIES - The lot sizes will achieve an appropriate density of single dwellings that have reasonable access to transport options. It is noted that the subdivision will occur after development is complete, ensuring appropriate densities can be achieved.</p>	
56.04-2	<p>Lot area and building envelopes</p> <ul style="list-style-type: none"> To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features. 	C8
	<p>COMPLIES - The subdivision is accompanied by a development component showing that dwellings may be constructed on each lot in accordance with the requirements of the planning scheme and in particular clause 55.</p>	
56.04-3	<p>Solar orientation of lots</p> <ul style="list-style-type: none"> To provide good solar orientation of lots and solar access for future dwellings. 	C9
	<p>COMPLIES - The lots have sufficient solar orientation and an assessment against clause 55 demonstrates that the proposed dwellings will receive adequate solar access, aided by the proposed lot layout.</p>	
56.04-4	<p>Street orientation</p> <ul style="list-style-type: none"> To provide a lot layout that contributes to community social interaction, personal safety and property security. 	C10

Clause	Objective(s)	Standard
	COMPLIES - The subdivision will increase visibility and surveillance by ensuring lots front both Golden Wattle Drive and Spring Street and avoids side or rear access.	
56.04-5	<p>Common area</p> <ul style="list-style-type: none"> To identify common areas and the purpose for which the area is commonly held. To ensure the provision of common area is appropriate and that necessary management arrangements are in place. To maintain direct public access throughout the neighbourhood street network. 	C11
	COMPLIES - The common property (common driveways) for Lots 2, 3, 4 and 5 will require the formation of a body corporate for management and ongoing maintenance. Given the scale of the development it is considered that the formation will be a relatively straightforward process.	
56.05	Urban Landscape	
56.05-1	<p>Integrated urban landscape</p> <ul style="list-style-type: none"> To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas. To incorporate natural and cultural features in the design of streets and public open space where appropriate. To protect and enhance native habitat and discourage the planting and spread of noxious weeds. To provide for integrated water management systems and contribute to drinking water conservation. 	C12
	N/A - The subdivision does not create a street or public open space.	
56.06	Access and Mobility Management	
56.06-2	<p>Walking and cycling network</p> <ul style="list-style-type: none"> To contribute to community health and wellbeing by encouraging walking and cycling as part of the daily lives of residents, employees, and visitors. 	C15

Clause	Objective(s)	Standard
	<ul style="list-style-type: none"> To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists. To reduce car use, greenhouse gas emissions and air pollution. 	
	<p>COMPLIES - The subdivision does not create new walking and cycling networks; however, they already exist within the area. Footpath networks exist directly to and from the site given the established streets that the site has access to. Transport options including the Maryborough Railway Station are accessible by active transport (walking and cycling).</p>	
56.06-4	<p>Neighbourhood street network</p> <ul style="list-style-type: none"> To provide for direct, safe, and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport, and other motor vehicles using the neighbourhood street network. 	C17
	<p>COMPLIES - The subdivision is located to provide direct, safe, and easy access to existing networks, including footpaths for pedestrians; public transport options; and safe, low speed roads for cycling and vehicle movements.</p>	
56.06-5	<p>Walking and cycling network detail</p> <ul style="list-style-type: none"> To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well-constructed and accessible for people with disabilities. To design footpaths to accommodate wheelchairs, prams, scooters, and other footpath bound vehicles. 	C18
	<p>COMPLIES - The subdivision is located to provide direct, safe, and easy access to existing networks for walking and cycling.</p>	
56.06-7	<p>Neighbourhood street network detail</p> <ul style="list-style-type: none"> To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users. 	C20
	<p>N/A - The subdivision does not create additional street networks.</p>	
56.06-8	<p>Lot access</p> <ul style="list-style-type: none"> To provide for safe vehicle access between roads and lots. 	C21

Clause	Objective(s)	Standard
	<p>COMPLIES - The application proposes two vehicle access points from Golden Wattle Drive and two vehicle access points from Spring Street. One of the access points for both frontages will lead to a shared driveway. The other will lead to a double garage. Vehicles will have an opportunity to exit the site in a forward direction from the common driveways.</p>	
56.07	Integrated Water Management	
56.07-1	<p>Drinking water supply</p> <ul style="list-style-type: none"> To reduce the use of drinking water. To provide an adequate, cost-effective supply of drinking water. 	C22
	<p>COMPLIES - Drinking water supply is available to the site and will be required to be provided to the satisfaction of the relevant water authority.</p>	
56.07-2	<p>Reused and recycled water</p> <ul style="list-style-type: none"> To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water. 	C23
	<p>N/A - Recycled water is not proposed or required for a development of this nature.</p>	
56.07-3	<p>Wastewater management</p> <ul style="list-style-type: none"> To provide a wastewater system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner. 	C24
	<p>COMPLIES - Reticulated wastewater is available to the site and will be required to be provided to the satisfaction of the relevant water authority.</p>	
56.07-4	<p>Stormwater management</p> <ul style="list-style-type: none"> To minimise damage to properties and inconvenience to residents from stormwater. To ensure that the street operates adequately during major storm events and provides for public safety. To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater. To encourage stormwater management that maximises the retention and reuse of stormwater. 	C25

Clause	Objective(s)	Standard
	<ul style="list-style-type: none"> To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces. 	
	<p>COMPLIES - Stormwater management will be applied through appropriate engineering conditions on included on any permit issued. Each lot/dwelling is provided with a rainwater tank to maximise the retention and reuse of stormwater.</p>	
56.08	Site Management	
56.08-1	<p>Site management</p> <ul style="list-style-type: none"> To protect drainage infrastructure and receiving waters from sedimentation and contamination. To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works. To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable. 	C26
	<p>COMPLIES VIA CONDITIONS - Relevant conditions will be included in any permit to manage the site and surrounds during construction periods. These conditions relate to environmental matters as well as amenity. A Construction Management Plan (CMP) will be required to be endorsed as part of any permit issued.</p>	
56.09	Utilities	
56.09-1	<p>Shared trenching</p> <ul style="list-style-type: none"> To maximise the opportunities for shared trenching. To minimise constraints on landscaping within street reserves. 	C27
	<p>COMPLIES - There are opportunities to provide reticulated services in shared trenching to minimise construction costs and land allocation for underground services, including in the common driveway. Any shared trenching will need to comply with the relevant standards for installation.</p>	
56.09-2	<p>Electricity, telecommunications, and gas</p> <ul style="list-style-type: none"> To provide public utilities to each lot in a timely, efficient, and cost-effective manner. 	C28

Clause	Objective(s)	Standard
	<ul style="list-style-type: none"> To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources. 	
	<p>COMPLIES - Relevant utilities are available and can be provided in a timely, efficient, and cost-effective manner. Telecommunications will be the responsibility of the permit holder/landowner and confirmation of this service being provided will be required prior to the Statement of Compliance being issued.</p>	
56.09-3	<p>Fire hydrants</p> <ul style="list-style-type: none"> To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively, and efficiently. 	C29
	<p>COMPLIES - Fire hydrants are available or can be provided in appropriate positions, in accordance with required standards. CFA have further commented that existing fire hydrants comply with this clause.</p>	
56.09-4	<p>Public lighting</p> <ul style="list-style-type: none"> To provide public lighting to ensure the safety of pedestrians, cyclists, and vehicles. To provide pedestrians with a sense of personal safety at night. To contribute to reducing greenhouse gas emissions and to saving energy. 	C30
	<p>COMPLIES VIA CONDITION - The permit will include a condition requiring appropriate lighting in the common driveway to ensure suitable safety outcomes.</p>	

Municipal Planning Strategy and Planning Policy Framework

Based on the above, the proposal gives effect to the MPS as well as being an orderly planning outcome that represents net community benefit and sustainable development for the benefit of present and future generations.

CONSULTATION/COMMUNICATION

The application was advertised to fifteen adjoining and surrounding owners and occupiers of land via letters in the mail, one advertising sign was placed on the site (at the frontage to Golden Wattle Drive and Spring Street) and the permit application documents were placed on the Council website. The application has received two objections. The issues raised in the objections are summarised below:

The 'Comic Sans' font and page colour are being used in this report to improve accessibility.

Objection 1

- Concerns for privacy during construction and upon completion.
- Noise from vehicle movements.
- Nothing being done to reduce noise.

Planning officer response

- If a permit is issued, the construction phase can be managed through appropriate amenity-based conditions. For a development of this scale, a CMP is recommended as a condition of the permit to protect adjoining properties. In an ongoing sense, a permit condition is recommended requiring the developer to submit amended plans that demonstrate privacy screening to be attached to the new boundary fencing.
- The noise generated from vehicles associated with the dwellings will be typical of what can be reasonably anticipated in a residential area. Screening, fencing and landscaping will be implemented to aid noise reduction.
- As noted, screening, fencing and landscaping will be implemented to aid noise reduction.

Objection 2

- Loss of boundary line, privacy, and space.
- Proposed wooden paling fence would be below standard. Concerned that fence will deteriorate too quickly, and that pets and children may climb it.
- Would prefer a 2m high colourbond fence rather than 1.8m to address overlooking.
- Boundary should be respected, and dwellings should not be built on the boundary.
- Cannot give access to developer during construction.
- Design could be 'flipped'.
- Dwellings 1 and 6 extend beyond expected front setback.
- Dwellings extend into expected side and rear setbacks.
- Issues with walls on boundaries.
- Works may affect foundations of buildings on adjoining properties.

Planning officer response

- The boundary line will not be lost because of the development. A new plan of subdivision will show the wall as part of the boundary line. The development cannot encroach into the adjoining property. Privacy and overlooking can be addressed through screening, fence replacement and landscaping.
- The permit applicant has amended the plans to include all colourbond fencing to boundary lines rather than wooden fencing.
- A 1.8m high colourbond fence and the proposed screening adequately addresses overlooking and privacy matters. They create a visual barrier with the floor level of the proposed dwellings below 800mm from natural ground level. The proposed fencing complies with the requirements of clause 55.
- Dwellings can be built to a boundary provided they meet the objectives set out for walls on boundaries pursuant to clause 55. As above, the walls on the boundary comply with clause 55.
- A CMP will be implemented as discussed above. If there is a need to access adjoining properties during construction, it will be the responsibility of the developer to obtain the consent of the landowner.
- There is no justifiable reason to require the design to be 'flipped'. The proposal meets the requirements of various planning scheme provisions.
- As discussed above, a variation is sought to reduce the front setbacks of Dwellings 1 and 6. The reduced setbacks are assessed to achieve the objective of the relevant clause.
- Side and rear setbacks comply with clause 55.04-1.
- As discussed above, the 'walls on boundaries' comply with clause 55. The allowable length of the wall on the boundary in this instance is 20m, through using the following formula from *Planning Practice Note 27 - Understanding the Residential Development Standards (ResCode) 2015*.

$$10\text{ m} + [(length\ of\ boundary\ of\ an\ adjoining\ lot - 10\ m) \times 0.25]$$

For this application:

- $10\text{m} + [(50\text{m} - 10\text{m}) \times 0.25]$
- $10\text{m} + [40\text{m} \times 0.25]$
- $10\text{m} + 10\text{m}$

Therefore, the maximum allowable wall length is 20m.

- Damage to the foundations of buildings on adjoining properties is more of a civil matter than a planning matter, but this is not expected in any case. The implementation of a CMP and further assessment at the building permit stage by a relevant building surveyor will determine the protection that is required for any works on the boundary.

FINANCIAL & RESOURCE IMPLICATIONS

The assessment of planning permit applications is within the normal operational budget of Council.

Should any party appeal any decision that Council makes there would be a VCAT hearing. Additional costs will be incurred if a VCAT hearing occurs.

RISK MANAGEMENT

This report addresses Council's strategic risk of Governance - Failure to transparently govern and embrace good governance practices by ensuring our assessment of the application meets all relevant legislation and regulations. The risk management issues in relation to this planning permit application have been discussed above.

There is a risk to Council should it not decide within the statutory timeframes of a 'failure to determine' appeal at VCAT.

Should the proposal be approved by Council and VCAT (upon appeal) there is a risk to non-compliance with the permit conditions. Council has a planning compliance function to mitigate this risk.

CONCLUSION

Planning permit application 024/22 seeks approval for the development of the land for six dwellings with associated works, reduction of car parking, and a six-lot subdivision with creation of common property at 62 Golden Wattle Drive, Maryborough.

A Council determination is sought on the application as two objections have been received.

This report recommendation is that a planning permit be granted and a Notice of Decision to Grant a Permit be issued.

Council must determine a position on the planning permit application and take one of the following options:

- I. Grant a planning permit subject to conditions and issue a Notice of Decision to Grant a Permit; or
- II. Refuse to grant a permit on any ground it thinks fit and issue a Notice of Decision to Refuse to Grant a Permit.

ATTACHMENTS

1. Proposed plans.
2. Site and surrounding area.

DRAWING SCHEDULE TP

TP.01	NEIGHBORHOOD & SITE DESCRIPTION
TP.02	DESIGN RESPONSE
TP.03	STREET ELEVATION
TP.04	GROUND FLOOR PLAN DW 1-2-3
TP.05	GROUND FLOOR PLAN DW 4-5-6
TP.06	ELEVATIONS / COLOUR & MATERIALS SCHEDULE
TP.07	SHADOW DIAGRAMS
TP.08	GARDEN AREA
TP.09	SUBDIVISION PLAN

LEGEND:

POS PRIVATE OPEN SPACE

SPOS SECLUDED PRIVATE OPEN SPACE



8.0m BUILDING SETBACKS TO BOUNDARY FENCE LINE

POWER POLE

PIT

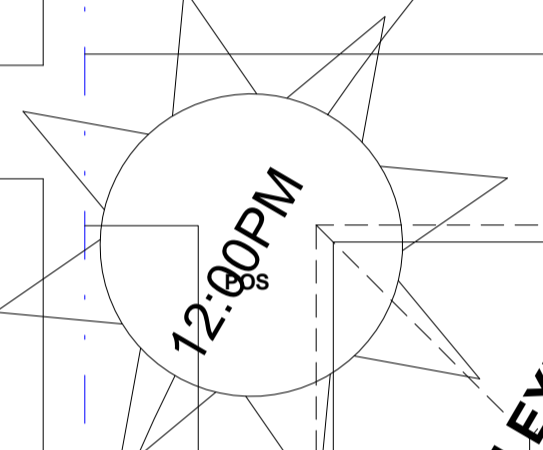
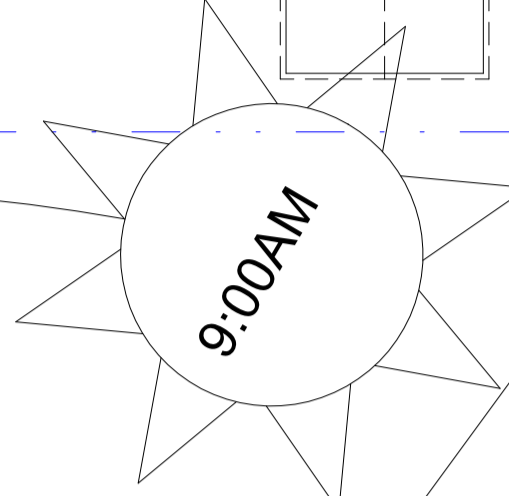
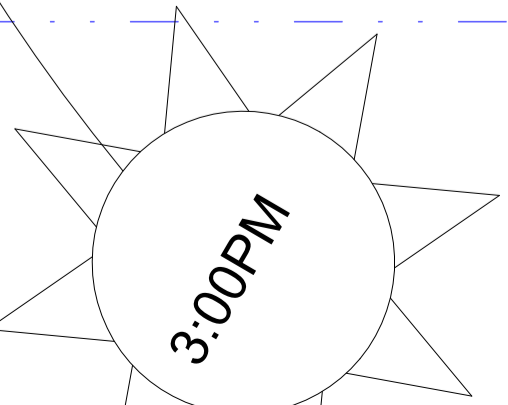
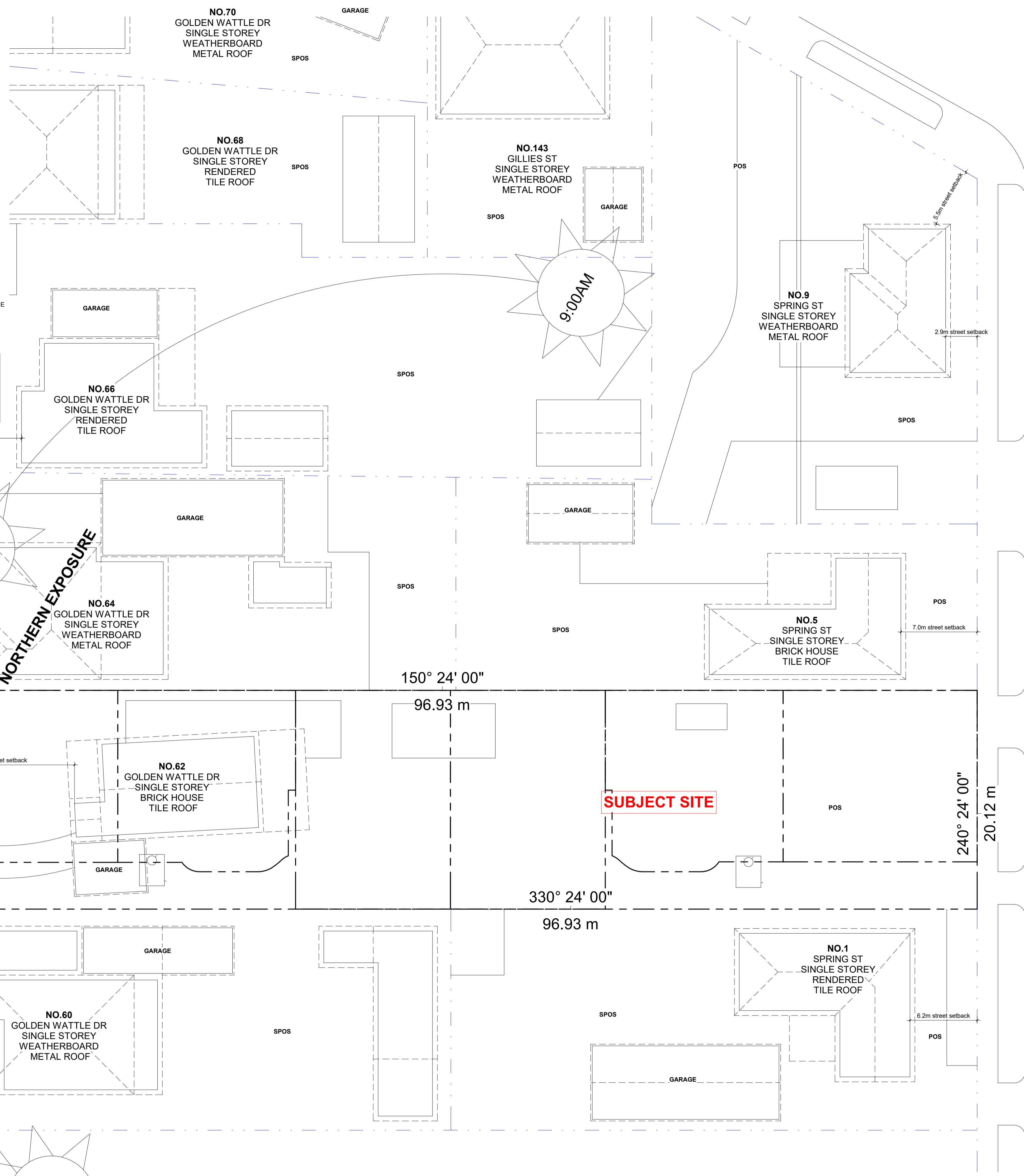
MARYBOROUGH H57 BUSHLANG RESERVE (800m)
HAMMER INDUSTRIAL ESTATE PUBLIC PARK (750m)
GRIFFIN SELF STORAGE (1200m)

GOLDEN WATTLE DRIVE

SPRING STREET

FRANK GRAMAM OVAL (210m)
MONUMENT PLACE (160m)
MUNICIPAL OUTDOOR SWIMMING POOL (180m)
KMART (190m)

EXISTING FOOTPATH
EXISTING NATURE STRIP
EXISTING LIGHT & POWER POLE
EXISTING CROSSOVER
EXISTING PIPE



NORTHERN EXPOSURE

VACANT LAND

CONSTRUCTION OF SIX SINGLE STOREY DWELLINGS ON A LOT
No.62 GOLDEN WATTLE DRIVE, MARYBOROUGH VIC 3465



No.62 GOLDEN WATTLE DR, MARI. VIC 3465



No.60 GOLDEN WATTLE DR, MARI. VIC 3465

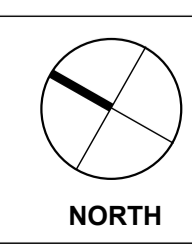


No.64 GOLDEN WATTLE DR, MARI. VIC 3465

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PRELIMINARY REV DESCRIPTION DATE
- - - 17.02.2022

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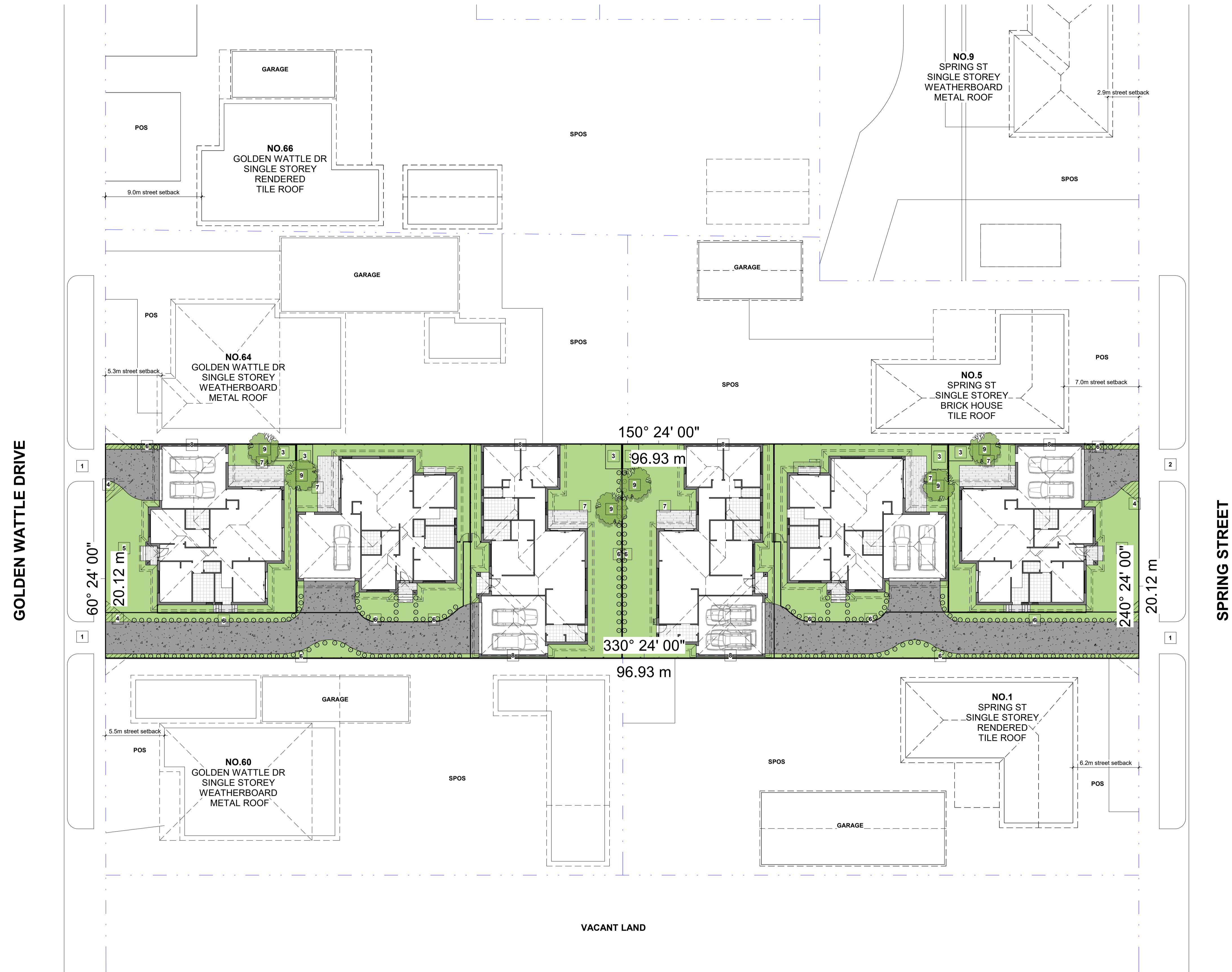
PROJECT: **MULTI UNIT DEVELOPMENT**
62 GOLDEN WATTLE DRIVE, MARYBOROUGH
CLIENT: CLIENT

DRW. TITLE: NEIGHBORHOOD & SITE DESCRIPTION
DRW: DH CHK: PP

TOWN PLANNING ISSUE
DRW. No: TP.01
SCALE: AS INDICATED @A1
REV. No: -
DATE: 17.02.2022
PRJ. No: TP62GW.MA

DESIGN RESPONSE

- 1 PROPOSED CROSSOVER
- 2 EXISTING CROSSOVER (TO BE MODIFIED)
- 3 PROPOSED VEHICLE STORAGE FOR ALL UNITS ARE LOCATED BEHIND THE LINE OF THE FRONT DWELLING TO HIDE THE DOMINANCE OF CAR PARKING STRUCTURES FROM THE STREET-SCAPE
- 4 NEW MAILBOXES/METERS FOR ALL UNITS
- 5 PROPOSED FRONT STREET SETBACK TO DEVELOPMENT IS SYMPATHETIC WITH THE NEIGHBOURHOOD CHARACTER
- 6 LANDSCAPING LOCATION TO PROVIDE SOFT BUFFER AND SCREENING ALONG DRIVEWAY AND BOUNDARY
- 7 PRIVATE OPEN SPACE MIN35sqm WITH MIN5m WIDE LOCATED WITH EASY ACCESS FROM LIVING SPACE TO PROVIDE SUFFICIENT PRIVATE OPEN SPACE FOR THE REASONABLE RECREATION.
- 8 PROPOSED WALLS TO BE BUILT TO THE BOUNDARY AREA LOCATED AWAY FROM EXISTING HABITABLE ROOM WINDOWS AND OPEN SPACES
- 9 MEDIUM CANOPY TREES PROVIDED IN REAR PRIVATE OPEN SPACES AND IN FRONT SETBACK



DESIGN RESPONSE
SCALE 1 : 200

TOWN PLANNING ISSUE

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PRELIMINARY
 REV DESCRIPTION DATE
 - - - 17.02.2022

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PROJECT:
MULTI UNIT DEVELOPMENT

62 GOLDEN WATTLE DRIVE, MARYBOROUGH

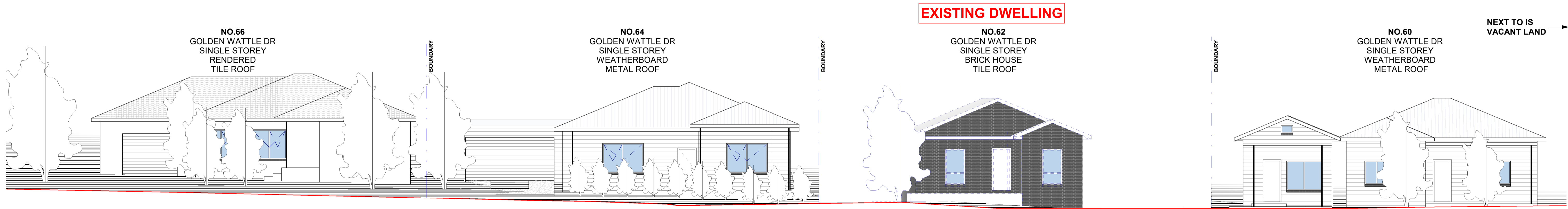
CLIENT: CLIENT

DRW. TITLE:
 DESIGN RESPONSE

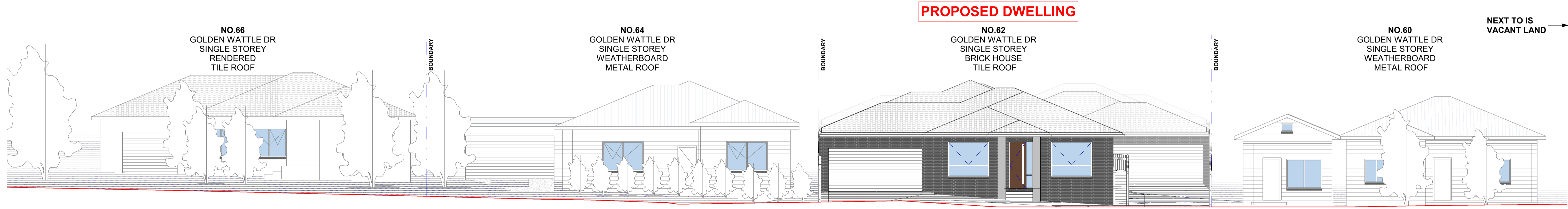
DRW: DH

CHK: PP


DRW. No: TP.02
 SCALE: AS INDICATED@A1
 REV. No: -
 DATE: 17.02.2022
 PRJ. No: TP62GW.MA



① EXISTING DWELLING
1:100



② PROPOSED DWELLING
1:100

 889 MELBOR ROAD, MELBORNE VIC 3042 T: 0421 561 090 - E: au.betterdesign@gmail.com	- PRELIMINARY REV DESCRIPTION DATE	17.02.2022 DATE	PROJECT: MULTI UNIT DEVELOPMENT 62 GOLDEN WATTLE DRIVE, MARYBOROUGH	DRW. TITLE: STREET ELEVATION	DRW. No: TP_03 SCALE AS INDICATED@A1 REV. No: - DATE 17.02.2022 PRJ. No: TP62GW.MA
	CLIENT: CLIENT		DRW: DH CHK: PP	TOWN PLANNING ISSUE	
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AREA SCHEDULE						
SITE AREA	SITE COVERAGE		SITE PERMEABILITY		GARDEN AREA	
	AREA	%	AREA	%	AREA	%
1950 m ²	935 m ²	48.0%	719 m ²	36.9%	685 m ²	35.1%

DWELLING 1		
1. GROUND FLOOR	110.9 m ²	11.9 SQ
2. GARAGE	37.9 m ²	4.1 SQ
3. PORCH	2.3 m ²	0.3 SQ
POS	151.1 m ²	16.3
SPOS	54.8 m ²	
SPOS	72.6 m ²	
SPOS	127.4 m ²	
DWELLING 2		
1. GROUND FLOOR	111.2 m ²	12.0 SQ
2. GARAGE	37.8 m ²	4.1 SQ
3. PORCH	2.3 m ²	0.2 SQ
POS	151.3 m ²	16.3
SPOS	27.8 m ²	
SPOS	57.4 m ²	
SPOS	85.2 m ²	
DWELLING 3		
1. GROUND FLOOR	126.4 m ²	13.6 SQ
2. GARAGE	35.8 m ²	3.9 SQ
3. PORCH	2.7 m ²	0.3 SQ
POS	164.9 m ²	17.8
SPOS	26.3 m ²	
SPOS	92.3 m ²	
SPOS	116.6 m ²	
DWELLING 4		
1. GROUND FLOOR	126.4 m ²	13.6 SQ
2. GARAGE	36.5 m ²	3.9 SQ
3. PORCH	2.9 m ²	0.3 SQ
POS	165.8 m ²	17.8
SPOS	31.3 m ²	
SPOS	93.1 m ²	
SPOS	124.4 m ²	
DWELLING 5		
1. GROUND FLOOR	111.3 m ²	12.0 SQ
2. GARAGE	37.2 m ²	4.0 SQ
3. PORCH	2.3 m ²	0.2 SQ
POS	150.8 m ²	16.2
SPOS	27.8 m ²	
SPOS	59.1 m ²	
SPOS	86.9 m ²	
DWELLING 6		
1. GROUND FLOOR	111.4 m ²	12.0 SQ
2. GARAGE	37.9 m ²	4.1 SQ
3. PORCH	2.3 m ²	0.2 SQ
POS	151.5 m ²	16.3
SPOS	80.6 m ²	
SPOS	44.2 m ²	
SPOS	124.8 m ²	

PROPOSED CROSSOVER (TO BE BUILT TO THE SATISFACTORY OF THE RESPONSIBLE AUTHORITY)

NATURE STRIP

MAILBOX FOR DWELLING 1,2,3

EXISTING CROSSOVER (TO BE MODIFIED TO THE SATISFACTORY OF THE RESPONSIBLE AUTHORITY)

NOTE:
PROVISIONS OF PEDESTRIAN VISIBILITY SPLAYS MEASURING 2.0m ACROSS AND 2.5m DEEP INTO THE SITE TO THE PROPOSED CROSSOVER TO THE STREET WHERE WITHIN THE SITE ANY STRUCTURE OR VEGETATION WITHIN THESE SPLAYS MUST NOT BE MORE THAN 900mm IN HEIGHT



- LEGEND:**
- PROPOSED DECIDUOUS TREES
 - PROPOSED EVERGREEN TREES
 - PROPOSED EVERGREEN SHRUBS
 - PROPOSED CLIMBERS
 - EXISTING TREE TO BE RETAINED AND PROTECTED
 - EXISTING TREE TO BE REMOVED
 - PROPOSED LAWN AREAS
 - PROPOSED CONCRETE DRIVEWAY
 - PROPOSED TOPPING AREAS
 - PROPOSED GARDEN BED
 - PROPOSED PAVED AREAS
 - PROPOSED PAVER STEP STONES
 - PROPOSED BIN STORAGE AREA
 - PROPOSED CLOTHES LINE
 - RAIN WATER TANK

1 GROUND FLOOR PLAN DW 1 - 2 - 3
1 : 100

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PRELIMINARY
REV DESCRIPTION
DATE

17.02.2022
DATE

NORTH

PROJECT:
MULTI UNIT DEVELOPMENT

62 GOLDEN WATTLE DRIVE, MARYBOROUGH

CLIENT: CLIENT

DRW. TITLE:
GROUND FLOOR PLAN DW 1 - 2 - 3

DRW: DH
CHK: PP

TOWN PLANNING ISSUE

DRW. No: TP_04
SCALE: AS INDICATED @A1
REV. No: -
DATE: 17.02.2022
PRJ. No: TP62GW.MA

AREA SCHEDULE						
SITE AREA	SITE COVERAGE		SITE PERMEABILITY		GARDEN AREA	
	AREA	%	AREA	%	AREA	%
1950 m ²	935 m ²	48.0%	719 m ²	36.9%	685 m ²	35.1%

DWELLING 1		
1. GROUND FLOOR	110.9 m ²	11.9 SQ
2. GARAGE	37.9 m ²	4.1 SQ
3. PORCH	2.3 m ²	0.3 SQ
POS	151.1 m ²	16.3
SPOS	54.8 m ²	72.6 m ²
	127.4 m ²	

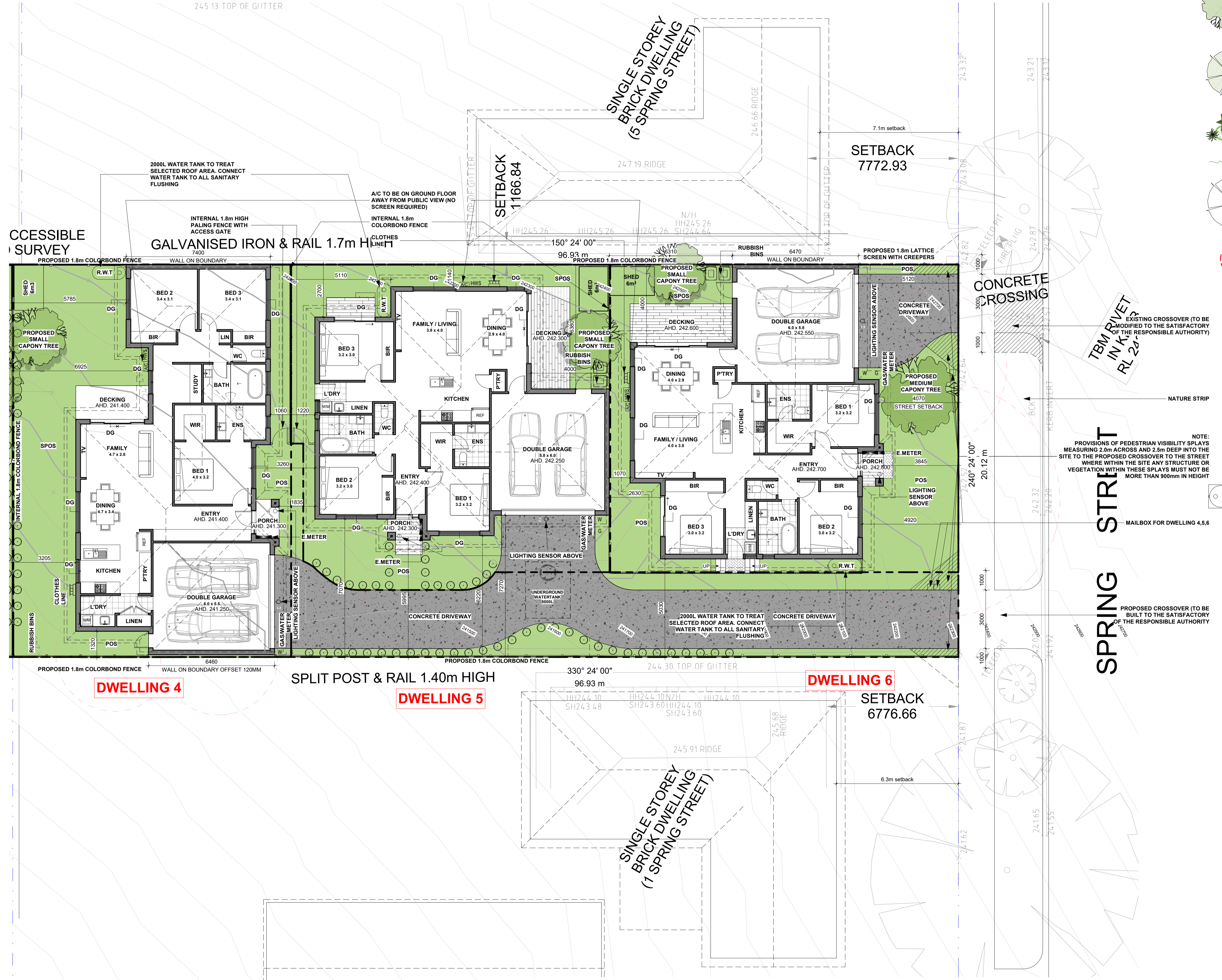
DWELLING 2		
1. GROUND FLOOR	111.2 m ²	12.0 SQ
2. GARAGE	37.8 m ²	4.1 SQ
3. PORCH	2.3 m ²	0.2 SQ
POS	151.3 m ²	16.3
SPOS	27.8 m ²	57.4 m ²
	85.2 m ²	

DWELLING 3		
1. GROUND FLOOR	126.4 m ²	13.6 SQ
2. GARAGE	35.8 m ²	3.9 SQ
3. PORCH	2.7 m ²	0.3 SQ
POS	164.9 m ²	17.8
SPOS	26.3 m ²	92.3 m ²
	118.6 m ²	

DWELLING 4		
1. GROUND FLOOR	126.4 m ²	13.6 SQ
2. GARAGE	36.5 m ²	3.9 SQ
3. PORCH	2.9 m ²	0.3 SQ
POS	165.8 m ²	17.8
SPOS	31.3 m ²	93.1 m ²
	124.4 m ²	

DWELLING 5		
1. GROUND FLOOR	111.3 m ²	12.0 SQ
2. GARAGE	37.2 m ²	4.0 SQ
3. PORCH	2.3 m ²	0.2 SQ
POS	150.8 m ²	16.2
SPOS	27.8 m ²	59.1 m ²
	86.9 m ²	

DWELLING 6		
1. GROUND FLOOR	111.4 m ²	12.0 SQ
2. GARAGE	37.9 m ²	4.1 SQ
3. PORCH	2.3 m ²	0.2 SQ
POS	151.5 m ²	16.3
SPOS	80.6 m ²	27.8 m ²
	44.2 m ²	124.8 m ²



- LEGEND:**
- PROPOSED DECIDUOUS TREES
 - PROPOSED EVERGREEN TREES
 - PROPOSED EVERGREEN SHRUBS
 - PROPOSED CLIMBERS
 - EXISTING TREE TO BE RETAINED AND PROTECTED
 - EXISTING TREE TO BE REMOVED
 - PROPOSED LAWN AREAS
 - PROPOSED CONCRETE DRIVEWAY
 - PROPOSED TOPPING AREAS
 - PROPOSED GARDEN BED
 - PROPOSED PAVED AREAS
 - PROPOSED PAVER STEP STONES
 - PROPOSED BIN STORAGE AREA
 - PROPOSED CLOTHES LINE
 - RAIN WATER TANK
- NOTE:
PROVISIONS OF PEDESTRIAN VISIBILITY SPLAYS MEASURING 2.0m ACROSS AND 2.5m DEEP INTO THE SITE TO THE PROPOSED CROSSOVER TO THE STREET WHERE WITHIN THE SITE ANY STRUCTURE OR VEGETATION WITHIN THESE SPLAYS MUST NOT BE MORE THAN 900mm IN HEIGHT

1 GROUND FLOOR PLAN DW 4 - 5 - 6
1 : 100

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PRELIMINARY
REV DESCRIPTION DATE

17.02.2022 DATE

NORTH

PROJECT:
MULTI UNIT DEVELOPMENT

62 GOLDEN WATTLE DRIVE, MARYBOROUGH

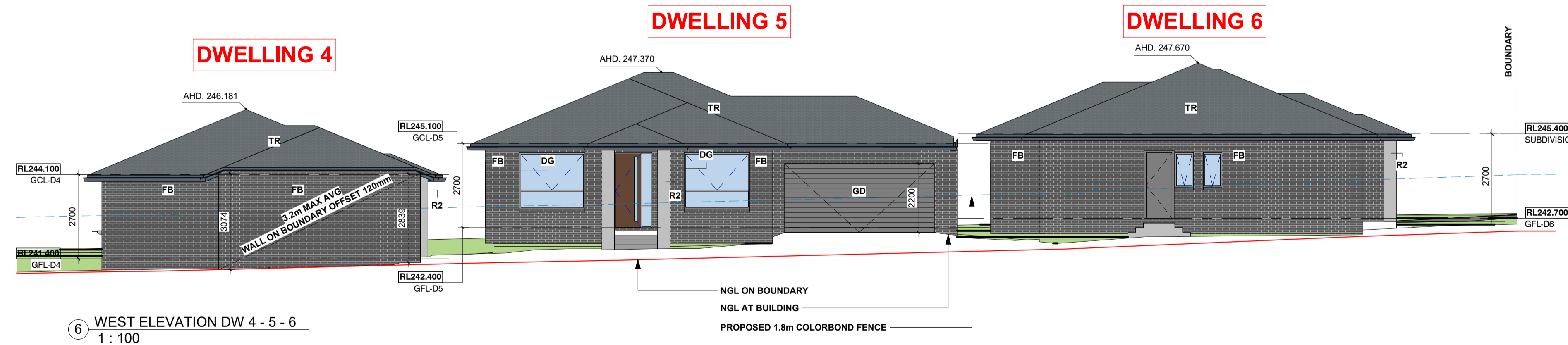
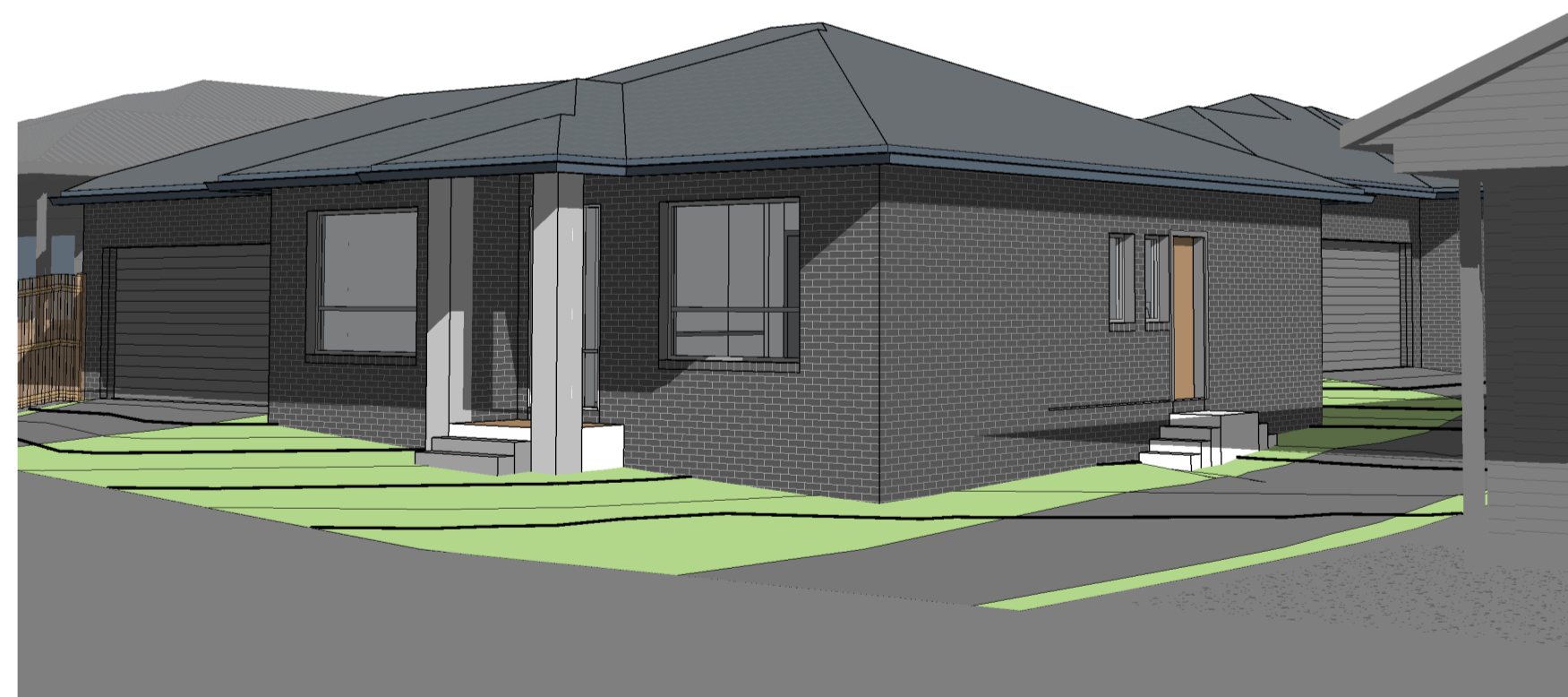
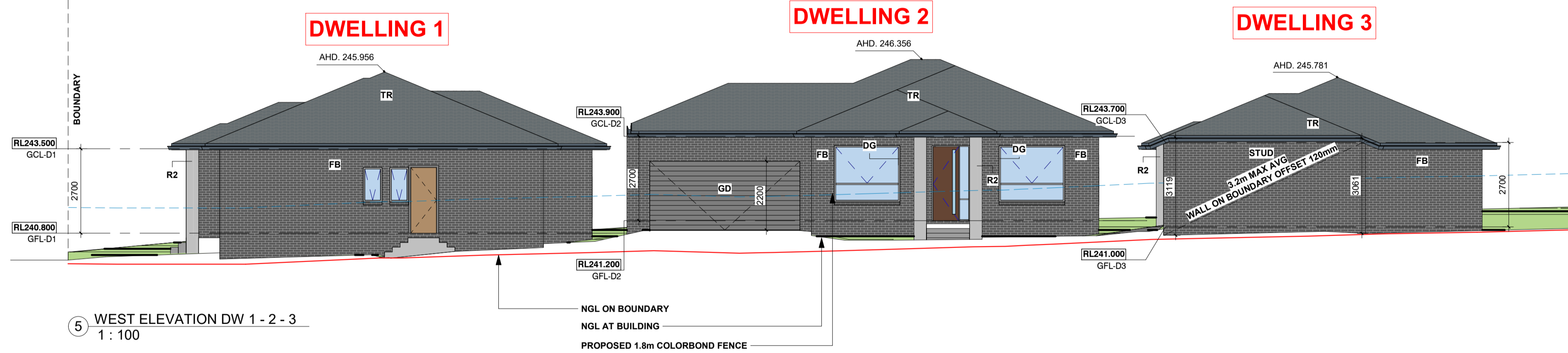
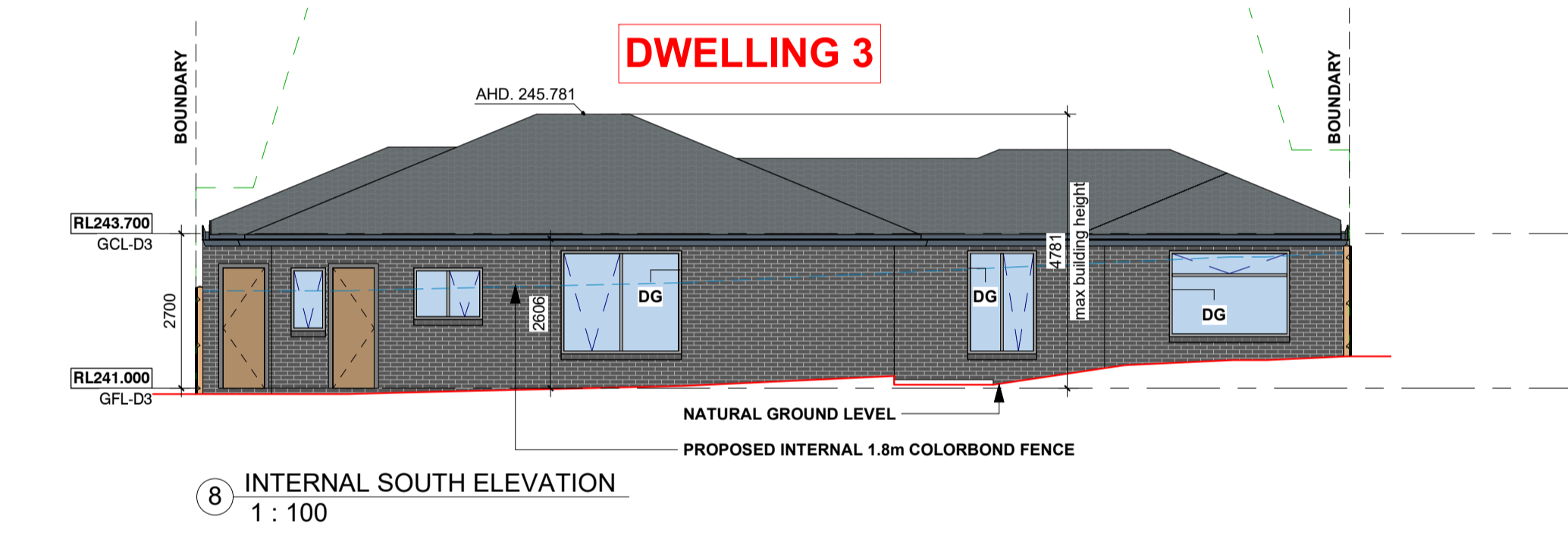
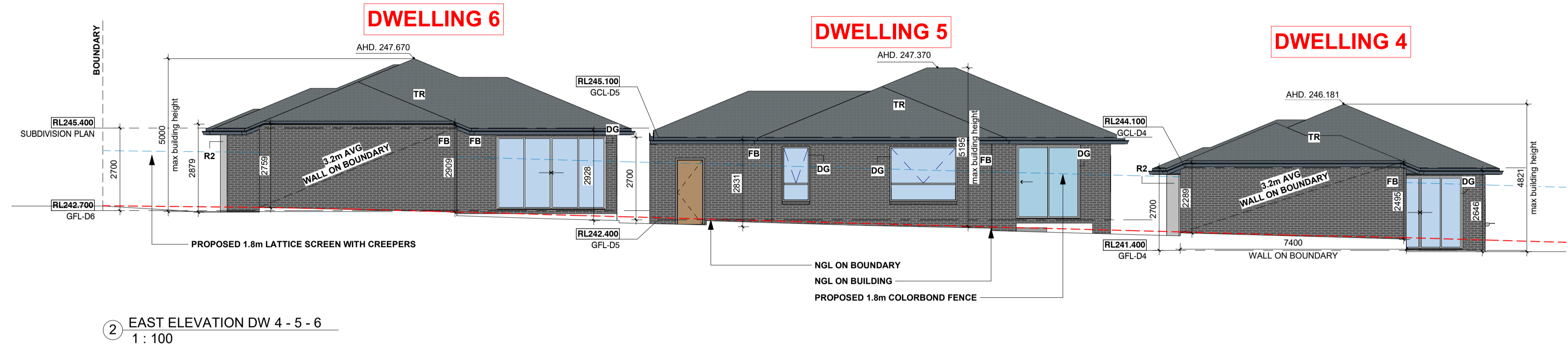
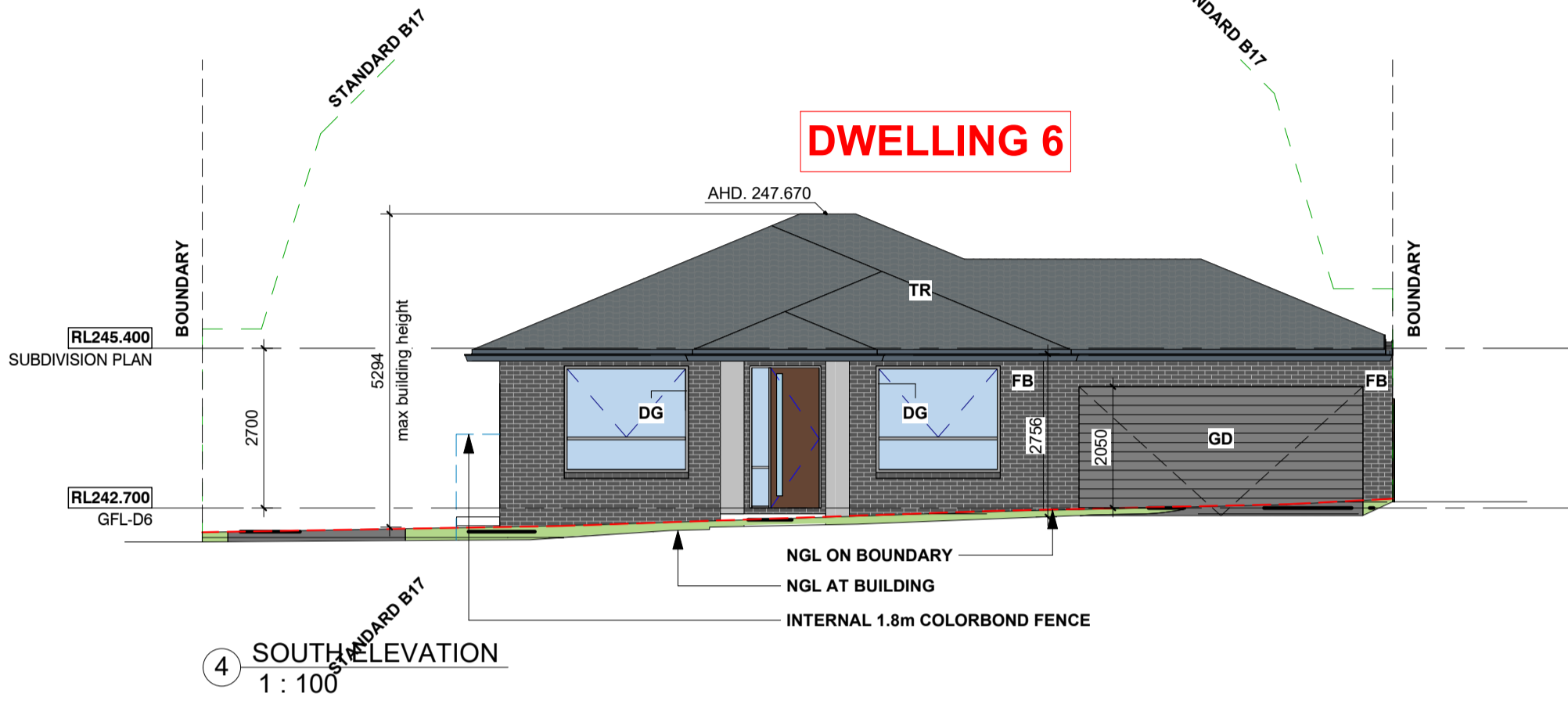
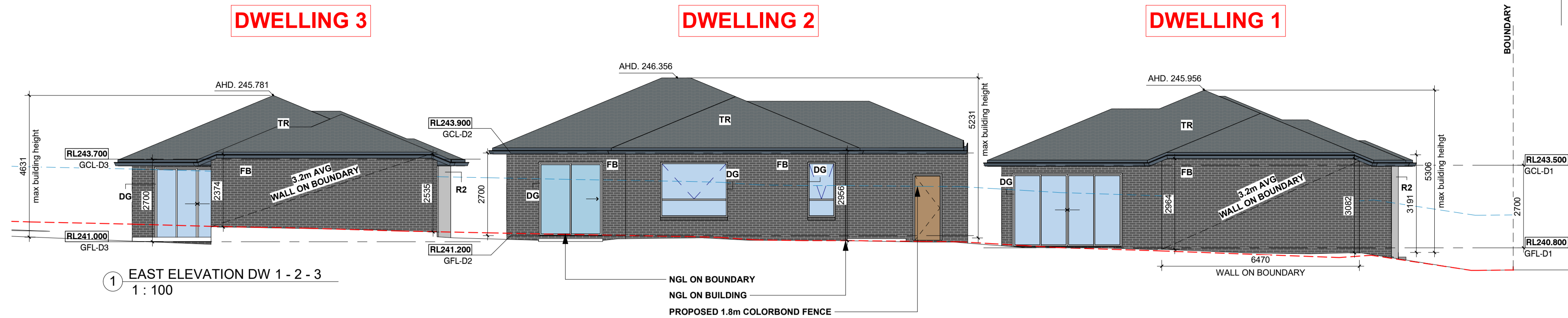
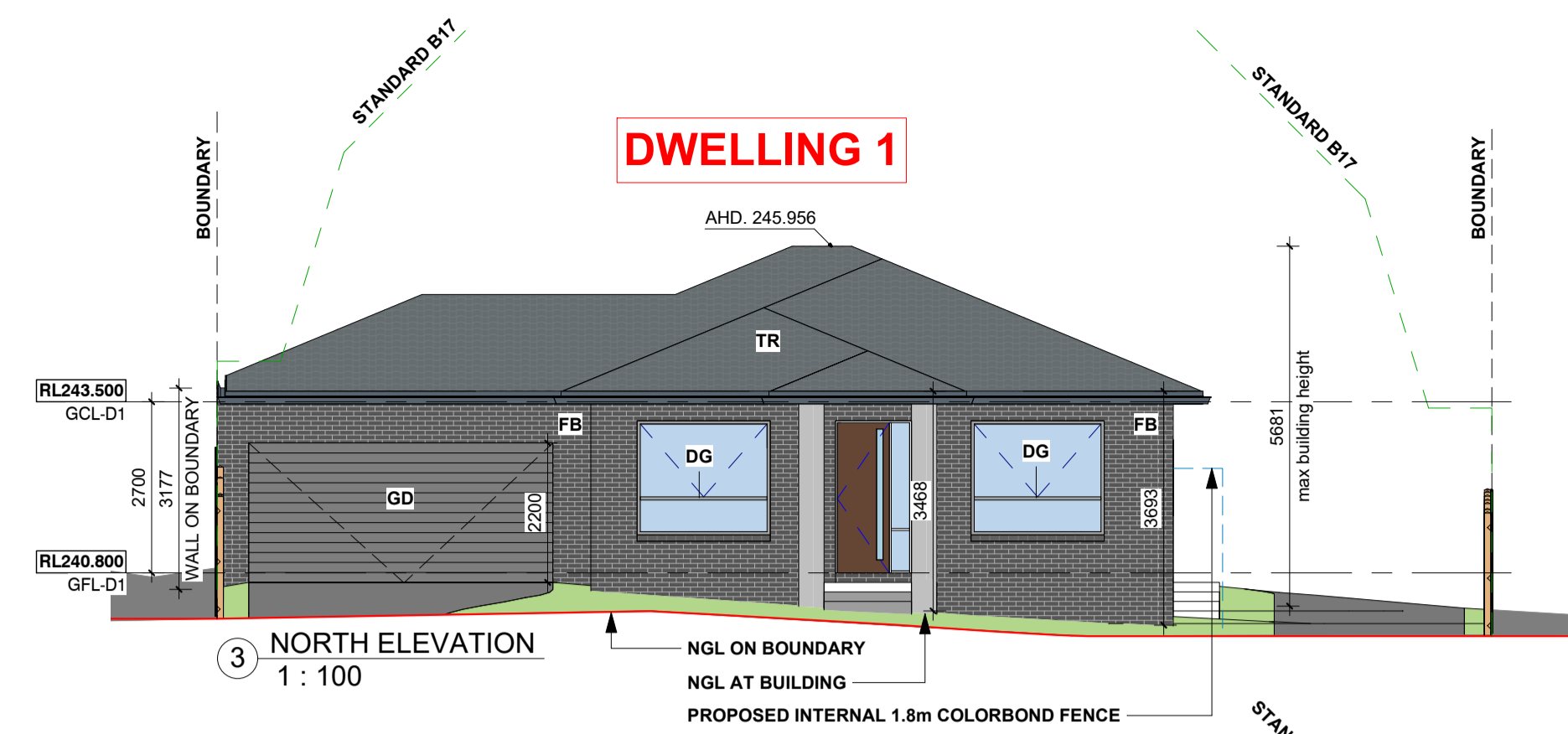
CLIENT: CLIENT

DRW. TITLE:
GROUND FLOOR PLAN DW 4 - 5 - 6

DRW: DH CHK: PP

TOWN PLANNING ISSUE

DRW. No: TP_05
SCALE: AS INDICATED @A1
REV. No: -
DATE: 17.02.2022
PRJ. No: TP62GW.MA



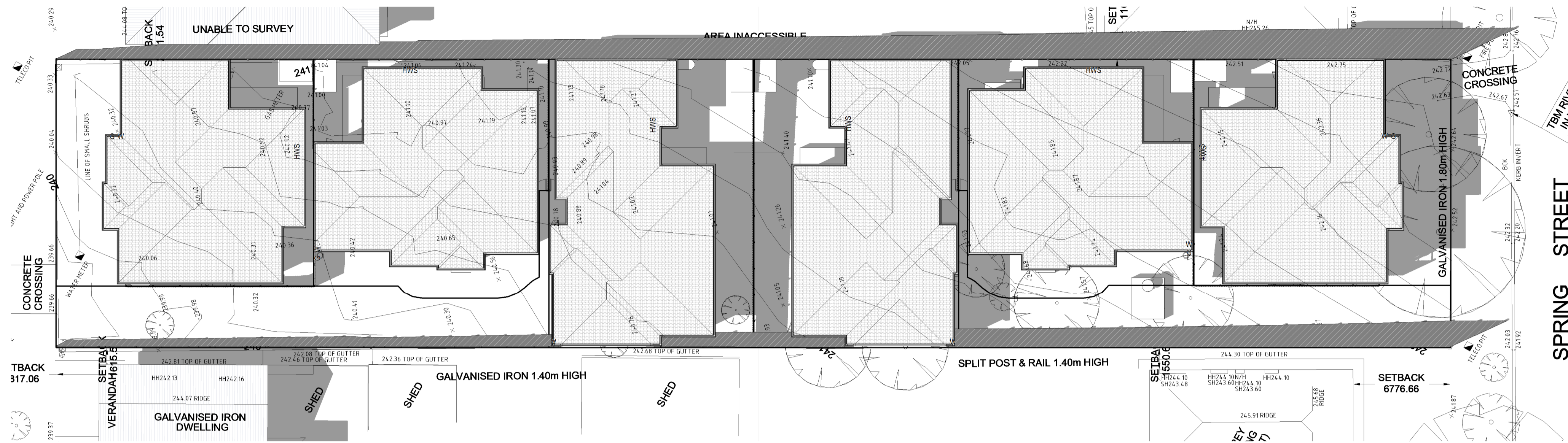
COLOUR & MATERIAL SCHEDULE

MATERIAL	REF.	COLOUR
RENDER FINISH - DULUX IVORY LACE (OR SIMILAR)	R1	[Color swatch]
FACE BRICK - AUSTRAL BRICK - (or similar)	FB	[Color swatch]
FASCIA, GUTTER, METAL CAPPING & DOWNPIPE - COLOURBOND MONUMENT (OR SIMILAR)	TR	[Color swatch]
ROOF TILES - BORAL CONCRETE CONTOUR ROOF TILE CHARCOAL GREY	TR	[Color swatch]
FRONT ENTRANCE DOOR - TIMBER DOOR WITH TRANSLUCENT GLASS - STAINED WALLNUT (OR SIMILAR)	F. D	[Color swatch]
WINDOW FRAME - MONUMENT COLOR (OR SIMILAR)	HL	[Color swatch]
DRIVEWAY - GREY EXPOSED AGGREGATE		[Image]
GARAGE DOOR - COLOURBOND TIMBER LOOK		[Image]
NOTE: - ALL WINDOWS CAN BE LOCKED IN OPEN POSITION - ALL HABITABLE WINDOWS ARE DOUBLE GLAZING OB: OBSCURE GLASS DG: DOUBLE GLAZING HL: HIGHLIGHT WINDOW		

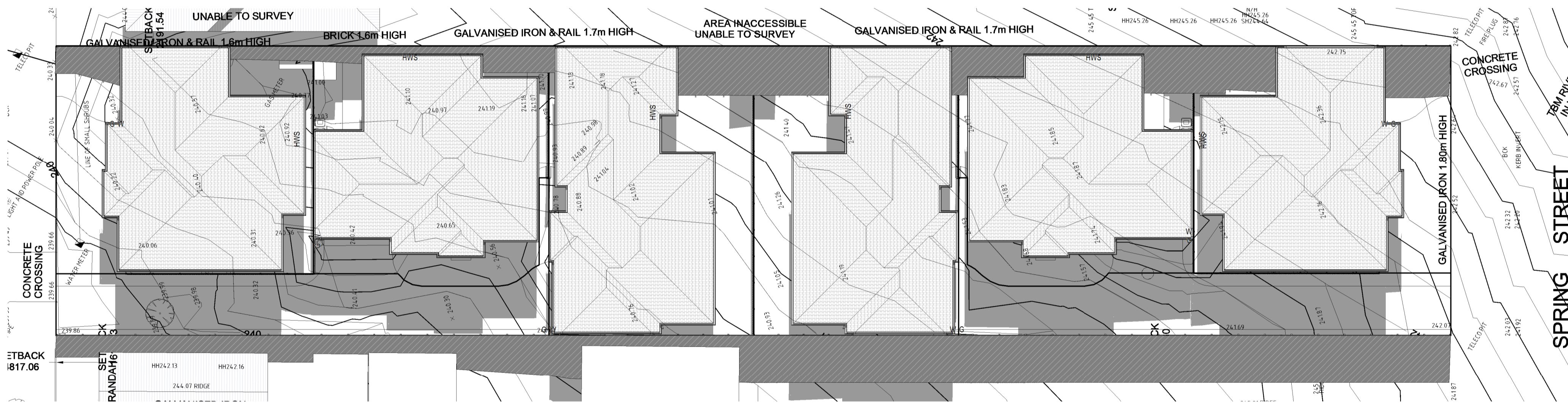
NOTE:
OB: OBSCURE GLAZING (NOT FILM) TO 1.7m ABOVE FINISHED FLOOR LEVEL & OPENABLE ABOVE IF REQUIRED FOR VENTILATION
DG: DOUBLE GLAZING TO ALL HABITABLE WINDOW

TOWN PLANNING ISSUE

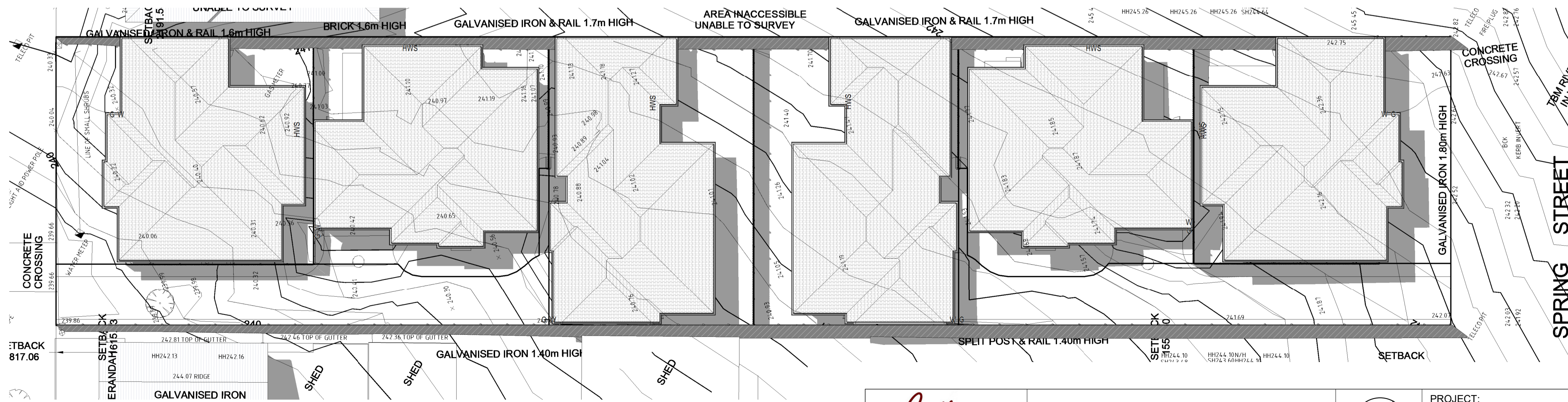
<p>BETTER DESIGN 889 MELBOR ROAD, MELBOURNE VIC 3042 T: 0421 561 050 - E: au.betterdesign@gmail.com</p>	<p>PRELIMINARY REV DESCRIPTION DATE</p>	<p>17.02.2022 DATE</p>	<p>PROJECT: MULTI UNIT DEVELOPMENT 62 GOLDEN WATTLE DRIVE, MARYBOROUGH</p>	<p>DRW. TITLE: ELEVATIONS / COLOUR & MATERIALS SCHEDULE</p>	<p>DRW. No: TP.06 SCALE: AS INDICATED @ A1 REV. No: - DATE: 17.02.2022 PRJ. No: TP62GW.MA</p>
	<p>CLIENT: CLIENT</p>	<p>DRW: DH</p>	<p>CHK: PP</p>		



2 SHADOW DIAGRAM 12PM (22 SEPT)
1 : 200



1 SHADOW DIAGRAM 9AM (22 SEPT)
1 : 200



3 SHADOW DIAGRAM 3PM (22 SEPT)
1 : 200

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PRELIMINARY
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17.02.2022
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CLIENT: CLIENT

DRW: DH
CHK: PP

PROJECT:
MULTI UNIT DEVELOPMENT

62 GOLDEN WATTLE DRIVE, MARYBOROUGH

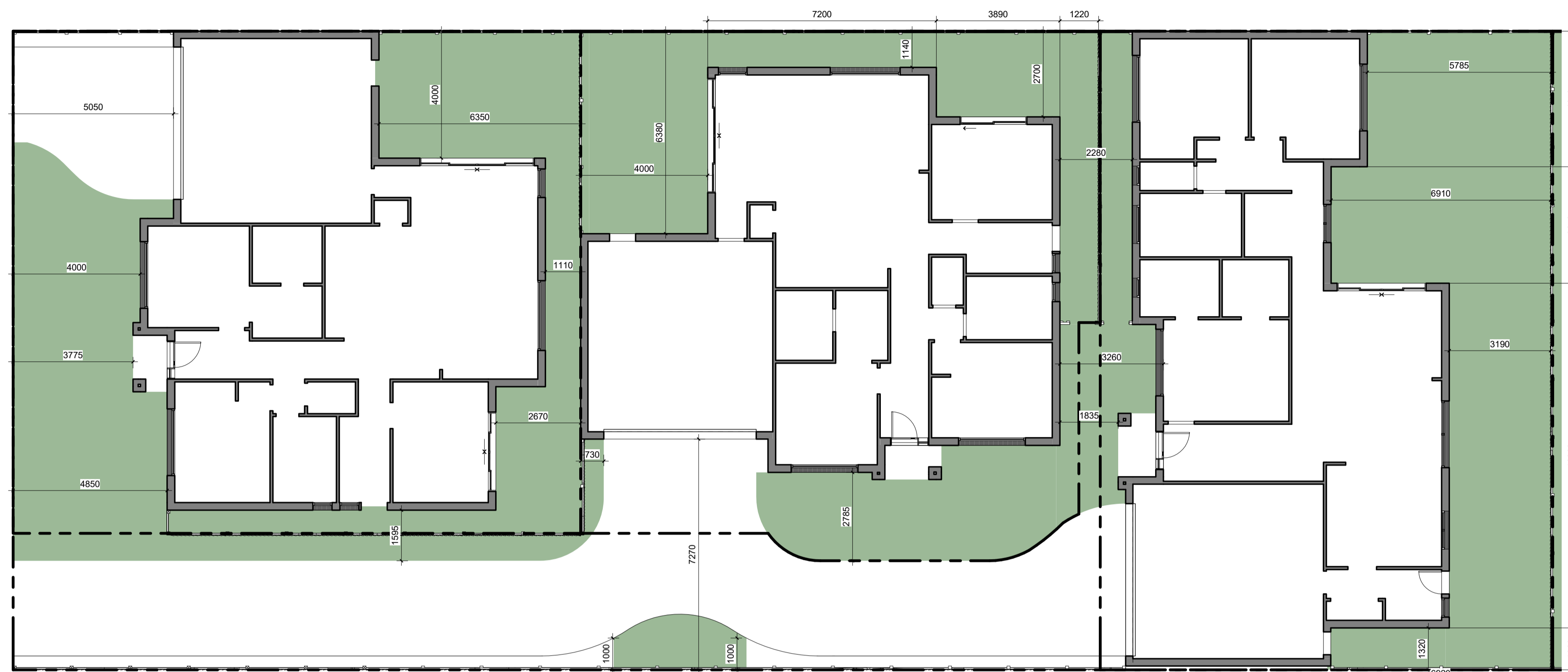
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DRW. TITLE:
SHADOW DIAGRAMS

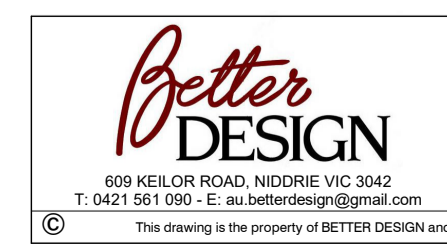
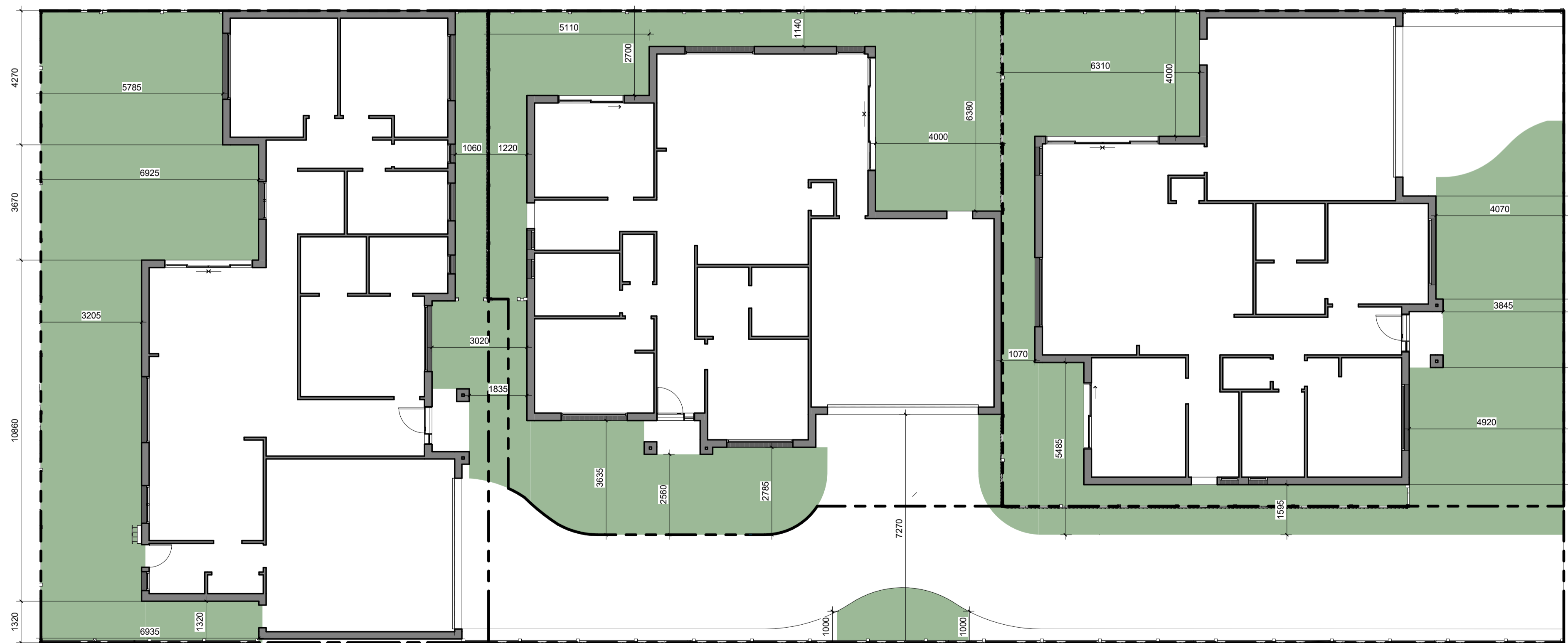
DRW: DH
CHK: PP

TOWN PLANNING ISSUE

DRW. No: TP.07
SCALE: AS INDICATED@A1
REV. No: -
DATE: 17.02.2022
PRJ. No: TP62GW.MA



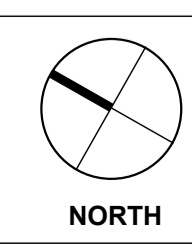
GARDEN AREA: 685.0 m²
35.1%



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PRELIMINARY
REV DESCRIPTION
DATE

17.02.2022



PROJECT:
MULTI UNIT DEVELOPMENT

62 GOLDEN WATTLE DRIVE, MARYBOROUGH

CLIENT: CLIENT

DRW. TITLE:
GARDEN AREA

DRW: DH

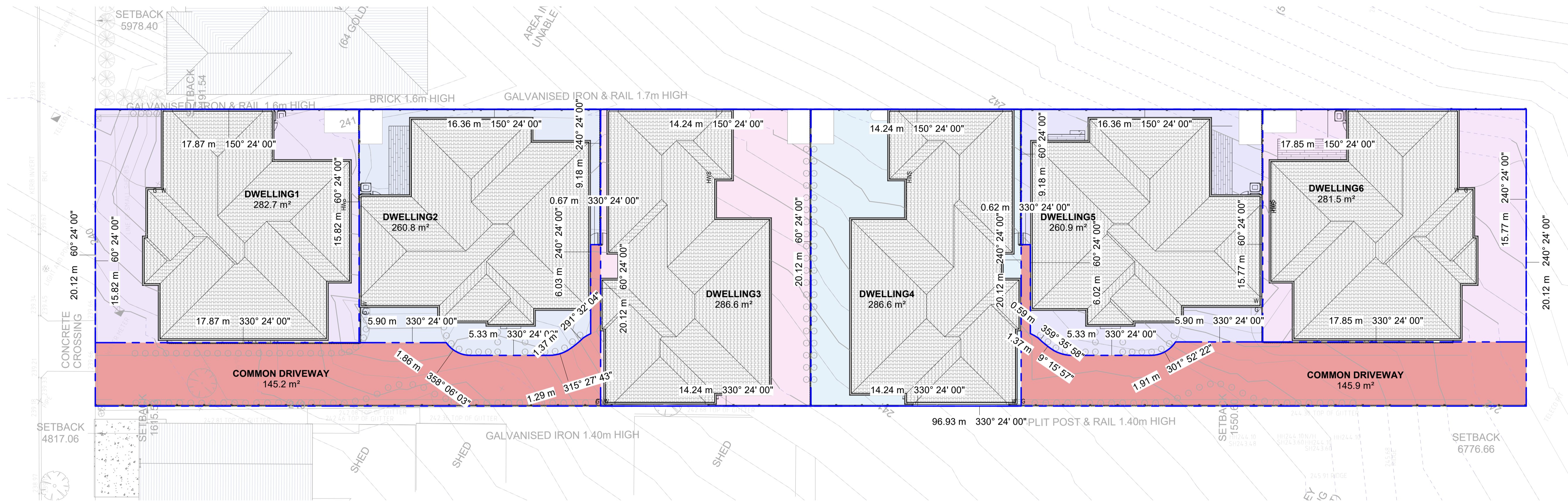
CHK: PP

TOWN PLANNING ISSUE

DRW. No: TP_08
SCALE: A5@100@A1
REV. No: -
DATE: 17.02.2022
PRJ. No: TP62GW.MA

SUBDIVISION SCHEDULE

Name	Area
COMMON DRIVEWAY	145 m ²
COMMON DRIVEWAY	146 m ²
DWELLING1	283 m ²
DWELLING2	261 m ²
DWELLING3	287 m ²
DWELLING4	287 m ²
DWELLING5	261 m ²
DWELLING6	282 m ²

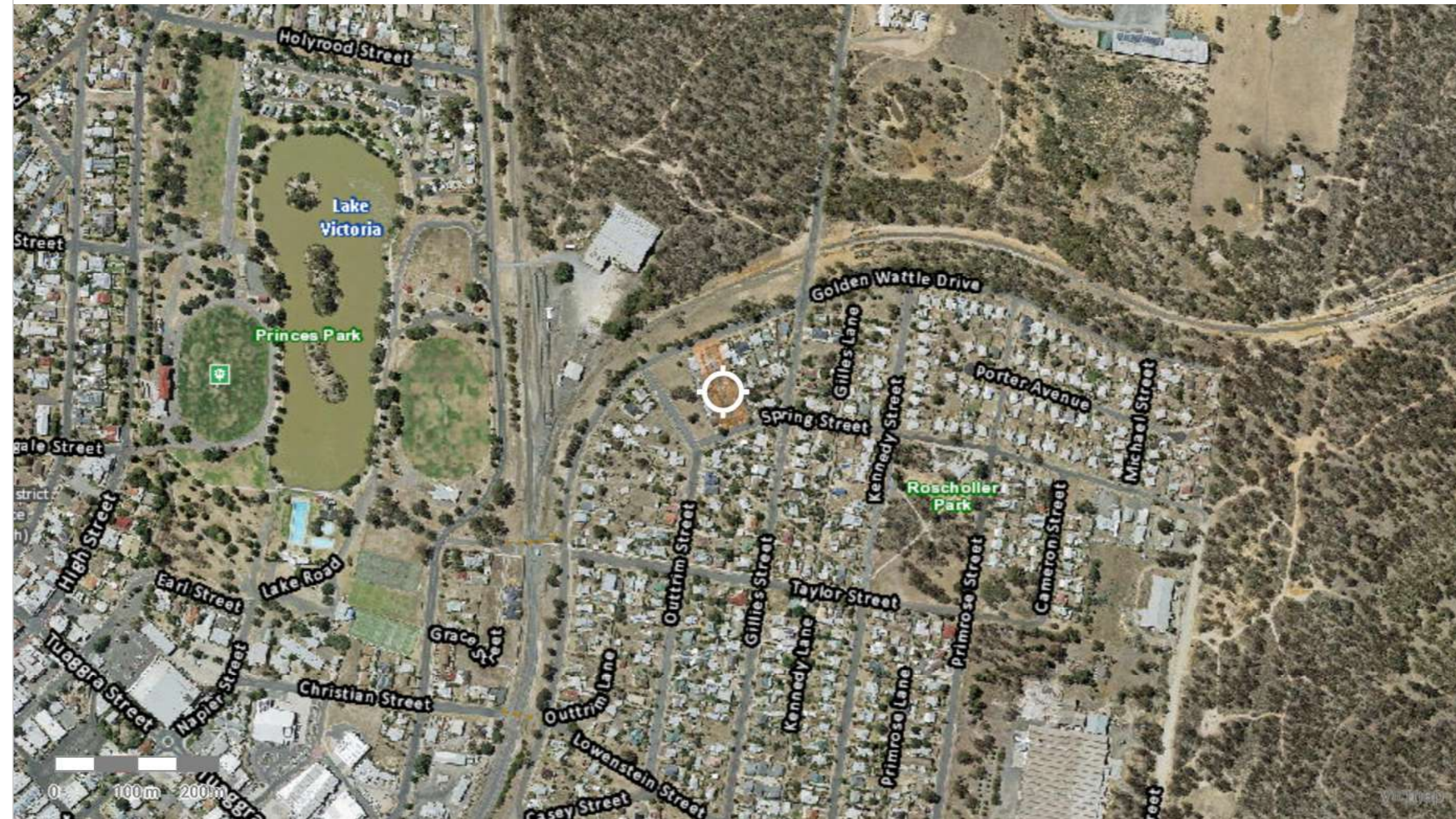


① SUBDIVISION PLAN
1 : 150

TOWN PLANNING ISSUE

 809 NEILOR ROAD, NEILORS VIC 3042 T: 0421 561 050 - E: au.betterdesign@gmail.com	REV	DESCRIPTION	DATE	 NORTH	PROJECT: MULTI UNIT DEVELOPMENT	DRW. TITLE: SUBDIVISION PLAN	DRW. No: TP.09
	CLIENT: CLIENT				PROJECT: 62 GOLDEN WATTLE DRIVE, MARYBOROUGH	REV. No: 1 DATE:	SCALE: 1:150 REV. No: 1 DATE:
					CLIENT: CLIENT	DRW: DH CHK: PP	PRJ. No: TP62GW.MA





8.4 CIVIL ENGINEERING CONSULTANCY PANEL - CONTRACT No G1643-22

Author: Coordinator Design & Projects

Responsible Officer: General Manager Infrastructure Assets and Planning

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

SUMMARY/PURPOSE

The purpose of this report is for Councillors to consider awarding of Contract G1643-22 Civil Engineering Consultancy Panel, following a public tender process.

As the value of the recommended awarding of contract is above the CEO's financial delegation, the contract is required to be awarded by Council.

RECOMMENDATION

That Council award G1643-22 Civil Engineering Consultancy Panel and authorises the CEO to execute the contracts to the following:

- Tomkinson Group
- Cardno TGM
- Energy Water Management
- JJ Ryan Consulting
- CT Management Group
- FMG Engineering
- EDA Project Management
- RMG
- 2MH Consulting
- Mlei Consulting Engineers
- SMEC Australia
- Pavement Management Services
- Bespoke
- LEKT Pty Ltd
- Neartow Pty Ltd (Trading as Partnear)

LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2021-2025 - Our Spaces and Places

The Community's vision 3. Protection and preservation of heritage

Initiative: Provide infrastructure to meet community need

BACKGROUND INFORMATION

To efficiently deliver the ongoing capital works program and comply with Councils Procurement Policy a Civil Engineering Consultancy panel to include highly skilled suppliers who will provide required Engineering Designs and Methodologies to construct complex

The 'Comic Sans' font and page colour are being used in this report to improve accessibility.

infrastructure assets (e.g., Road, Bridge, Building & Recreation etc.) has been developed. The Contract for the previous Consultancy Panel has recently expired. The intent of the contract is to select approved consultants to form Civil Engineering Consultancy panel which will be employed in a flexible capacity depending on availability and complexity of the construction works.

In accordance with Council's tendering procedures and Section 108 of the Local Government Act 2020, public tenders were requested for the panel of suitably qualified consultants for a three-year contract with option to extend for a further two years.

REPORT

Through the public tender process Council received fifteen tender submissions.

The evaluation of the tenders was undertaken by a panel consisting of the Senior Procurement Officer, the Coordinator Design and Projects, the Design and Projects Officer and the Coordinator Strategic Ass Management.

The tender responses were assessed against the following criteria:

- Risk Management. (Pass/Fail)
- Financial Benefit to Council (35%)
- Capability (20%)
- Capacity (20%)
- Financial Benefit to Community (10%)
- Environmental Sustainability (5%)
- Social Sustainability (5%)
- Aboriginal and Torres Strait Islander People (5%)

The tender submissions received from the various consultants provide a broad range of expertise in different aspects ranging from project management, construction management, road design, building design, bridge design and recreation design, therefore all consultants meeting the mandatory risk management criteria and suitably qualified are recommended to be appointed to the panel contract.

The tender evaluation panel recommends that the following consultants be awarded contract No. G1643-21 Civil Engineering Consultancy Panel:

- Tomkinson Group
- Cardno TGM
- Energy Water Management
- JJ Ryan Consulting
- CT Management Group
- FMG Engineering
- EDA Project Management
- RMG
- 2MH Consulting
- Mlei Consulting Engineers
- SMEC Australia
- Pavement Management Services
- Bespoke
- LEKT Pty Ltd
- Neartow Pty Ltd (Trading as Partnear)

The potential value over the term of the contract (up to five years) may exceed \$500,000.

As the value of the recommended awarding of the contract is above the CEO's \$500,000 financial delegation, the contract is required to be awarded by Council.

CONSULTATION/COMMUNICATION

The tender was advertised using a standard process.

The request for tenders was advertised on the Council Tender Board and Council's web page in compliance with section 108 of the Local Government Act 2020.

FINANCIAL & RESOURCE IMPLICATIONS

The panel of consultants are to be engaged to assist with services required to deliver councils capital works projects, which will be funded through Council's ongoing capital works budget.

RISK MANAGEMENT

This report addresses Council's strategic risk Property and Assets - Failure to maintain, renew and expand our assests in a timely and robust way, that considers service and delivery needs by ensuring suitably qualified consultants are available to assist with the delivery of council's capital works projects.

The consultants are required to have appropriate insurances.

CONCLUSION

Tenders have been submitted and evaluated for the panel of Civil Engineering Consultancy Services.

A full tender evaluation has been conducted, recommending that contract G1643-22 Civil Engineering Consultancy Panel be awarded to the following:

- Tomkinson Group
- Cardno TGM
- Energy Water Management
- JJ Ryan Consulting
- CT Management Group
- FMG Engineering
- EDA Project Management
- RMG
- 2MH Consulting
- Mlei Consulting Engineers
- SMEC Australia
- Pavement Management Services
- Bespoke
- LEKT Pty Ltd
- Neartow Pty Ltd (Trading as Partnear)

ATTACHMENTS

1. Nil

8.5 PORTER AVENUE AND PRIMROSE STREET MARYBOROUGH ROAD RECONSTRUCTION WORKS - CONTRACT No G1699-22

Author: Design & Projects Officer

Responsible Officer: General Manager Infrastructure Assets and Planning

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

SUMMARY/PURPOSE

The purpose of this report is brief Councillors on awarding of contract G1699-22 for the reconstruction of Porter Avenue & Primrose Street Maryborough, following a public tender process.

As the value of the recommended awarding of contract is above the CEO's financial delegation, the contract is required to be awarded by Council and will be considered at the 22 November 2022 Council meeting.

RECOMMENDATION:

That Council award Doran Earthmoving Pty Ltd the contract G1699-22 for the reconstruction of Porter Avenue & Primrose Street Maryborough for the lump sum of \$1,130,406.00 (ex. GST) and Council authorises the CEO to execute the contract.

LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2021-2025 - Our Spaces and Places

The Community's vision 3. Protection and preservation of heritage

Initiative: Provide infrastructure to meet community need

BACKGROUND INFORMATION

Council provides road pavement renewal services to the community to maintain the existing sealed road network within the Shire. As part of the 2022-2023 capital works program, Porter Avenue and Primrose Street have been approved for reconstruction.

In accordance with Council's tendering procedures and section 108 of the Local Government Act 2020, public tenders were requested on 21 September 2022 for the construction works.

The 'Comic Sans' font and page colour are being used in this report to improve accessibility.

REPORT

The works tendered for Porter Avenue and Primrose Street include renewal of the road pavement, kerb & channel, drainage, road surfacing and associated works.

The public tender process closed on 14 October 2022, and Council received two tender submissions.

The evaluation of the tenders was undertaken by a panel consisting of the Senior Procurement Officer, the Coordinator Design and Projects, the Design and Projects Officer.

The tender responses were assessed against the following criteria:

- Risk Management. (Pass/Fail)
- Financial Benefit to Council (35%)
- Capability (20%)
- Capacity (20%)
- Financial Benefit to Community (10%)
- Environmental Sustainability (5%)
- Social Sustainability (5%)
- Aboriginal and Torres Strait Islander People (5%)

As a result of the tender evaluation, Doran Earthmoving P/L scored the highest against the evaluation criteria and submitted the lowest tender price. Doran Earthmoving P/L is a local business which has previously successfully undertaken various construction projects for Council.

The tender evaluation panel recommends that Doran Earthmoving P/L be awarded contract No. G1699-22 Porter Avenue and Primrose Street, Maryborough - Road Reconstruction for the lump sum amount of \$1,130,406.00 (ex. GST)

As the value of the recommended awarding of contract is above the CEO's \$500,000 financial delegation, the contract is required to be awarded by Council.

CONSULTATION/COMMUNICATION

The tender was advertised using a standard process.

The request for tenders was advertised on the Council Tender Board and Council's web page in compliance with section 108 of the Local Government Act 2020.

The public and residents will receive notification prior to the commencement of construction works.

FINANCIAL & RESOURCE IMPLICATIONS

The proposed works are jointly funding through the Roads 2 Recovery Program \$786,000 (ex. GST) and remaining from Council's budget.

This tender has come in above the allocated budget for this project, due to significant price rises in the construction sector due to overall economic inflationary pressures.

The extra funding required to accommodate delivery of this project will be sourced by reducing the scope of works for the renewal of Cotswold Road (currently allocated in the 2022/23 budget).

RISK MANAGEMENT

This report addresses Council's strategic risk Property and Assets - Failure to maintain, renew and expand our assets in a timely and robust way, that considers service and delivery needs by implementing construction works for the renewal of Primrose Street and Porter Avenue.

The contractor is required to have appropriate insurances.

CONCLUSION

Tenders have been submitted and evaluated for the reconstruction of Porter Avenue & Primrose Street Maryborough. Doran Earthmoving Pty Ltd have been assessed as the best value to Council.

A full tender evaluation for the work has been conducted, with Doran Earthmoving Pty Ltd receiving the highest evaluation score. It is therefore recommended that Doran Earthmoving Pty Ltd be awarded the contract G1699-22 for the reconstruction of Porter Avenue & Primrose Street Maryborough for the lump sum of \$1,130,406.00 (ex. GST).

ATTACHMENTS

1. Nil

8.6 CENTRAL GOLDFIELDS SHIRE 2022-23 RESEALING WORKS - CONTRACT G1696Q (CONTRACT G1459-20)

Author: Design & Projects Officer

Responsible Officer: General Manager Infrastructure Assets and Planning

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

SUMMARY/PURPOSE

The purpose of this report is to recommend Council award a contract for road resealing work in 2022-2023.

As the value of the recommended awarding of contract is above the CEO's financial delegation, the contract is required to be awarded by Council.

RECOMMENDATION:

That Council award Fulton Hogan Pty Ltd the 2022-2023 sealing program for the lump sum of \$1,010,744.01 (ex. GST) and Council authorises the CEO to execute the contract.

LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2021-2025 - Our Spaces and Places

The Community's vision 3. Protection and preservation of heritage

Initiative: Provide infrastructure to meet community need

BACKGROUND INFORMATION

The provision of resealing works is guided by Council's current Road Management Plan (RMP) which was adopted in April 2017.

The sealed road asset is considered as two separate assets - the road pavement and the sealed surface. The sealed surface typically has a 15-year life span whilst the pavement lasts 45 to 60 years depending on stable ground conditions.

Each financial year council allocates a portion of funding to the renewal of the existing sealed surfaces on the sealed road network. The existing sealed road network comprises approximately 524km of bituminous sprayed seal valued at \$13.4M, as well as asphalt seals valued at \$3.3M.

The annual sealing list is developed using Council's Asset Management practices, which prioritises reseals based on condition data across the 524km length of sealed roads.

The 2022-2023 budget includes an allocation of \$872,000 (ex. GST).

In accordance with Council's tendering procedures and Section 186 of the Local Government Act 1989, a public tender process was undertaken in 2020 with the outcome being a panel of approved suppliers (Contract number G1459-20).

REPORT

A schedule of the proposed roads to be resealed in 2022-2023 was compiled. The program is based on condition reports on the network that identify those priority roads to be resealed. This program includes resealing and final seal works.

The process to complete the program is as follows:

- Inspection of roads to confirm works and identify any pre-seal works required such as pothole repairs;
- Tender specifications prepared and tenders invited from the previously adopted panel;
- Tender evaluation and recommendation of preferred tenderer;
- Council approval (as the value of works exceeds CEO delegation).

The proposed schedule formed part of an RFT (G1696-22Q) put to the panel. This report is to advise Council that tendering has occurred, with tenders closing on Friday 21 October 2022. The tender assessment took place the following week, with the tender evaluation meeting on Thursday 26 October. A copy of the evaluation report has previously been provided to Councillors.

Three of the four panel members submitted a conforming bid.

Following evaluation by the panel, Fulton Hogan Pty Ltd was deemed the successful tenderer. Fulton Hogans bid price was \$1,010,744.01 (ex. GST).

CONSULTATION/COMMUNICATION

Prior to the works being taken out communications will go on social media to advise that sealing works will occur. Affected properties will be notified separately.

FINANCIAL & RESOURCE IMPLICATIONS

The 'Comic Sans' font and page colour are being used in this report to improve accessibility.

Total budget of \$872,000 is included in the 2022-2023 budget for sealing works. The breakdown of funding consists of \$820,000 for road resealing, \$27,000 primer sealing for Cotswolds Road and \$25,000 final sealing of Pleasant Street and High Street.

The total contract \$1,010,744 includes approx. \$292,000 of provisional road resealing projects. A number of the provisional road resealing projects will not proceed to align with the budget allocation of \$872,000.

As the current review of the road network progresses following the flooding event, any sites that have been included for resealing under the contract which have been damaged and identified in the review will be substituted out for a provisional site.

Preparatory work will be undertaken by Council's internal operations team.

RISK MANAGEMENT

This report addresses Council's strategic risk, Property and Assets - Failure to maintain, renew and expand our assets in a timely and robust way, that considers service and delivery needs by ensuring that Council's Road Network will be maintained to a safe standard in accordance with asset management objectives.

CONCLUSION

Tenders have been submitted and evaluated for the reseals program. Fulton Hogan have been assessed as the best value to Council and are within the allocated budget.

A full tender evaluation for the work has been conducted, with Fulton Hogan Pty Ltd receiving the highest evaluation score. It is therefore recommended that Council award Fulton Hogan Pty Ltd the 2022-2023 sealing program for the lump sum of \$1,010,744.01 (ex. GST).

ATTACHMENTS

1. Nil

8.7 UPDATE OF INSTRUMENTS OF DELEGATION BY COUNCIL TO STAFF

Author: Governance Officer

Responsible Officer: General Manager Corporate Performance

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

SUMMARY/PURPOSE

The purpose of this report is to recommend that Council resolve to update a position title change from Town Planner to Statutory Planning which must be reflected within the S6 Instrument of Delegation, under which Council delegates its powers to Council Staff.

RECOMMENDATION

In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Central Goldfields Shire Council (Council) resolves that:

- 1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument*
- 2. The instrument comes into force immediately upon Council adopting the resolution.*
- 3. On the coming into force of the instrument all previous delegations by Council to members of Council staff (other than the Chief Executive Officer) are revoked.*

The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2021-2025 - Leading Change

The Community's vision 4. Good planning, governance, and service delivery

The Local Government Act 2020, and a variety of other legislation, make express provision for the appointment of delegates to act on behalf of Council and delegation of powers is essential to enable day to day decisions to be made and for the effective

operation of the organisation.

BACKGROUND INFORMATION

Instruments of Delegation are the means by which Council delegates many powers to its staff.

The Instruments of Delegation and Appointment and Authorisation are prepared for Council by Maddocks Lawyers.

REPORT

There has been a change in position title for Planners within the Statutory Services team; titles have been updated from 'Town Planners' to 'Statutory Planning'. As the S6 Instrument of Delegation from Council to Council Staff is a legal document, it must be updated to reflect the title reflected within the employment contracts.

CONSULTATION/COMMUNICATION

Relevant staff will be provided with confirmation of the amendments to the Instruments of Delegation.

FINANCIAL & RESOURCE IMPLICATIONS

Council subscribes to the Delegations and Authorisations service provided by Maddocks Lawyers, the cost of which is provided for in Council's budget. There are no other financial implications in reviewing the Instruments of Delegation.

RISK MANAGEMENT

This report addresses Council's strategic risk Legislative compliance - Failure to manage our compliance with relevant legislative requirements by meeting the requirements of the Local Government Act 2020.

CONCLUSION

It is recommended that Council adopt the updated Instrument of Delegation.

ATTACHMENTS

1. Updated S6 Instrument of Delegation to staff.



Maddocks

Maddocks Delegations and Authorisations

S6 Instrument of Delegation – Members of Staff

Central Goldfields Shire Council

Instrument of Delegation

to

Members of Council Staff

Instrument of Delegation

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 references in the Schedule are as follows:

Abbreviation	Position
CEO	Chief Executive Officer
CCMP	Coordinator Compliance
CODP	Coordinator Design and Projects
CSTP	Coordinator Statutory Planning
CASS	Coordinator Strategic Asset Management
EHO	Environmental Health Officer
GMCW	General Manager Community Wellbeing
GMCP	General Manager Corporate Performance
GMIAP	General Manager Infrastructure Assets and Planning
GO	Governance Officer
MFIN	Manager Finance
MGPR	Manager Governance Property and Risk
MIFR	Manager Infrastructure
MOPS	Manager Operations
MGSS	Manager Statutory Services
MSED	Manager Strategy and Economic Development
MTEC	Manager Tourism Events and Culture
MBS	Municipal Building Surveyor

Abbreviation	Position
Not Delegated	Not Delegated
Not relevant	Not relevant to CGSC
PCO	Planning Compliance Officer
SCO	Senior Communications Officer
PLNNR	Statutory Planning
STRAT	Strategic Planner

3. declares that:

3.1 this Instrument of Delegation is authorised by a **resolution** of Council passed on **##date** 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 remains in force until varied or revoked;

3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and

3.2.4 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.

##Council seal



SCHEDULE



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	GMCP, MGPR	Where Council is a Class B cemetery trust
s 12(1)	Function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	GMCP, MGPR	Where Council is a Class B cemetery trust
s 12(2)	Duty to have regard to the matters set out in paragraphs (a) - (c) in exercising its functions	GMCP, MGPR	Where Council is a Class B cemetery trust
s 12A(1)	Function to do the activities set out in paragraphs (a) - (n)	Not relevant	Where Council is a Class A cemetery trust
s 12A(2)	Duty to have regard to matters set out in paragraphs (a) - (e) in exercising its functions	Not relevant	Where Council is a Class A cemetery trust



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 13	Duty to do anything necessary or convenient to enable it to carry out its functions	GMCP, MGPR	
s 14	Power to manage multiple public cemeteries as if they are one cemetery.	GMCP, MGPR	
s 15(4)	Duty to keep records of delegations	Not relevant	
s 17(1)	Power to employ any persons necessary	Not relevant	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	Not relevant	



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 17(3)	Power to determine the terms and conditions of employment or engagement	Not relevant	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	Not relevant	
s 18B(1) & (2)	Duty to establish governance committees within 12 months of becoming a Class A cemetery trust and power to establish other governance committees from time to time	Not relevant	Where Council is a Class A cemetery trust
s 18C	Power to determine the membership of the governance committee	Not relevant	Where Council is a Class A cemetery trust
s 18D	Power to determine procedure of governance committee	Not relevant	Where Council is a Class A cemetery trust



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18D(1)(a)	Duty to appoint community advisory committee for the purpose of liaising with communities	Not relevant	Where Council is a Class A cemetery trust
s 18D(1)(b)	Power to appoint any additional community advisory committees	Not relevant	Where Council is a Class A cemetery trust
s 18D(2)	Duty to establish a community advisory committee under section 18D(1)(a) within 12 months of becoming a Class A cemetery trust.	Not relevant	Where Council is a Class A cemetery trust
s 18D(3)	Duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the Financial Management Act 1994	Not relevant	Where Council is a Class A cemetery trust



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18F(2)	Duty to give preference to a person who is not a funeral director of a stonemason (or a similar position) when appointing a person to a community advisory committee	Not relevant	Where Council is a Class A cemetery trust
s 18H(1)	Duty to hold an annual meeting before 30 December in each calendar year	Not relevant	Where Council is a Class A cemetery trust
s 18I	Duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting	Not relevant	Where Council is a Class A cemetery trust
s.18J	Duty to provide leadership, assistance and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in s 18J(2))	Not relevant	Where Council is a Class A cemetery trust
s 18L(1)	Duty to employ a person as the chief executive officer (by	Not	Where Council is a Class A cemetery trust



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	whatever title called) of the Class A cemetery trust	relevant	
s 18N(1)	Duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)	Not relevant	Where Council is a Class A cemetery trust
s 18N(3)	Duty to give a copy of the proposed annual plan to the Secretary on or before 30 September each year for the Secretary's approval	Not relevant	Where Council is a Class A cemetery trust
s 18N(5)	Duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months	Not relevant	Where Council is a Class A cemetery trust
s 18N(7)	Duty to ensure that an approved annual plan is available to members of the public on request	Not relevant	Where Council is a Class A cemetery trust



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18O(1)	Duty to prepare a strategic plan and submit the plan to the Secretary for approval	Not relevant	Where Council is a Class A cemetery trust
s 18O(4)	Duty to advise the Secretary if the trust wishes to exercise its functions in a manner inconsistent with its approved strategic plan	Not relevant	Where Council is a Class A cemetery trust
s 18O(5)	Duty to ensure that an approved strategic plan is available to members of the public on request	Not relevant	Where Council is a Class A cemetery trust
s 18Q(1)	Duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year.	Not relevant	Where Council is a Class A cemetery trust



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19	Power to carry out or permit the carrying out of works	Not relevant	
s 20(1)	Duty to set aside areas for the interment of human remains	Not relevant	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	Not relevant	
s 20(3)	Power to set aside areas for those things in paragraphs (a) - (e)	GMCP, MGPR	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	Not relevant	
s 36	Power to grant licences to enter and use part of the land or building in a public cemetery in accordance with s 36	Not relevant	Subject to the approval of the Minister



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	Not relevant	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	Not Delegated	
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	Not relevant	Provided the street was constructed pursuant to the Local Government Act 1989
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	GMCP, MGPR	Report must contain the particulars listed in s 57(2)



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 59	Duty to keep records for each public cemetery	GMCP, MGPR	
s 60(1)	Duty to make information in records available to the public for historical or research purposes	GMCP, MGPR	
s 60(2)	Power to charge fees for providing information	Not relevant	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	Not Delegated	
s 64B(d)	Power to permit interments at a reopened cemetery	Not relevant	



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	Not Delegated	The application must include the requirements listed in s 66(2)(a)-(d)
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park	Not relevant	
s 70(1)	Duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	GMCP, MGPR	
s 70(2)	Duty to make plans of existing place of interment available to the public	GMCP, MGPR	
s 71(1)	Power to remove any memorials or other structures in an area	GMCP,	



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to which an approval to convert applies	MGPR	
s 71(2)	Power to dispose of any memorial or other structure removed	GMCP, MGPR	
s 72(2)	Duty to comply with request received under s 72	Not Delegated	
s 73(1)	Power to grant a right of interment	Not relevant	
s 73(2)	Power to impose conditions on the right of interment	Not relevant	
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	Not	



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Delegated	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	Not relevant	
s 77(4)	Power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	Not relevant	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	Not relevant	
s 80(2)	Function of recording transfer of right of interment	Not relevant	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	Not relevant	



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment (sole holder)	Not relevant	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	Not relevant	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	Not relevant	
s.85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	Not relevant	The notice must be in writing and contain the requirements listed in s 85(2)



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 85(2)(b)	Duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	Not relevant	Does not apply where right of interment relates to remains of a deceased veteran.
85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or; remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location.	Not relevant	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment
s 86	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	Not relevant	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of	Not relevant	



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	interment		
s 86(3)(a)	Power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	Not relevant	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	Not relevant	
s.86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains	Not relevant	
s.86(5)	duty to provide notification before taking action under s.86(4)	Not relevant	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	Not relevant	
s 87(3)	Duty, if requested, to extend the right for a further 25 years or	Not	



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	convert the right to a perpetual right of interment	relevant	
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	Not relevant	
s 91(1)	Power to cancel a right of interment in accordance with s 91	Not Delegated	
s 91(3)	Duty to publish notice of intention to cancel right of interment	Not relevant	
s 92	Power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	Not relevant	
s 98(1)	Function of receiving application to establish or alter a	Not	



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	memorial or a place of interment	relevant	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	Not Delegated	
s 99(4)	Duty to make a decision on an application under s 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	Not Delegated	
s 100(1)	Power to require a person to remove memorials or places of interment	Not relevant	
s 100(2)	Power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with s 100(1)	Not Delegated	



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 100(3)	Power to recover costs of taking action under s 100(2)	Not Delegated	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	Not relevant	
s 102(1)	Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	Not relevant	
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	Not Delegated	
s 103(1)	Power to require a person to remove a building for ceremonies	Not	



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		relevant	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	Not Delegated	
s 103(3)	Power to recover costs of taking action under s 103(2)	Not Delegated	
s 106(1)	Power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	GMCP, MGPR	
s 106(2)	Power to require the holder of the right of interment to provide for an examination	Not relevant	



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	Not Delegated	
s 106(4)	Power to repair or - with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under s 106(1) is not complied with	Not Delegated	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	Not relevant	
s 107(2)	Power to repair or take down, remove and dispose any building for ceremonies if notice under s 107(1) is not complied with	Not Delegated	



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 108	Power to recover costs and expenses	Not relevant	
s 109(1)(a)	Power to open, examine and repair a place of interment	GMCP, MGPR	Where the holder of right of interment or responsible person cannot be found
s 109(1)(b)	Power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	GMCP, MGPR	Where the holder of right of interment or responsible person cannot be found
s 109(2)	Power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	Not relevant	Where the holder of right of interment or responsible person cannot be found
s 110(1)	Power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder. with consent of the Secretary	GMCP, MGPR	



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 110(2)	Power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	GMCP, MGPR	
s 110A	Power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	Not relevant	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	Not relevant	
s 112	Power to sell and supply memorials	Not relevant	



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	Not relevant	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	Not relevant	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	Not relevant	
s 119	Power to set terms and conditions for interment authorisations	Not relevant	
s 131	Function of receiving an application for cremation authorisation	Not relevant	



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	Not Delegated	Subject to s 133(2)
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	GMCP, MGPR	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	Not relevant	Subject to the approval of the Secretary
s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	Not relevant	



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	Not relevant	
s 150 & 152(1)	Power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	Not relevant	
s 151	Function of receiving applications to inter or cremate body parts	Not relevant	
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	Not Delegated	
sch 1 cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other	Not relevant	



Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	means of communication		
sch 1 cl 8(8)	Power to regulate own proceedings	Not Delegated	Subject to cl 8
sch 1A cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	Not relevant	Where Council is a Class A cemetery trust
sch 1A cl 8(8)	Power to regulate own proceedings	Not relevant	Where Council is a Class A cemetery trust Subject to cl 8



Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 41A(1)	Power to declare a dog to be a menacing dog	CCMP, GMIAP, MGSS	Council may delegate this power to a Council authorised officer

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	EHO, GMIAP, MGSS	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	EHO, GMIAP, MGSS	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	EHO, GMIAP,	If s 19(1) applies



Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	MGSS	Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 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	EHO, GMIAP, MGSS	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	EHO, GMIAP, MGSS	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	EHO, GMIAP, MGSS	If s 19(1) applies



Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	EHO, GMIAP, MGSS	Where Council is the registration authority
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	EHO, GMIAP, MGSS	Note: the power to direct the matters under s 19AA(4)(a) and (b) 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	EHO, GMIAP, MGSS	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	EHO, GMIAP, MGSS	Where Council is the registration authority



Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19E(1)(d)	Power to request a copy of the food safety program	EHO, GMIAP, MGSS	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	EHO, GMIAP, MGSS	Where Council is the registration authority
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	EHO, GMIAP, MGSS	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	EHO, GMIAP, MGSS	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	EHO, GMIAP, MGSS	



Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	Not Delegated	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	EHO, GMIAP, MGSS	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	EHO, GMIAP, MGSS	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	EHO, GMIAP, MGSS	Where Council is the registration authority
	Power to register or renew the registration of a food premises	EHO, GMIAP,	Where Council is the registration authority



Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MGSS	Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	CCMP, EHO, GMIAP, MGSS	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	GMCP, MFIN	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	EHO, GMIAP, MGSS	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)	Not Delegated	Where Council is the registration authority



Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38A(4)	Power to request a copy of a completed food safety program template	EHO, GMIAP, MGSS	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	EHO, GMIAP, MGSS	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	EHO, GMIAP, MGSS	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	EHO, GMIAP, MGSS	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and	EHO, GMIAP,	Where Council is the registration authority



Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	inspect the premises if required by s 39	MGSS	
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	EHO, GMIAP, MGSS	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	EHO, GMIAP, MGSS	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	EHO, GMIAP, MGSS	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	EHO, GMIAP,	Where Council is the registration authority



Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MGSS	
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	EHO, GMIAP, MGSS	Where Council is the registration authority
s 39A	Power to register, or renew the registration of a food premises despite minor defects	EHO, GMIAP, MGSS	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008	EHO, GMIAP, MGSS	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	EHO, GMIAP, MGSS	Where Council is the registration authority



Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 40D(1)	Power to suspend or revoke the registration of food premises	EHO, GMIAP, MGSS	Where Council is the registration authority
s 40F	Power to cancel registration of food premises	GMIAP, CEO	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	EHO, GMIAP, MGSS	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	EHO, GMIAP, MGSS	Where Council is the registration authority
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the	GMIAP, CEO	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged		

Heritage Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 116	Power to sub-delegate Executive Director's functions, duties or powers	Not Delegated	<p>Must first obtain 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>

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations



Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 185L(4)	Power to declare and levy a cladding rectification charge	Not Delegated	Recommend not delegated

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	GMIAP, MSED	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	GMIAP, STRAT, MSED	
s 4H	Duty to make amendment to Victoria Planning Provisions available in accordance with public availability requirements	GMIAP, STRAT, MSED	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 41	Duty to keep Victorian Planning Provisions and other documents available in accordance with public availability requirements	GMIAP, STRAT, MSED	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	GMIAP, STRAT, MSED	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	GMIAP, MSED	
s 8A(5)	Function of receiving notice of the Minister's decision	GMIAP, STRAT, MSED	
s 8A(7)	Power to prepare the amendment specified in the application	GMIAP,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	without the Minister's authorisation if no response received after 10 business days	STRAT, MSED	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	GMIAP, MSED	
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	GMIAP, STRAT, MSED	
s 12A(1)	Duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s19 of the Planning and Environment (Planning Schemes) Act 1996)	GMIAP, STRAT, MSED	
s 12B(1)	Duty to review planning scheme	GMIAP,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		STRAT, MSED	
s 12B(2)	Duty to review planning scheme at direction of Minister	GMIAP, STRAT, MSED	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	GMIAP, CEO	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	GMIAP, STRAT, MSED	
s 17(1)	Duty of giving copy amendment to the planning scheme	GMIAP, STRAT, MSED	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 17(2)	Duty of giving copy s 173 agreement	GMIAP, STRAT, MSED	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	GMIAP, STRAT, MSED	
s 18	Duty to make amendment etc. available	GMIAP, STRAT, MSED	
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	GMIAP, STRAT, MSED	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	GMIAP, STRAT,	Where Council is not the planning authority and the amendment affects land within Council's



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MSED	municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	GMIAP, CEO	Where Council is a planning authority
s 21(2)	Duty to make submissions available in accordance with public availability requirements	GMIAP, STRAT, MSED, CEO	
s 21A(4)	Duty to publish notice	GMIAP, STRAT, MSED	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 22	Duty to consider all submissions	GMIAP, STRAT, MSED	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	GMIAP, STRAT, MSED	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	GMIAP, STRAT, MSED	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	GMIAP, STRAT, MSED	
s 26(1)	Power to make report available for inspection	GMIAP, STRAT, MSED	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	GMIAP, STRAT, MSED	
s 27(2)	Power to apply for exemption if panel's report not received	GMIAP, MSED	
s 28(1)	Duty to notify the Minister if abandoning an amendment	GMIAP, MSED	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	GMIAP, STRAT, MSED	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	GMIAP, STRAT, SCO	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 30(4)(a)	Duty to say if amendment has lapsed	GMIAP, MSED	
s 30(4)(b)	Duty to provide information in writing upon request	GMIAP, STRAT, MSED	
s 32(2)	Duty to give more notice if required	GMIAP, STRAT, MSED	
s 33(1)	Duty to give more notice of changes to an amendment	GMIAP, STRAT, MSED	
s 36(2)	Duty to give notice of approval of amendment	GMIAP, STRAT, MSED	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38(5)	Duty to give notice of revocation of an amendment	GMIAP, STRAT, MSED	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	GMIAP, MSED	
s 40(1)	Function of lodging copy of approved amendment	GMIAP, STRAT, MSED	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	GMIAP, STRAT, MSED	
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	GMIAP, STRAT,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	requirements set out in s 197B of the Act after the inspection period ends	MSED	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	GMIAP, STRAT, MSED	
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 relevant	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	GMIAP, CEO	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written	GMIAP, CEO	Where Council is a responsible public entity



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>direction in relation to the endorsement of the draft Statement of Planning Policy</p> <p>Power to endorse the draft Statement of Planning Policy</p>		
s 46AZC(2)	Duty not 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	GMIAP, CEO	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	GMIAP, CEO	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	GMIAP, CEO	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	GMIAP, CEO	
s 46GK	Duty to comply with a Minister’s direction that applies to Council as the planning authority	GMIAP, CEO	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	GMIAP, STRAT, MSED	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	GMIAP, STRAT, MSED	
s 46GP	Function of receiving a notice under s 46GO	GMIAP, STRAT,	Where Council is the collecting agency



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MSED	
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	GMIAP, STRAT, MSED	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	GMIAP, STRAT, MSED	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	GMIAP, STRAT, MSED	
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	GMIAP, MSED	
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-	GMIAP, MSED	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general		
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	GMIAP, MSED	
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	GMIAP, MSED	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	GMIAP, MSED	
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	GMIAP, MSED	
s 46GV(3)	f\Function of receiving the monetary component and any land	GMCP, MFIN	Where Council is the collecting agency



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>equalisation amount of the infrastructure contribution</p> <p>Power to specify the manner in which the payment is to be made</p>		
s 46GV(3)(b)	Power to enter into an agreement with the applicant	GMIAP, MSED	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)	GMIAP, MSED	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)	GMIAP, MSED	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	GMIAP, MSED	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to	GMIAP, MSED	Where Council is the collecting agency



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	be secured to Council’s satisfaction		
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	GMIAP, MSED	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	GMIAP, MSED	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	GMCP, MFIN	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	GMCP, MFIN	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	GMCP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component	GMCP, MFIN	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	GMCP, MFIN	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



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(2)(b)	Function of receiving the monetary component	GMCP, MFIN	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)	GMCP, MFIN	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	GMCP, MFIN	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



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	GMCP, MFIN	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
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	GMCP, MFIN	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 as responsible for the use and development of that land	GMCP, MFIN	If any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s 46GV(4)



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			<p>Where Council is the collecting agency under an approved infrastructure contributions plan</p> <p>This duty does not apply where Council is also the development agency</p>
s 46GZ(9)	Function of receiving the fee simple in the land	GMCP, MFIN	<p>Where Council is the development agency under an approved infrastructure contributions plan</p> <p>This duty does not apply where Council is also the collecting agency</p>
s 46GZA(1)	Duty to keep proper and separate accounts and records	GMCP, MFIN	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local	GMCP, MFIN	Where Council is a development agency under an



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Government Act 2020		approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	GMIAP, CEO	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	GMIAP, CEO	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)	GMIAP, CEO	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	GMIAP, CEO	Where Council is the collecting agency under an approved infrastructure contributions plan



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	GMCP, MFIN	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	GMCP, MFIN	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	GMCP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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)	GMCP, CEO	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	GMCP, CEO	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)	GMIAP, CEO	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Function of receiving proceeds of sale	GMCP, MFIN	Where Council is the collection agency under an approved infrastructure contributions plan This provision does not apply where Council is also the development agency



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and 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)	GMCP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	GMCP, MFIN	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	GMCP, CEO	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	GMIAP, CEO	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	GMCP, CEO	Where Council is a collecting agency or development agency



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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)	GMIAP, CEO	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	GMIAP, STRAT, MSED	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	GMIAP, STRAT, MSED	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	GMIAP, MSED	
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	GMIAP, STRAT, MSED	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	GMIAP, MSED	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	GMIAP, MSED	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	GMIAP, MSED	
s 46Q(1)	Duty to keep proper accounts of levies paid	GMCP, GMIAP, MFIN, MSED	
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	GMCP, GMIAP, MFIN, MSED	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	GMCP, GMIAP, MFIN, MSED	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	GMCP, GMIAP, MFIN, MSED	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)	GMCP, GMIAP, MFIN, MSED	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



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	GMIAP, MSED	Must be done in accordance with Part 3
s46Q(4)(e)	Duty to expend that amount on other works etc.	GMIAP, MSED	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	GMCP, GMIAP, MFIN, MSED	
s 46QD	Duty to prepare report and give a report to the Minister	GMCP, GMIAP, MFIN, MSED	Where Council is a collecting agency or development agency
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents	Not Delegated	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	lodged with it available		
s 46Y	Duty to carry out works in conformity with the approved strategy plan	Not Delegated	
s 47	Power to decide that an application for a planning permit does not comply with that Act	CSTP, GMIAP, MGSS, PLNNR	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	CSTP, GMIAP, MGSS, PLNNR	
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	CSTP, GMIAP, MGSS,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PLNNR	
s 50(4)	Duty to amend application	CSTP, GMIAP, MGSS, PLNNR	
s 50(5)	Power to refuse to amend application	CSTP, GMIAP, MGSS, PLNNR	
s 50(6)	Duty to make note of amendment to application in register	CSTP, GMIAP, MGSS, PLNNR	
s 50A(1)	Power to make amendment to application	CSTP, GMIAP, MGSS,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PLNNR	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	CSTP, GMIAP, MGSS, PLNNR	
s 50A(4)	Duty to note amendment to application in register	CSTP, GMIAP, MGSS, PLNNR	
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	CSTP, GMIAP, MGSS, PLNNR	
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	CSTP, GMIAP, MGSS,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PLNNR	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	CSTP, GMIAP, MGSS, PLNNR	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	CSTP, GMIAP, MGSS, PLNNR	
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	CSTP, GMIAP, MGSS, PLNNR	
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	CSTP, GMIAP, MGSS,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PLNNR	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	CSTP, GMIAP, MGSS, PLNNR	
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	CSTP, GMIAP, MGSS, PLNNR	
s 52(3)	Power to give any further notice of an application where appropriate	CSTP, GMIAP, MGSS, PLNNR	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	CSTP, GMIAP, MGSS,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PLNNR	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	CSTP, GMIAP, MGSS, PLNNR	
s 54(1)	Power to require the applicant to provide more information	CSTP, GMIAP, MGSS, PLNNR	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	CSTP, GMIAP, MGSS, PLNNR	
s 54(1B)	Duty to specify the lapse date for an application	CSTP, GMIAP, MGSS,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PLNNR	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	CSTP, GMIAP, MGSS, PLNNR	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	CSTP, GMIAP, MGSS, PLNNR	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	CSTP, GMIAP, MGSS, PLNNR	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	CSTP, GMIAP, MGSS,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PLNNR	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	CSTP, GMIAP, MGSS, PLNNR	
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	CSTP, GMIAP, MGSS, PLNNR	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	CSTP, GMIAP, MGSS, PLNNR	
s 57A(5)	Power to refuse to amend application	CSTP, GMIAP, MGSS,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PLNNR	
s 57A(6)	Duty to note amendments to application in register	CSTP, GMIAP, MGSS, PLNNR	
s 57B(1)	Duty to determine whether and to whom notice should be given	CSTP, GMIAP, MGSS, PLNNR	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	CSTP, GMIAP, MGSS, PLNNR	
s 57C(1)	Duty to give copy of amended application to referral authority	CSTP, GMIAP, MGSS,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PLNNR	
s 58	Duty to consider every application for a permit	CSTP, GMIAP, MGSS, PLNNR	
s 58A	Power to request advice from the Planning Application Committee	CSTP, GMIAP, MGSS, PLNNR	
s 60	Duty to consider certain matters	CSTP, GMIAP, MGSS, PLNNR	
s 60(1A)	Duty to consider certain matters	CSTP, GMIAP, MGSS,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PLNNR	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	CSTP, GMIAP, MGSS, PLNNR	
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	CSTP, GMIAP, MGSS, PLNNR	<p>The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006</p> <hr/> <p>Power is subject to the following conditions:</p> <p>a) Delegates may only decide an application if three (3) or fewer valid objections have been received.</p> <p>b) Delegates may only refuse an application:</p> <p>i. where an application has been inactive for a period of 6 months or more and the applicant has failed to provide reasonable justification for a lack</p>



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			<p>of action; or</p> <p>ii. where an application is for a use or development that is prohibited; or</p> <p>At any stage before an application is decided under delegation, any Councillor may decide to call in an application to the Council planning hearing.</p>
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	CSTP, GMIAP, MGSS, PLNNR	<hr/> <p>Power is subject to the following condition:</p> <p>a) Where a determining referral authority has objected to the grant of a permit (and their grounds are the only grounds for refusal).</p> <p>At any stage before an application is decided under delegation, any Councillor may decide to call in an application to the Council planning</p>



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			hearing.
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	CSTP, GMIAP, MGSS, PLNNR	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Not relevant	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	GMIAP, MGSS	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	CSTP, GMIAP, MGSS, PLNNR	Power is subject to the following condition:



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			<p>a) Where the breach of a registered restrictive covenant is the only grounds for refusal and a permit has not been issued, or a decision has not been made to grant a permit, to allow the removal or variation of the covenant.</p> <p>At any stage before an application is decided under delegation, any Councillor may decide to call in an application to the Council planning hearing.</p>
s 62(1)	Duty to include certain conditions in deciding to grant a permit	CSTP, GMIAP, MGSS, PLNNR	
s 62(2)	Power to include other conditions	CSTP, GMIAP,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MGSS, PLNNR	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	CSTP, GMIAP, MGSS, PLNNR	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	CSTP, GMIAP, MGSS, PLNNR	
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	CSTP, GMIAP, MGSS, PLNNR	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	CSTP, GMIAP,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MGSS, PLNNR	
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)	CSTP, GMIAP, MGSS, PLNNR	
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)	CSTP, GMIAP, MGSS, PLNNR	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	CSTP, GMIAP, MGSS, PLNNR	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and	CSTP, GMIAP,	This provision applies also to a decision to grant



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	objectors	MGSS, PLNNR	an amendment to a permit - see s 75
s 64(3)	Duty not to issue a permit until after the specified period	CSTP, GMIAP, MGSS, PLNNR	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	CSTP, GMIAP, MGSS, PLNNR	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	CSTP, GMIAP, MGSS, PLNNR, STRAT	This provision applies also to a decision to grant an amendment to a permit - see s 75A



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	CSTP, GMIAP, MGSS, PLNNR	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	CSTP, GMIAP, MGSS, PLNNR	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	CSTP, GMIAP, MGSS, PLNNR	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	CSTP, GMIAP, MGSS, PLNNR	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	CSTP, GMIAP, MGSS, PLNNR	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	CSTP, GMIAP, MGSS, PLNNR	
s 69(1A)	Function of receiving application for extension of time to complete development	CSTP, GMIAP, MGSS, PLNNR	
s 69(2)	Power to extend time	CSTP, GMIAP, MGSS, PLNNR	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 70	Duty to make copy permit available for inspection in accordance with the public availability requirements	CSTP, GMIAP, MGSS, PLNNR	
s 71(1)	Power to correct certain mistakes	CSTP, GMIAP, MGSS, PLNNR	
s 71(2)	Duty to note corrections in register	CSTP, GMIAP, MGSS, PLNNR	
s 73	Power to decide to grant amendment subject to conditions	CSTP, GMIAP, MGSS, PLNNR	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 74	Duty to issue amended permit to applicant if no objectors	CSTP, GMIAP, MGSS, PLNNR	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	CSTP, GMIAP, MGSS, PLNNR	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	CSTP, GMIAP, MGSS, PLNNR	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	CSTP, GMIAP, MGSS, PLNNR	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



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	CSTP, GMIAP, MGSS	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	CSTP, GMIAP, MGSS, PLNNR	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	CSTP, GMIAP, MGSS, PLNNR	
s 83	Function of being respondent to an appeal	CSTP, GMIAP, MGSS,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PLNNR	
s 83B	Duty to give or publish notice of application for review	CSTP, GMIAP, MGSS	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CSTP, GMIAP, MGSS, PLNNR	
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	CSTP, GMIAP, MGSS, PLNNR	
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	CSTP, GMIAP, MGSS, PLNNR	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	CSTP, GMIAP, MGSS, PLNNR	
s 84AB	Power to agree to confining a review by the Tribunal	CSTP, GMIAP, MGSS	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	CSTP, GMIAP, MGSS, PLNNR	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	CSTP, GMIAP, MGSS	
s 90(1)	Function of being heard at hearing of request for cancellation or	CSTP, GMIAP,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	amendment of a permit	MGSS, PLNNR	
s 91(2)	Duty to comply with the directions of VCAT	CSTP, GMIAP, MGSS, PLNNR	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	CSTP, GMIAP, MGSS, PLNNR	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	CSTP, GMIAP, MGSS, PLNNR	
s 93(2)	Duty to give notice of VCAT order to stop development	CSTP, GMIAP,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MGSS, PLNNR	
s 95(3)	Function of referring certain applications to the Minister	GMIAP, CEO	
s 95(4)	Duty to comply with an order or direction	CSTP, GMIAP, MGSS, PLNNR	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	CSTP, GMIAP, MGSS, PLNNR	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	GMIAP, CEO	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	CSTP, GMIAP, MGSS, PLNNR	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	CSTP, GMIAP, MGSS, PLNNR	
s 96F	Duty to consider the panel's report under s 96E	CSTP, GMIAP, MGSS, PLNNR	
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 Planning and Environment (Planning Schemes) Act 1996	CSTP, GMIAP, MGSS, PLNNR	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 96H(3)	Power to give notice in compliance with Minister's direction	CSTP, GMIAP, MGSS, PLNNR	
s 96J	Power to issue permit as directed by the Minister	CSTP, GMIAP, MGSS, PLNNR	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	CSTP, GMIAP, MGSS, PLNNR	
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	CSTP, GMIAP, MGSS, PLNNR	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 97C	Power to request Minister to decide the application	CSTP, GMIAP, MGSS, PLNNR	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	CSTP, GMIAP, MGSS, PLNNR	
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	CSTP, GMIAP, MGSS, PLNNR	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with the public availability requirements	CSTP, GMIAP, MGSS, PLNNR	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 97L	Duty to include Ministerial decisions in a register kept under s 49	CSTP, GMIAP, MGSS, PLNNR	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	CSTP, GMIAP, MGSS, PLNNR	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	CSTP, GMIAP, MGSS, PLNNR	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	CSTP, GMIAP, MGSS, PLNNR	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	CSTP, GMIAP, MGSS, PLNNR	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	CSTP, GMIAP, MGSS, PLNNR	
s 97Q(4)	Duty to comply with directions of VCAT	CSTP, GMIAP, MGSS, PLNNR	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	CSTP, GMIAP, MGSS, PLNNR	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	CSTP, GMIAP, MGSS	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	CSTP, GMIAP, MGSS	
s 101	Function of receiving claim for expenses in conjunction with claim	CSTP, GMIAP, MGSS, PLNNR	
s 103	Power to reject a claim for compensation in certain circumstances	CSTP, GMIAP, MGSS, PLNNR	
s.107(1)	function of receiving claim for compensation	CSTP, GMIAP,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MGSS, PLNNR	
s 107(3)	Power to agree to extend time for making claim	CSTP, GMIAP, MGSS, PLNNR	
s 114(1)	Power to apply to the VCAT for an enforcement order	GMIAP, CEO	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	CCMP, GMIAP, MGSS, PCO	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	CCMP, GMIAP, MGSS, PCO	
s 123(1)	Power to carry out work required by enforcement order and recover costs	CCMP, GMIAP,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MGSS, PCO	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	CCMP, GMIAP, MGSS, PCO	Except Crown Land
s 129	Function of recovering penalties	CCMP, GMIAP, MGSS, PCO	
s 130(5)	Power to allow person served with an infringement notice further time	CCMP, GMIAP, MGSS, PCO	
s 149A(1)	Power to refer a matter to the VCAT for determination	GMIAP, CEO	
s 149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	GMIAP, CEO	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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)	CSTP, GMIAP, MGSS	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	CSTP, GMIAP, MGSS	
s 171(2)(g)	Power to grant and reserve easements	CSTP, GMIAP, MGSS	
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	Not Delegated	Where Council is a collecting agency specified in an approved infrastructure contributions plan



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	provided to Council under s 46GV(4)		
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
s 173(1)	Power to enter into agreement covering matters set out in s 174	CSTP, GMIAP, MGSS	
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 Planning and	CSTP, GMIAP,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	MGSS, PLNNR	
	Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	CSTP, GMIAP, MGSS, PLNNR	
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	CSTP, GMIAP, MGSS	
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	CSTP, GMIAP, MGSS	
s 178A(1)	Function of receiving application to amend or end an agreement	CSTP, GMIAP, MGSS, PLNNR	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	CSTP, GMIAP, MGSS	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CSTP, GMIAP, MGSS	
s 178A(5)	Power to propose to amend or end an agreement	CSTP, GMIAP, MGSS, PLNNR	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	CSTP, GMIAP, MGSS, PLNNR	
s 178B(2)	Duty to consider certain matters when considering proposal to end	CSTP,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	an agreement	GMIAP, MGSS, PLNNR	
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	CSTP, GMIAP, MGSS, PLNNR	
s 178C(4)	Function of determining how to give notice under s 178C(2)	CSTP, GMIAP, MGSS, PLNNR	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	CSTP, GMIAP, MGSS, PLNNR	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the	CSTP,	If no objections are made under s 178D



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	proposal	GMIAP, MGSS	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	CSTP, GMIAP, MGSS	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	CSTP, GMIAP, MGSS	If no objections are made under s 178D Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	CSTP, GMIAP, MGSS	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	CSTP, GMIAP,	After considering objections, submissions and matters in s 178B



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MGSS	
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	CSTP, GMIAP, MGSS	After considering objections, submissions and matters in s.178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	CSTP, GMIAP, MGSS	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)	CSTP, GMIAP, MGSS	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	CSTP, GMIAP, MGSS	
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E	CSTP,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	GMIAP, MGSS	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	CSTP, GMIAP, MGSS	
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	CSTP, GMIAP, MGSS	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CSTP, GMIAP, MGSS	
s 179(2)	Duty to make copy of each agreement available in accordance with	CSTP,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the public availability requirements	GMIAP, MGSS, PLNNR	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	CSTP, GMIAP, MGSS	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	CSTP, GMIAP, MGSS	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	CSTP, GMIAP, MGSS	
s 182	Power to enforce an agreement	CSTP, GMIAP, MGSS, PCO	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	CSTP, GMIAP, MGSS	
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	CSTP, GMIAP, MGSS	
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	CSTP, GMIAP, MGSS	
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	CSTP, GMIAP, MGSS	
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's	CSTP, GMIAP,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	decision	MGSS	
s 184G(2)	Duty to comply with a direction of the Tribunal	CCMP, CSTP, GMIAP, MGSS	
s 184G(3)	Duty to give notice as directed by the Tribunal	CCMP, CSTP, GMIAP, MGSS	
s 198(1)	Function to receive application for planning certificate	CSTP, GMIAP, MGSS	
s 199(1)	Duty to give planning certificate to applicant	CSTP, GMIAP, MGSS	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 201(1)	Function of receiving application for declaration of underlying zoning	CSTP, GMIAP, MGSS, PLNNR	
s 201(3)	Duty to make declaration	CSTP, GMIAP, MGSS, PLNNR	
	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	CSTP, GMIAP, MGSS, PLNNR	
	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	CSTP, GMIAP, MGSS, PLNNR	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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	CSTP, GMIAP, MGSS, PLNNR	
	Power to give written authorisation in accordance with a provision of a planning scheme	CSTP, GMIAP, MGSS, PLNNR	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	CSTP, GMIAP, MGSS, PLNNR	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	CSTP, GMIAP, MGSS, PLNNR	



Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 91ZU(1)	Power to give a renter a notice to vacate rented premises	GMIAP, GMCW	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 91ZZC(1)	Power to give a renter a notice to vacate rented premises	GMIAP	Where Council is a public statutory authority authorised to acquire land compulsorily for its purposes Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 91ZZE(1)	Power to give a renter a notice to vacate rented premises	GMCW	Where Council is a public statutory authority



Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			engaged in the provision of housing Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 91ZZE(3)	Power to publish Council's criteria for eligibility for the provision of housing	GMCW	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 142D	Function of receiving notice regarding an unregistered rooming house	EHO	



Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 142G(1)	Duty to enter required information in Rooming House Register for each rooming house in municipal district	EHO	
s 142G(2)	Power to enter certain information in the Rooming House Register	EHO	
s 142I(2)	Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	EHO	
s 206AZA(2)	Function of receiving written notification	EHO, MTEC	Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 207ZE(2)	Function of receiving written notification	EHO, MTEC	Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier



Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 311A(2)	Function of receiving written notification	EHO, MTEC	
s 317ZDA(2)	Function of receiving written notification	EHO, MTEC	
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	EHO, GMIAP, MGSS	
s 522(1)	Power to give a compliance notice to a person	EHO, GMIAP, MGSS	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	Not Delegated	



Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 525(4)	Duty to issue identity card to authorised officers	GMCP, MGPR, GO	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	EHO, GMIAP, MGSS	
s 526A(3)	Function of receiving report of inspection	EHO, GMIAP, MGSS	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	Not Delegated	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	GMIAP, CEO	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	GMCP, CEO	
s 11(9)(b)	Duty to advise Registrar	GMIAP, MIFR	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	GMIAP, MIFR	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	GMIAP, MIFR	Where Council is the coordinating road authority



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	GMIAP, MIFR, CASS	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(5)	Duty to consider written submissions received within 28 days of notice	GMIAP, MIFR	Duty of 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	GMIAP, MIFR	Function of coordinating road authority where it is the discontinuing body Unless s 12(11) applies



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	GMIAP, MIFR	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(10)	Duty to notify of decision made	GMIAP, MIFR	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
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	GMIAP, MIFR	Power of 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	GMIAP, MIFR	



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	GMIAP, CEO	
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	GMIAP, CEO	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	GMIAP, CEO	
s 15(2)	Duty to include details of arrangement in public roads register	GMIAP, MIFR, CASS	
s 16(7)	Power to enter into an arrangement under s 15	GMIAP, CEO	



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 16(8)	Duty to enter details of determination in public roads register	GMIAP, MIFR, CASS	
s 17(2)	Duty to register public road in public roads register	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	GMIAP, CEO	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	GMIAP, MIFR, CASS	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	Not Delegated	Where Council is the coordinating road authority



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	GMIAP, MIFR, CASS	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	GMIAP, MIFR, CASS	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	GMIAP, MIFR, CASS	
s 19(4)	Duty to specify details of discontinuance in public roads register	GMIAP, MIFR, CASS	



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19(5)	Duty to ensure public roads register is available for public inspection	GMIAP, MIFR, CASS	
s 21	Function of replying to request for information or advice	GMIAP, MIFR, CASS	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	GMIAP, CEO	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	GMIAP, CEO	
s 22(5)	Duty to give effect to a direction under s 22	GMIAP, CEO	
s 40(1)	Duty to inspect, maintain and repair a public road.	GMIAP, MIFR, CASS	



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	GMIAP, MIFR, CASS	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	GMIAP, MIFR, CASS	
s 42(1)	Power to declare a public road as a controlled access road	GMIAP, CEO	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	GMIAP, MIFR, CASS	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	GMIAP, MIFR, CASS	Where Council is the coordinating road authority If road is a municipal road or part thereof



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	GMIAP, MIFR, CASS	Where Council is the coordinating road authority If road is a municipal road or part thereof and where 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)	GMIAP, MIFR, CASS	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	GMIAP, MIFR, CASS	
s 49	Power to develop and publish a road management plan	GMIAP, CEO	



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 51	Power to determine standards by incorporating the standards in a road management plan	GMIAP, MIFR, CASS	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	GMIAP, MIFR, CASS	
s 54(2)	Duty to give notice of proposal to make a road management plan	GMIAP, MIFR, CASS	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	GMIAP, MIFR, CASS	
s 54(6)	Power to amend road management plan	GMIAP, MIFR, CASS	



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 54(7)	Duty to incorporate the amendments into the road management plan	GMIAP, MIFR, CASS	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	GMIAP, MIFR, CASS	
s 63(1)	Power to consent to conduct of works on road	GMIAP, MIFR, CASS	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	GMIAP, MIFR, CASS	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	GMIAP, MIFR, CASS	Where Council is the infrastructure manager or works manager



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 66(1)	Power to consent to structure etc	GMIAP, MIFR, CASS	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	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
s 67(3)	Power to request information	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
s 68(2)	Power to request information	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	Not Delegated	



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 72	Duty to issue an identity card to each authorised officer	GMCP, MGPR, GO	
s 85	Function of receiving report from authorised officer	GMIAP, MIFR, CASS	
s 86	Duty to keep register re s 85 matters	GMIAP, MIFR, CASS	
s 87(1)	Function of receiving complaints	GMIAP, MIFR	
s 87(2)	Duty to investigate complaint and provide report	GMIAP, MIFR	
s 112(2)	Power to recover damages in court	GMIAP, CEO	



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 116	Power to cause or carry out inspection	GMIAP, MIFR, CASS	
s 119(2)	Function of consulting with the Head, Transport for Victoria	GMIAP, MIFR, CASS	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	GMIAP, MIFR, CASS	
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)	GMIAP, MIFR, CASS	
s 121(1)	Power to enter into an agreement in respect of works	GMIAP, CEO	



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 122(1)	Power to charge and recover fees	GMIAP, MIFR	
s 123(1)	Power to charge for any service	GMIAP, MIFR	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	GMIAP, CEO	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	Not Delegated	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	Not Delegated	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for	GMIAP,	



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Victoria	MIFR, CASS	
sch 2 cl 5	Duty to publish notice of declaration	GMIAP, MIFR, CASS	
sch 7 cl 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	GMIAP, MIFR, CASS	Where Council is the infrastructure manager or works manager
sch 7 cl 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	GMIAP, MIFR, CASS	Where Council is the infrastructure manager or works manager
sch 7 cla 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-	GMIAP, MIFR, CASS	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	road infrastructure and technical advice or assistance in conduct of works		
sch 7 cl 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	GMIAP, MIFR, CASS	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	GMIAP, MIFR, CASS	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	GMIAP, MIFR, CASS	Where Council is the coordinating road authority



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	GMCP, GMIAP, MFIN, MIFR	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	GMIAP, MIFR, CASS	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	GMIAP, MIFR, CASS	Where Council is the infrastructure manager



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 16(1)	Power to consent to proposed works	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	GMIAP, MIFR, CASS	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	GMIAP, MIFR, CASS	Where Council is the coordinating road authority



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
sch 7 cl18(1)	Power to enter into an agreement	GMIAP, CEO	Where Council is the coordinating road authority
sch7 cl 19(1)	Power to give notice requiring rectification of works	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	GMIAP, MIFR, CASS	Where Council is the coordinating road authority



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7A cl 2	Power to cause street lights to be installed on roads	GMIAP, MIFR, CASS	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	GMIAP, MIFR, CASS	Where Council is the responsible road authority
sch 7A cl 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	GMIAP, MIFR, CASS	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4	GMIAP, MIFR, CASS	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)



Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 24	Duty to ensure that cemetery complies with depth of burial requirements	Not relevant	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	Not relevant	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	Not relevant	
r 28(1)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	Not relevant	
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	Not relevant	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	Not relevant	
r 30(2)	Power to release cremated human remains to certain persons	Not	Subject to any order of a court



Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		relevant	
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	Not relevant	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	Not relevant	
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	Not relevant	
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	Not relevant	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	Not relevant	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	Not relevant	



Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	Not relevant	
r 34	Duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs (a)-(b)	Not relevant	
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	Not relevant	
r 40	Power to approve a person to play sport within a public cemetery	Not relevant	
r 41(1)	Power to approve fishing and bathing within a public cemetery	Not relevant	
r 42(1)	Power to approve hunting within a public cemetery	Not relevant	
r 43	Power to approve camping within a public cemetery	Not	



Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		relevant	
r 45(1)	Power to approve the removal of plants within a public cemetery	Not relevant	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	Not relevant	
r 47(3)	Power to approve the use of fire in a public cemetery	Not relevant	
r 48(2)	Power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	Not relevant	
	Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules	Not relevant	
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch	Not	See note above regarding model



Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	2	relevant	rules
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	Not relevant	See note above regarding model rules
sch 2 cl 5(2)	Duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	Not relevant	See note above regarding model rules
sch 2 cl 6(1)	Power to give directions regarding the manner in which a funeral is to be conducted	Not relevant	See note above regarding model rules
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	Not relevant	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	Not relevant	See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	Not relevant	See note above regarding model rules



Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 11(2)	Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	Not relevant	See note above regarding model rules
sch 2 cl 12	Power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	Not relevant	See note above regarding model rules
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	Not relevant	See note above regarding model rules
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	Not relevant	See note above regarding model rules
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	Not relevant	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	Not relevant	See note above regarding model rules



Planning and Environment Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	CSTP, GMIAP, PLNNR	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	CSTP, GMIAP, MGSS, PLNNR	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	CSTP, GMIAP, MGSS, PLNNR	where Council is the responsible authority
r.25(b)	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	CSTP, GMIAP, MGSS,	where Council is not the responsible authority but the relevant land is within Council's municipal district



Planning and Environment Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PLNNR	
r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	CSTP, GMIAP, MGSS, PLNNR	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			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	CSTP, GMIAP, MGSS	



Planning and Environment (Fees) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	CSTP, GMIAP, MGSS	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r 19 or 20	CSTP, GMIAP, MGSS, PLNNR	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 7	Function of entering into a written agreement with a caravan park owner	EHO, GMIAP, MGSS	
r 10	Function of receiving application for registration	EHO, GMIAP, MGSS	



Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 11	Function of receiving application for renewal of registration	EHO, GMIAP, MGSS	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	EHO, GMIAP, MGSS	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	EHO, GMIAP, MGSS	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	EHO, GMIAP, MGSS	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	EHO, GMIAP, MGSS	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	EHO, GMIAP, MGSS	
r 12(4) &	Duty to issue certificate of registration	EHO, GMIAP,	



Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
(5)		MGSS	
r 14(1)	Function of receiving notice of transfer of ownership	EHO, GMIAP, MGSS	
r 14(3)	Power to determine where notice of transfer is displayed	EHO, GMIAP, MGSS	
r 15(1)	Duty to transfer registration to new caravan park owner	EHO, GMIAP, MGSS	
r 15(2)	Duty to issue a certificate of transfer of registration	EHO, GMIAP, MGSS	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	Not Delegated	Fees can only be set by resolution of Council.
r 17	Duty to keep register of caravan parks	EHO, GMIAP,	



Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MGSS	
r 18(4)	Power to determine where the emergency contact person's details are displayed	EHO, GMIAP, MGSS	
r 18(6)	Power to determine where certain information is displayed	EHO, GMIAP, MGSS	
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	EHO, GMIAP, MGSS	
r 22(2)	Duty to consult with relevant emergency services agencies	EHO, GMIAP, MGSS	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	EHO, GMIAP, MGSS	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	EHO, GMIAP, MGSS	



Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 25(3)	Duty to consult with relevant floodplain management authority	EHO, GMIAP, MGSS	
r 26	Duty to have regard to any report of the relevant fire authority	EHO, GMIAP, MGSS	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	EHO, GMIAP, MGSS	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	EHO, GMIAP, MGSS, MBS	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	EHO, GMIAP, MGSS, MBS	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 41(4)	Function of receiving installation certificate	EHO, GMIAP, MGSS	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	EHO, GMIAP, MGSS, MBS	
sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	EHO, GMIAP, MGSS, MBS	

Road Management (General) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 8(1)	Duty to conduct reviews of road management plan	GMIAP, MIFR, CASS	



Road Management (General) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 9(2)	Duty to produce written report of review of road management plan and make report available	GMIAP, MIFR, CASS	
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)	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
r.10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	GMIAP, MIFR, CASS	
r 13(1)	Duty to publish notice of amendments to road management plan	GMIAP, CEO	where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	GMIAP, MIFR, CASS	



Road Management (General) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 16(3)	Power to issue permit	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	GMIAP, CEO	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	GMIAP, MIFR, MOPS, CASS	Where Council is the responsible road authority



Road Management (General) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	GMIAP, MIFR, MOPS, CASS	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	GMIAP, CEO	

Road Management (Works and Infrastructure) Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and 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	CODP, GMIAP, MIFR	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	CODP, GMIAP, MIFR	Where Council is the coordinating road authority

Notices of motion

Council meeting

Notices of Motion

The Governance Rules provides that Councillors May Propose Notices Of Motion, Chapter 2, Division 4:

Councillors may ensure that an issue is listed on an agenda by lodging a Notice of Motion.

22. Notice Of Motion

22.1 A notice of motion must be in writing signed by a Councillor, and be lodged with or sent to the Chief Executive Officer at least one week before the Council meeting to allow sufficient time for him or her to include the notice of motion in agenda papers for a Council meeting and to give each Councillor at least 48 hours notice of such notice of motion.

22.2 The Chief Executive Officer may reject any notice of motion which:

22.2.1 is vague or unclear in intention

22.2.2 it is beyond Council's power to pass; or

22.2.3 if passed would result in Council otherwise acting invalidly

but must:

22.2.4 give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so; and

22.2.5 notify in writing the Councillor who lodged it of the rejection and reasons for the rejection.

22.3 The full text of any notice of motion accepted by the Chief Executive Officer must be included in the agenda.

22.4 The Chief Executive Officer must cause all notices of motion to be numbered, dated and entered in the notice of motion register in the order in which they were received.

22.5 Except by leave of Council, each notice of motion before any meeting must be considered in the order in which they were entered in the notice of motion register.

22.6 If a Councillor who has given a notice of motion is absent from the meeting or fails to move the motion when called upon by the Chair, any other Councillor may move the motion.

22.7 If a notice of motion is not moved at the Council meeting at which it is listed, it lapses.

Urgent business

Council meeting

Urgent Business

The Governance Rules provide for urgent business as follows:¹

If the agenda for a Council meeting makes provision for urgent business, business cannot be admitted as urgent business other than by resolution of Council and only then if it:

1. 1 relates to or arises out of a matter which has arisen since distribution of the agenda; and
2. 2 cannot safely or conveniently be deferred until the next Council meeting.

¹ Chapter 2, Rule 20.

Confidential business

Council meeting

Confidential Business

The public transparency principles include that Council decision making processes be transparent except when the Council is dealing with information that is confidential by virtue an Act.¹

Except in specified circumstances, Council meetings must be kept open to the public.² One circumstance is that the meeting is to consider confidential information.³

If a Council determines that a meeting is to be closed to the public to consider confidential information, the Council or delegated committee must record in the minutes of the meeting that are available for public inspection:⁴

- (a) the ground or grounds for determining to close the meeting to the public by reference to the grounds specified in Act's definition of confidential information;⁵
- (b) an explanation of why the specified ground or grounds applied.

Confidential information, as defined by the *Local Government Act 2020*,⁶ is:

- (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;
- (b) security information, being information that if released is likely to endanger the security of Council property or the safety of any person;
- (c) land use planning information, being information that if prematurely released is likely to encourage speculation in land values;
- (d) law enforcement information, being information which if released would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person;
- (e) legal privileged information, being information to which legal professional privilege or client legal privilege applies;
- (f) personal information, being information which if released would result in the unreasonable disclosure of information affairs;
- (g) private commercial information, being information provided by a business, commercial or financial undertaking that—
 - (i) relates to trade secrets; or
 - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;
- (h) confidential meeting information, being the records of meetings closed to the public under section 66(2)(a);

¹ *Local Government Act 2020*, s 58 (a).

² *LGA 2020* s 66 (1).

³ *LGA 2020* s 66 (2) a).

⁴ *LGA 2020* s 66 (5).

⁵ Section 3 (1).

⁶ Section 3 (1).

- (i) internal arbitration information, being information specified in section 145;
- (j) Councillor Conduct Panel confidential information, being information specified in section 169;
- (k) information prescribed by the regulations to be confidential information for the purposes of this definition;
- (l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989;

The Governance Rules provide for information relating to a meeting to be confidential:⁷

- If the Chief Executive Officer is of the opinion that information relating to a meeting is confidential information within the meaning of the *Local Government Act 2020*, he or she may designate the information as confidential and advise Councillors and/or members of Council staff in writing accordingly.
- Information which has been designated by the Chief Executive Officer as confidential information within the meaning of the Act, and in respect of which advice has been given to Councillors and/or members of Council staff in writing accordingly, will be presumed to be confidential information.

⁷ Chapter 6.

Meeting closure

Council meeting