

AGENDA

MEETING OF THE
HORSHAM RURAL CITY COUNCIL

To be held on

27 March 2023

At 5.30pm

In the

Council Chamber, Civic Centre

18 Roberts Avenue, HORSHAM



**COUNCILLORS are respectfully requested to attend the Council Meeting
of the Horsham Rural City Council to be held on 27 March 2023
in the Council Chamber, Civic Centre, Horsham at 5.30pm**

Order of Business

PRESENT

ALSO IN ATTENDANCE

1. PRAYER

Almighty God, we pledge ourselves to work in harmony for, the social, cultural and economic well-being of our Rural City. Help us to be wise in our deliberations and fair in our actions, so that prosperity and happiness shall be the lot of our people. AMEN

2. ACKNOWLEDGEMENT OF COUNTRY STATEMENT

Horsham Rural City Council acknowledges the five Traditional Owner groups of this land; the Wotjobaluk, Wergaia, Jupagalk, Jaadwa and Jadawadjali people. We recognise the important and ongoing place that all Indigenous people hold in our community.

We pay our respects to the Elders, both past and present, and commit to working together in the spirit of mutual understanding and respect for the benefit of the broader community and future generations.

3. OPENING AND WELCOME

Chairman, Cr Robyn Gulline formally welcomed those in attendance to the meeting. The Mayor advised that the meeting will be recorded to maintain a video archive, which will be available on the Horsham Rural City Council website as soon as possible.

4. APOLOGIES

Apology received from Cr Bob Redden for today's Council meeting.

5. LEAVE OF ABSENCE REQUESTS

6. CONFIRMATION OF MINUTES

Recommendation

That the minutes emanating from the Council Meeting of the Horsham Rural City Council held in the Council Chamber, Civic Centre, Horsham at 5.30pm on 27 February 2023 be adopted.

7. CONFLICTS OF INTEREST

Declarations of Interest

A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.

Members of Staff

Under Section 130 of the *Local Government Act 2020*, officers or people engaged under contract to the Council providing a report or advice to Council must disclose any conflicts of interests in the matter, including the type of interest.

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Defined as confidential information in accordance with Local Government Act 2020 - Section 3(1)(g) – Private Commercial Information

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Defined as confidential information in accordance with Local Government Act 2020 - Section 3(1)(g) – Private Commercial Information

15.3 HAMILTON ST PEDESTRIAN BRIDGE – CONTRACT VARIATION - CONFIDENTIAL
Defined as confidential information in accordance with Local Government Act 2020 - Section 3(1)(g) – Private Commercial Information

15.4 NORTH EAST WONWONDAH ROAD RECONSTRUCTION CONTRACT 23-016 - CONFIDENTIAL
Defined as confidential information in accordance with Local Government Act 2020 - Section 3(1)(g) – Private Commercial Information

CLOSE



SUNIL BHALLA
 Chief Executive Officer

REPORTS FOR COUNCIL DECISION

9. OFFICERS REPORTS

9.1 NATIMUK ECONOMIC AND SOCIAL PLAN PROJECT ADVISORY COMMITTEE TERMS OF REFERENCE

Author's Name:	Annie Mintern	Director:	Kevin O'Brien
Author's Title:	Coordinator Investment & Business Development	Directorate:	Communities and Place
Department:	Investment Attraction & Growth	File Number:	F15/A09/000010

Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes No

Reason: Nil

Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes No

Reason: Nil

Appendix

Natimuk Advisory Committee Terms of Reference (**Appendix 9.1A**)

Purpose

To approve the Natimuk Economic and Social Plan (NESP) Project Advisory Committee (PAC) Membership Structure and endorse the NESP PAC Terms of Reference (ToR).

Summary

The aim of the NESP PAC is to provide support and advice to Council on behalf of the broader community to ensure the priority action areas within the Natimuk Economic and Social Plan are implemented.

Recommendation

That Council:

1. Endorse the Natimuk Economic and Social Plan Project Advisory Committee Terms of Reference as per **Appendix 9.1A**.
2. Approve the Natimuk Economic and Social Plan Project Advisory Committee Membership Structure as outlined in the Terms of Reference as per **Appendix 9.1A**.

REPORT

Background

The Natimuk Economic and Social Plan was developed in 2022.

The PAC will work with Council staff and prioritise the identified actions within the plan. The four strategic objectives associated with the Plan are:

1. Boosting business, tourism and the economy
2. An environmentally sustainable community
3. Improved recreation
4. Improved relationships

Priority actions for each objective are provided within the Plan.

Discussion

The PAC is not a decision-making body. Its role is to:

1. Help identify key issues with regard to implementation of actions within the Natimuk Economic and Social Plan
2. Provide representative insight and advice into the relevant issues including climbing at Mount Arapiles (Dyurrite), Water for Lake Natimuk, Business, economy and tourism, relationships with Traditional Owners, Climate and sustainability and relationship with Horsham Rural City Council
3. Provide guidance as to potential solutions pertaining to the implementation of the Natimuk Economic and Social Plan
4. Provide a communication conduit to the community during the implementation phase
5. Make recommendations for council to determine.

The Natimuk Economic and Social Plan PAC Membership will include a maximum of seven members as follows:

1. One Council Officer
2. One Business Owner/Operator within the Natimuk CAD Precinct
3. One member with an interest in tourism
4. One member with an interest in sustainability and the environment
5. One member with and interest in recreation
6. One older person (60 + years)
7. One younger person (16-25 years)

Options to Consider

1. Council can choose to approve the Natimuk Economic and Social Plan PAC Membership Structure and ToR. This option supports the views of the Natimuk Economic and Social Plan Community Reference Group.
2. Council can choose not to approve the Natimuk Economic and Social Plan PAC Membership Structure and ToR. There needs to be a committee established to oversee the implementation of the Natimuk Economic and Social Plan.

Sustainability Implications

Nil

Community Engagement

Engagement has occurred with the Community Reference Group who were involved in the development of the Natimuk Economic and Social Plan. Feedback has been received from members and included in the NESP PAC ToR.

Innovation and Continuous Improvement

Not applicable

Collaboration

Not applicable

Financial Implications

Not applicable

Regional, State and National Plans and Policies

Not applicable

Council Plans, Strategies and Policies

2021-2025 Council Plan

Theme Three - Sustainability - Horsham Rural City Council will actively lead in sustainable growth and development of the community and the economy.

Strategy 2: A sustainable economy where local business, agriculture, tourism and other diverse industries thrive.

Destination Horsham Investment Attraction Strategy 2022

Natimuk Economic and Social Plan 2022

Council's Committee Framework Policy 2021

Risk Implications

Not applicable

Conclusion

The Natimuk Economic and Social Plan PAC ToR as presented is aligned with Council's Committee Framework Policy and is presented to Council for approval.

9.2 PA2200390 - 2-4 DOOEN ROAD HORSHAM

Author's Name:	Nick Carey	Director:	Kevin O'Brien
Author's Title:	Senior Statutory Planner	Directorate:	Communities and Place
Department:	Investment, Attraction and Growth	File Number:	PA2200503

Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes No

Reason: Nil

Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes No

Reason: Nil

Appendix

Delegate report (**Appendix 9.2A**)

Purpose

To determine a planning permit application for the use and development of land for a service station, display of advertising signage and the creation and alteration of access to a road in a Transport Zone 2 at 2-4 Dooen Road, Horsham.

Summary

The planning application proposes the use and development of the land for a service station, display of advertising signage and the creation and alteration of access to a road in a Transport Zone 2. The application was received on the 4 October 2022.

A full planning assessment against the Horsham Planning Scheme considering the relevant policy, objections and views of the referral authorities has been undertaken indicating the net community benefit of the proposal.

The assessment is in accordance with section 60 of the Planning and Environment Act 1987 which specifies the matters which a responsible authority must consider in deciding an application.

Recommendation

That Council, being the Responsible Authority under the Horsham Planning Scheme and the Planning and Environment Act 1987 and having considered the application, referral responses, the objections and the relevant provisions of the Horsham Planning Scheme, decides to issue a **Notice of Decision to Grant a Planning Permit** for the use and development of the land for a service station, display of advertising signage and the creation and alteration of access to a road in a Transport Zone 2 at 2-4 Dooen Road, Horsham.

REPORT

Background

Refer to the delegate report (**Appendix 9.2A**) for the assessment against the requirements of the Horsham Planning Scheme and Planning and Environment Act 1987.

Discussion

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
- The impact the use or development will have on the current and future development and operation of the transport system.

Options to Consider

Option 1 – Resolve to Issue a Notice of Decision to Grant a Planning Permit. (This option is recommended by officers as it is considered that the proposal is consistent with the relevant controls, objectives and policies of the planning scheme). By issuing a Notice of Decision to Grant a Planning Permit it will provide objectors the opportunity to seek a review of the decision at the Victorian Civil and Administrative Tribunal (VCAT).

Option 2 – Refuse the application on the ground that it does not comply with the planning scheme provisions and will result in an unacceptable impact on the adjoining land uses and traffic movement in the precinct. By refusing the application it will provide the applicant the opportunity to seek a review of the decision at VCAT.

Option 3 - Defer a decision on the application. This option is not recommended by officers as it is considered that all required information is available to form a position on the application. Deferring a decision will allow the applicant to apply to VCAT under section 79 of the *Planning and Environment Act 1987* for failure to decide the application within the prescribed time.

Sustainability Implications

The proposal is consistent with sustainability principles and will be required to meet the relevant energy efficiency rating under the building code.

Community Engagement

As required under the Planning and Environment Act 1987 notice of the application was given to adjoining owners/occupiers. Thirty-nine (39) submissions have been received objecting to the proposal.

Innovation and Continuous Improvement

Not applicable.

Collaboration

The report has been prepared in collaboration with Council officers within the Planning department and has sought the advice of referral authorities including Infrastructure, Department of Transport, and others.

Financial Implications

The decision on the application is unlikely to have any financial implications beyond defending Council's decision should an application for review be lodged with VCAT.

Regional, State and National Plans and Policies

The delegate report provides an assessment against the relevant plans and policies.

Council Plans, Strategies and Policies

2021-2025 Council Plan

Theme 2 – Liveability

Theme 3 - Sustainability

Risk Implications

The decision may be overturned on appeal to Victorian Civil and Administrative Tribunal.

Conclusion

Planning Permit application PA2200503 has been assessed against the relevant provisions of the Horsham Planning Scheme and Council acting as the responsible authority is requested to make a decision on the application in accordance with the recommendation contained in the delegate report.

9.3 ELECTRONIC SIGNATURE PROCEDURE - REVISED

Author's Name:	Diana McDonald	Director:	Kim Hargreaves
Author's Title:	Coordinator Governance	Directorate:	Corporate Services
Department:	Corporate Services	File Number:	F19/A10/000001

Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes No

Reason: Nil

Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes No

Reason: Nil

Appendix

Revised Electronic Signature Procedure (**Appendix 9.3A**)

Purpose

To seek Council endorsement of the revised Electronic Signature Procedure.

Summary

- The Electronics Signature Procedure was first developed in October 2017.
- The revised procedure now makes provision for the use of electronic signatures of Councillors.
- Removes the statement referring to a document required to be signed and sealed.
- General administrative changes, including those required to position titles (e.g. Chief Executive to Chief Executive Officer), Executive Assistant to Executive Assistant to CEO and Councillors.

Recommendation

That Council endorse the revised Electronic Signatures Procedure (P04/184).

REPORT

Background

The purpose of this procedure is to outline the processes relating to the use and sharing of electronic signatures at Horsham Rural City Council.

Discussion

The Electronics Signature Procedure was first developed in October 2017. Since then there has been significant change to the way in which documents can be signed noting the specific risks and risk mitigations required for varying documents.

This procedure relates to the signing of low to medium risk documentation only and refers to the application of an electronic signature (or e-signature) on an electronic document that is intended to perform the same purpose as a handwritten signature on a paper document. For the purposes of this procedure we are referring to the placing a digitised image of a handwritten signature on a scanned copy of a document or a born-digital document.

For documents that are of a higher risk (such as contracts or financial documents) Council has adopted systems that enable a digital signature. This is a cryptographic technique that creates a unique and unforgeable identifier in an electronic document. A digital code (generated and authenticated by public key encryption) is attached to an electronically transmitted document to verify the contents of the document and the sender's identity.

As the procedure now relates to the use of all Councillor signatures, rather than just the signature of the Officers, the procedure is presented to Council for adoption.

Options to Consider

This procedure is provided for adoption give the inclusion of Councillors and the articulation of the process by which their signatures will be applied. While Councillors have the option not to adopt the procedure doing so would hinder the ability to expediently manage any correspondence or other documentation where a signature is required.

Sustainability Implications

Nil

Community Engagement

Not applicable

Innovation and Continuous Improvement

This revised procedure reflects commitments against LGA 2020 s.9(e) Overarching governance principle – Innovation and continuous improvement is to be pursued.

Collaboration

Not applicable

Financial Implications

Not applicable

Regional, State and National Plans and Policies

Not applicable

Council Plans, Strategies and Policies

2021-2025 Council Plan

Theme 5 – Leadership

Risk Implications

The use of electronic signatures for general correspondence enables Council to achieve significant operating efficiencies. It also carries a level of risk so needs to be used for approvals that are low to medium risk only.

The adoption of this procedure reduces the risk associated with the application of electronic signatures for low to medium risk documents noting that a different method of approval is applied for the signing of high risk documentation within Council.

Conclusion

That Council adopt the revised Electronic Signatures Procedure (P04/184).

9.4 DELEGATIONS UPDATE

Author's Name:	Andrea Coxon	Director:	Kim Hargreaves
Author's Title:	Governance Officer	Directorate:	Corporate Services
Department:	Governance	File Number:	F19/A12/000001

Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes No

Reason: Nil

Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes No

Reason: Nil

Appendix

S5 Instrument of Delegation, Council to the CEO (S5) **(Appendix 9.4A)**

S6 Instrument of Delegation, Council to other Members of Council staff (S6) **(Appendix 9.4B)**

Summary of updates S6 Instrument of Delegation - Members of Staff **(Appendix 9.4C)**

Purpose

To approve the updated Instruments of Delegation, S5 Instrument of Delegation, Council to the CEO (S5) and S6 Instrument of Delegation, Council to other Members of Council staff (S6).

Summary

- These updates are provided approximately every six months from a subscribed service by Maddocks Lawyers and Council generally updates its delegations following receipt of this information.
- This update takes into account legislative changes which were assented to or made on or after 22 July 2022.

Recommendation

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 S5 Instrument of Delegation, Council to the CEO (S5) **(Appendix 9.4A)** and S6 Instrument of Delegation, Council to other Members of Council staff (S6) **(Appendix 9.4B)** the powers, duties and functions set out in those instruments, subject to the conditions and limitations specified in those instruments.
2. The instruments come into force immediately following this Council Resolution.
3. The CEO be authorised to sign S6 Instrument of Delegation, Council to other Members of Council staff (S6) following this resolution of Council.

REPORT

Background

A Council is a statutory entity. It is able to do only those things which it is authorised by statute to do. The sources of Council authority can be summarised as:

- Power to do things which a “natural person” can do – in particular, the power to enter into contracts
- Powers conferred by provisions of Acts and regulations, such as the Local Government Act 2020 and the Planning and Environment Act 1987
- Powers conferred by other forms of statutory instrument

The formal delegation of legislated powers, duties and functions via instruments of delegation, supported by consistent policies allow Council staff to perform day to day duties and make decisions that may otherwise need to be decided upon by Council. An instrument of delegation is a written document that specifies what powers and functions are delegations and to what positions within Council. Delegations empower employees with the authority to make binding decisions on behalf of Council.

Council last reviewed and adopted by resolution of Council:

- S5 Instrument of Delegation, Council to the CEO (S5) 26 April 2022
- S6 Instrument of Delegation, Council to other Members of Council staff (S6) 26 Sept 2022

Discussion

This update amends Councils S5 and S6 Instruments of Delegation administered by Council, with the changes outlined below.

1. Changes to the S5 Instrument of Delegation, Council to the CEO (S5)

Change to the S5 with respect to expenditure limitations. Section 11(5) of the Local Government Act 2020 states that a delegation that includes the power to make any expenditure must specify a maximum monetary limit that cannot be exceeded. Councils deal with this in different ways and so the updated template endeavours to keep it general so that it can be tailored to suit each particular council.

2. Changes to the S6 Instrument of Delegation, Council to other Members of Council staff (S6)

The following changes have been made to the S6:

- 2.1. The execution of the S6 Instrument has been amended to enable Council’s Chief Executive Officer (CEO) to sign the Instrument, where a resolution has been made by Council for the CEO to sign the Instrument.
- 2.2. Regulations 25(a) and (b) of the Planning and Environment Regulations 1987 have been slightly amended by the Planning and Environment Amendment Regulations 2022, to refer to the public availability requirements.
- 2.3. Section 52 of the Cemeteries and Crematoria Act 2003 has been inserted relating to the duty to report annually to the Secretary.

Options to Consider

Nil

Sustainability Implications

Nil

Community Engagement

The attached delegations have been updated using the Maddocks Lawyers delegation service and consultation with relevant Council Officers.

Innovation and Continuous Improvement

Nil

Collaboration

Nil

Financial Implications

The financial impact of the review of delegations is limited to staff time, the cost of Maddocks Lawyers delegation service which includes access to all materials relating to delegations and authorisations and bi-annual updates and Council's subscription to the RelianSys Delegations+ system, which has been included in the 2022-23 budget.

No additional resourcing is required to give effect to these functions.

Regional, State and National Plans and Policies

Nil

Council Plans, Strategies and Policies

2021-2025 Council Plan

Theme 1 – Community

Theme 5 – Leadership

Delegations and Authorisations to Members of Council Staff Guidelines

- These guidelines were last updated and adopted by EMT 9 August 2022

Risk Implications

It is essential that the instruments of delegation are kept up to date to ensure that the members of staff are appropriately empowered to undertake their roles.

The updates to the S5, S6, S7 and S11 Instruments ensures ongoing legislative compliance for Horsham Rural City Council.

Conclusion

Delegations facilitate the success of good governance for the community by empowering appropriate members of staff to make decisions on behalf of Council.

REPORTS FOR INFORMATION

9.5 INVESTMENT ATTRACTION AND GROWTH DEPARTMENT REPORT

Author's Name:	Fiona Gormann	Director:	Kevin O'Brien
Author's Title:	Manager Investment Attraction and Growth	Directorate:	Communities and Place
Department:	Communities and Place	File Number:	F15/A06/000001

Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes No

Reason: Nil

Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes No

Reason: Nil

Appendix

SpendMapp Report January 2023 (**Appendix 9.5A**)

Purpose

To receive and note the Investment Attraction and Growth Department Report for January 2023.

Summary

The Investment Attraction and Growth Department Report provides the progress and outcomes achieved through the delivery of the investment attraction strategy and implementation plan during the reporting period.

Recommendation

That Council receive and note the Investment Attraction and Growth Department Report for January 2023.

REPORT

Background

An Investment Attraction and Growth Department Report is tabled monthly at the Council meeting.

Discussion

The work undertaken across Investment Attraction and Growth Department includes Strategic Planning, Statutory Planning, Building Services, Business Development and Tourism.

The Investment Attraction Strategy and Implementation Plan progress and key achievements for the month of January are articulated in the information and tables, as follow.

Actions are measured by goals and set timelines. The timelines are indicated by years which relate to financial years.

- Year 1 - 2022-2023
- Year 2 - 2023-2024
- Year 3 - 2024-2025
- Year 4 - 2024-2025
- Year 5+ 2025+

The teams will focus on delivering actions with in the current financial year whilst carrying out the necessary planning to ensure targets are meet in sequential years.

INVESTMENT ATTRACTION

Council Priorities	Action	Goal Measured by	Progress
2.10 (ongoing)	Undertake regular meetings between the Wimmera Development Association and Investment Attraction Department to inform and discuss economic development opportunities	10 forums held per year	Meeting held in January between WDA and HRCC Investment & Business Development Team 6/10 meetings held at 13/1/23
2.8.1 (2 years)	Support the Development of Mt Zero Resort	Planning Permit decision	Planning Permit issued
(2 years)	Prepare and implement the recommendations from the Aerodrome Masterplan	Aerodrome Masterplan development	Contract has been awarded to Stafford Strategy. Inception meeting and site visit to be held in February.
5+years	Investigate with stakeholders on the potential for Burnt Creek to become a green industrial area through vegetation offsets and carbon sequestration	Investigation outcomes reported to Council	RfQ opened and a consultant will be selected in February to develop a 10yr Off-set Reserve Management Plan

BUSINESS DEVELOPMENT & TOURISM

Council Priorities	Action	Goal Measured By	Progress
2.6.1 (ongoing)	Promote recreational activities in our natural environment to increase destination tourism and visitation	Activities reported on in the Investment Attraction and Growth monthly Council Report	Southern Water Ski Show Team have performed their water skiing show on the Wimmera river on Australia Day. Very well attended, perfect weather and great feedback received. Attendee numbers up on 2022.
2.7.1 (ongoing)	Identify and seek out commercial opportunities to activate the riverfront	Commercial opportunities reported on in the Investment Attraction and Growth monthly Council Report	The pop up café space as part of the City to River works is scheduled for completion end of February. Business Development team is currently drafting expression of interest information in preparation for the space becoming available for food trucks.
(ongoing)	Host seasonal workshop sessions with Grampians Tourism and Wimmera Mallee Tourism to organise and update our businesses and tourism operators about relevant information for the region	2 industry workshops have been hosted	Grampians Tourism Sustainable Tourism industry forum scheduled to be held in Dunkeld in February.
(ongoing)	Ensure constant communication through e-mails and business newsletters with tourism operators and local businesses regarding what is happening in the region	A minimum of 10 business newsletters distributed annually 4 business forums are held annually	1 newsletter was sent in January The newsletter received 387 opens and 44 clicks.
3.4 (2 years)	Purchase equipment to support outdoor economic activity in public areas	Have outdoor cinema equipment purchased	Outdoor furniture is now available to be hired by the public. An agreement form has been drawn up and a deposit from non-profit community groups is all that is required.
3.4 (2 years)	Enhance the ambience of outdoor areas including laneways	Engage artists to activate laneways	Artists will commence installations in February
3.4 (2 years)	Provision, maintenance, or upgrade of outdoor spaces and parklet facilities	Increased foot traffic and further activation to support outdoor dining	Parklets have been installed in three locations within the CAD. Mixed feedback has been received. Parklets are not yet complete.
(ongoing)	Attract businesses to lease vacant shops in the Horsham city centre through the Wimmera Business Centre	Vacant shops reduced from 24 shops to 20 in the first year and maintained at or below 18 shops for the succeeding years	See table below

Council Priorities	Action	Goal Measured By	Progress
(ongoing)	To promote Live the Grampians Way to local businesses and engage with people who show an interest in moving to the region	Ensure every person who contacts Live the Grampians Way has received a welcome/information sheet and follow up phone call	Detailed information below.

Spendmapp

January report attached

GRAMPIANS TOURISM – January 2023 News

Next Grampians Tourism Industry Forum

Grampians Tourism will be hosting another Industry Forum on Thursday 16 February from 2:00pm at Grampians Retreat in Dunkeld with a focus on sustainable tourism. Guest speakers at the forum will include Nic Cooper, Regenerative Tourism Specialist at Tourism e-School and Sustainability Storyteller with Tourism Australia; Charlie Richardson, Grampians Area Chief Ranger at Parks Victoria; Kerryn Benbow.

Australia Tourism Data Warehouse (ATDW)

ATDW is Australia's national tourism database and distribution platform and its function is to help extend your online exposure and attract more business. ATDW profiles provide an online presence at national, state, regional and destination levels through the key online tourism marketing platforms of visitvictoria.com and visitaustralia.com and more.

Businesses and events looking to maximise their exposure through the marketing activities and programs of Visit Victoria and Regional Tourism Boards should ensure they have an up to date ATDW profile with engaging images and copy.

Visit Victoria will re-introduce fees for ATDW business listings from 1 July this year. Events and not-for-profit businesses will remain free to list and business listings that were due to expire in the first half of 2023 will be extended at no cost, to a date within July to October 2023. Businesses creating a new listing have until 30 June to access a free listing coupon code via Caron at Grampians Tourism

Live the Grampians Way

The January mid-month report has shown the following outcomes:

- 327 Candidates viewed the Shift Regional website across all four councils.
- 24 people clicked in the 'Apply Now' button on listed vacancies.

There were no new companies registered their skills needs in January. *Eventide Homes* (Stawell) were contacted twice (encouraging registration), as were *Marian College x 2*, *PFD Horsham*, and *Aruma* (Horsham).

The last three months candidate's views were:

November - 113
December – 86
January - 327

Grampians site Shift Regional results:

January report indicates the top three countries of interested candidates are:

- Australia
- India
- Phillipines

Horsham Jobs Dashboard – view below link, it indicated that six people applied for jobs.

<https://datastudio.google.com/reporting/6f7408f4-c2b0-4145-8e9d-ea4ccf00f44c/page/jxZPC>

Occupied Businesses:

Street and Number of Businesses	December FY 22/23 Businesses Occupied	January FY 22/23 Businesses Occupied	January FY 22/23 Businesses Vacant	January FY 22/23 Percentage Businesses Occupied
Darlot St – 43 car wash and businesses operating from a house included	40	41	2	95%
Firebrace St - 99	93	93	6	94%
Hamilton St - 17	17	17	0	100%
Wilson St – 34	28	27	7	79%
Pynsent St – 28 Cinema included	25	25	3	89%
Roberts Ave – 27 Coles included	26	25	2	92%
McLachlan St – 24 CFA & GWM included	21	21	3	87%
Total 272 Post February 2022 there were 262 shops identified in the study area	250/272	249/272	22	91%

(Businesses are determined by whether they are 1. A premises, 2. Have customers 3. Exchange money; i.e Centre Link and the Cinema are included, and the Public Library is excluded). There are four known shops that are not suitable for occupancy as they require major renovations or are being used as a secondary business not requiring a retail front. These shops are reflected in the vacant shop numbers and unfortunately reduce the percentage of occupied businesses.

Business Visitations for the Month of January 2023

Month Visitation	Retail Services	Hospitality & Accommodation	Event notifications and contacts	Over all contacts for the month
January	20	10	11	31
Total	20	10	11	31

STRATEGIC PLANNING AND STATUTORY PLANNING

Heritage Study Review

Horsham has a rich history and heritage, which is highly valued by the Horsham community. The municipality is home to many significant heritage buildings, structures and landscapes, all of which contribute to Horsham’s liveability and character. It is Council’s responsibility to identify, document and protect these places for current and future generations to enjoy and learn from.

The Strategic Planning team appointed Landmark Heritage to undertake a review of the *Horsham Heritage Study*. The *Horsham Heritage Study* was originally prepared by heritage consultants, Grieve Gillet Andersen and Dr Helen Doyle, from 2011 to 2014. Since a significant amount of time has passed since the study was prepared, it was critical that it was reviewed to ensure it met current heritage criteria and planning practice. This review is now complete.

Strategic Planning officers are currently preparing for consultation with land owners to ensure community views are considered prior to heritage protection is sought. Land owners will be provided with the State of Significance (SoS) for the respective heritage place. The SoS identifies what is considered to be significant. It includes a brief description of the property, why the place is identified as significant, its features and unique characteristics, how the property is significant, and justification for heritage protection.

Land owners will be encouraged to provide relevant information about their property to help finalise the Statements of Significance.

Council Priorities	Action	Goal Measured By	Progress
1.3.5 & 1.3.6 (1 year)	Develop and implement the Horsham North Local Area Plan	<ul style="list-style-type: none"> Horsham North Local Area Plan adopted by Council Progress report on implementation plan 	Strategic Planning officers are currently preparing the <i>Engagement Summary Report</i> .
1.6.4 (2 years)	Implement the Horsham Heritage Study to protect buildings and places of historic cultural heritage to reinforce a ‘sense of place’ and celebrate Horsham’s character and distinctiveness	Horsham Planning Scheme amended	Preparing for consultation with landowners on the statement of significance.
(4 years)	Prepare a Conservation Management Plan for the Horsham Cinema	Management plan endorsed by Council	Brief to be finalised for a Request for Quote (RfQ) which will open in February.
2.10.3 (2 years)	Prepare and implement the Horsham South Structure Plan (Stage 2)	Plan adopted by Council	HSSP Technical reports presented at a Council Briefing. Technical Reports to be summarised and information provided to landowners.

Planning Applications Determined

Below are the number of Planning Permits issued for the month of January 2023 and a comparison with the same period last year.

Type	JANUARY 2023		JANUARY 2022	
	No.	*Value \$	No.	*Value \$
Miscellaneous Domestic	1	58,966	4	273,309
Industrial/Commercial	2	1,621,075	2	120,000
Subdivisions	5 (12 Lots)	-	1 (9 Lots)	-
Other	-	-	-	-
Total	8	1,680,041	7	393,309

(*Please note: Not all applications have a \$ figure)

Total number of planning permits issued in the Horsham Rural City Council area from 1 July 2022 to 31 January 2023 is 81 compared to 81 in the same period in 2021-2022.

Planning permits issued for subdivision have permitted 166 new lots from 1 July 2022 to 31 January 2023 compared to 50 in the same period in 2021-2022.

Building Services

Below are the number of building permits issued for the month of **January 2023** and a comparison with the same period last year.

Permits issued by Horsham Rural City Council for this Municipality

Type	2023		2022	
	No.	Value \$	No.	Value \$
Dwellings	1	90,000	1	539,020
Alterations to Dwellings	-	-	1	889,000
Dwelling resitings	-	-	-	-
Misc Domestic (Carports, Garages etc)	2	21,555	2	31,975
Removal/Demolish	2	22,710	2	40,318
Industrial/Commercial	-	-	-	-
Signs	-	-	-	-
Total	5	134,265	6	1,500,313

Permits issued by other Private Building Surveyors for this Municipality or by Government Departments:

Type	2023		2022	
	No.	Value \$	No.	Value \$
Dwellings	3	1,636,781	4(6*)	1,109,982
Alterations to Dwellings	1	70,000	-	-
Dwelling resitings	1	58,905	-	-
Misc Domestic (Carports, Garages etc)	6	402,327	6	387,593
Removal/Demolish	-	-	1	19,000
Industrial/Commercial	2	164,096	3	378,307
Signs	-	-		
Sub Total	13	2,332,109	14	1,894,882

A total of 23 Building Permits have been issued by the Horsham Rural City Council at a total value of \$2,102,701 from 1 July 2022 to 31 January 2023 compared to 54 Building Permits at a total value of \$3,949,918 in 2021-2022.

Private Building Surveyors have issued 136 Building Permits at a total value of \$31,652,089 from 1 July 2022 to 31 January 2023 compared to 163 at a total value of \$39,602,143 in 2021-2022.

Options to Consider

Not applicable – no decision required

Sustainability Implications

Report provides overview of the development and business activity across the region with no direct sustainability implications.

Community Engagement

Report has been prepared in consultation with range of agencies and will be made publicly available to Wimmera Development Association, West Vic Business, and Grampians Tourism and on Council's website.

Innovation and Continuous Improvement

Report provides overview of activity and assists with continuous improvement.

Collaboration

Report has been prepared in collaboration with Council officers across Planning, Building and Business Development and Tourism Support.

Financial Implications

Nil

Regional, State and National Plans and Policies

Not applicable – no direct relationship or requirements

Council Plans, Strategies and Policies

2021-2025 Council Plan

Theme Three - Sustainability - Horsham Rural City Council will actively lead in sustainable growth and development of the community and the economy.

Strategy 2: A sustainable economy where local business, agriculture, tourism and other diverse industries thrive.

Risk Implications

Not applicable – no decision required

Conclusion

The monthly Investment Attraction and Growth Department report provides the opportunity to give Council and the community an insight into the projects being undertaken to grow our municipality and Horsham as a regional city.

9.6 CHIEF EXECUTIVE OFFICER'S OPERATIONAL REPORT

Author's Name:	Sunil Bhalla	Director:	Not applicable
Author's Title:	Chief Executive Officer	Directorate:	Not applicable
Department:	Chief Executive Office	File Number:	F06/A01/000001

Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes No

Reason: Nil

Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes No

Reason: Nil

Appendix

Nil

Purpose

To present the Chief Executive Officer's Operational Report for March 2023.

Summary

The Chief Executive Officer's Operational Report highlights issues and outcomes affecting the organisation's performance and matters which may not be subject of Council reports or briefings.

Recommendation

That Council receive and note the Chief Executive Officer's Operational Report for March 2023.

REPORT

Background

At the 24 June 2019 Ordinary Meeting of Council, it was resolved that the Chief Executive Officer provide an operational report to Council.

Discussion

Key items of interest for the report period are summarised below.

A. Advocacy/Funding Announcements

Rural Council's Corporate Collaboration (RCCC) Board Meeting: The RCCC board met on Thursday 2 March 2023 and received an update on the status of implementation and numerous procurement activities underway. The Board agreed to appoint Manager for Business Process Improvement to assist maximising the efficiencies from the shared service program.

Wimmera Regional CEO Meeting: The CEOs from Horsham, Hindmarsh, Yarriambiack, West Wimmera, Hindmarsh and Buloke met on Thursday 9 March 2023. Wimmera Development Association provided a presentation on the WDA strategy roll out and Regional Partnership vision engagement.

WDA Strategy Update: The CEO, along with other regional CEOs met with the WDA Board on Tuesday 28 February 2023 to provide input to the WDA Strategic Plan and key regional priorities.

Joint State-Local Government CEO Forum: CEOs, Municipal Association of Victoria and Local Government Victoria attended the forum held on 1 March 2023. Discussions were held on waste recycling, treaty in Victoria and an update from Local Government Victoria.

Rural and Regional Councils Technology Shared Services Forum: The CEO attended a technology shared services workshop on 9 March 2023. The purpose of the forum was to seek input and support for a collective vision for shared services for rural and regional councils which could ultimately benefit local communities.

Regional Cities Victoria (RCV) Meeting: The Mayor and Chief Executive Officer attended the Regional Cities Victoria meeting on Thursday 16 March 2023. Key topics of discussion included election of the Chair and Deputy Chair, state budget advocacy, update from Victorian Chamber of Commerce and Industry (VECCI), Property Council and NBN. The Hon. Murray Watt, Minister for Emergency Management discussed the Natural Disaster Support and flood recovery efforts in Victoria.

Regional Cities Victoria (RCV) CEO Meeting: The CEO attended the RCV CEO meeting on 16 March 2023. Key topics of discussion included Rural Councils Transformation Program and regional planning advocacy.

Funding Opportunities:

Nil

B. Community Engagement

Wimmera Australians in Retirement: The CEO spoke to the group on 8 March 2023. Topics for discussion included general overview of Council, the Community Vision and Council Plan direction, major projects and other topics of interest to the group. .

Councillor Tour: The Councillors and executive team went on a tour of the municipality on 22 March 2023. The tour included meeting with the Coughlin Park Committee of Management, visit to the Kalkee Road Children's Hub, Horsham North, Wimmera Kart Racing Club, WAL Hub, Dooen Landfill Blue Ribbon Raceway, discussion with the Kalkee Recreation Reserve committee, Nuseed site visit, Green Lake Yacht Club and rural road inspections.

C. Projects and Events

Art is Celebration: The Art is Festival celebrated 28 years of the Art is Festival on 28 February 2023 at the Horsham Regional Art Gallery.

Dr Niki Vincent, Public Sector Gender Equality Commissioner: Councillors and the leadership team met with Dr Niki Vincent, Public Sector Gender Equality Commissioner 1 March at 4pm. Dr Vincent spoke about the Gender Equality Act, the role of the Commissioner, and opportunities for local government in implementing their Gender Equality Action Plan and gender impact assessments. Lot of the discussion focussed on status of implementation of Council's Gender Equality Action Plan and opportunities to improve its effectiveness.

Wimmera Machinery Field Days: The CEO and Deputy Mayor attended a WIM Resource luncheon at the Field Days on 8 March 2023.

Citizenship Ceremony: Council welcomed 16 new citizens at a Citizenship Ceremony on Wednesday 15 March 2023. Countries of origin included United Kingdom, Lithuania, Philippines, South Africa, India, Thailand, Singapore and Myanmar.

D. Staff Matters

Council had a Field Days site for 3 days which was located inside the Moore Pavilion. A number of staff worked at the site. Key themes for discussion included:

- Better Sorted Waste service roll-out
- Rural Roads
- Flood damaged roads
- Youth/Young mayors program
- Agri-tourism
- Industrial land development opportunities

Financial Implications

Not applicable

Links To Council Plans, Strategies, Policies

2021-2025 Council Plan
Theme 5 - Leadership

Consultation/Communication

Not applicable

Risk Implications

Not applicable

Environmental Implications

Not applicable

Human Rights Implications

This report complies with the rights listed in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

Conclusion

That Council receive and note the Chief Executive Officer's Operational Report for March 2023.

10. COUNCILLOR REPORTS AND ACKNOWLEDGEMENTS

Cr Robyn Gulline (Mayor)

Committee Representation	
Date	Description
28/2/23	Wimmera Development Association Board Meeting – organisation’s new name will be Wimmera Southern Mallee Development Inc
16/3/23	Audit and Risk Committee Meeting
Other Council Activities	
25/2/23 & 26 /2/23	Welcomed everyone to Horsham for the Pat Cash Cup Tennis Tournament at the Horsham Lawn Tennis Club and assisted Ian Barclay with presentations at end of tournament
26/2/23	Attended Horsham Pacing Cup
27/2/23	Met new Police Superintendent Sharon McCrory with CEO
28/2/23	Opened the CWA AGM
28/2/23	Attended the Art is...28! Festival opening
1/3/23	Attended a presentation by Dr Niki Vincent, Public Sector Gender Equality Commissioner
1/3/23	Attended the International Women’s Day event at Federation Uni
2/3/23	Attended Cynthia Mahoney’s presentation about mental health brought by Healthy Minds
3/3/23	Triple H radio interview with Di Trotter
7-9/3/23	Volunteered at the Wimmera Machinery Field Days
8/3/23	Radio interview with Adam Roche from 1089 3WM
10/3/23	Attended the Refugee and Migrant Women’s International Women’s Day event
11/3/23	Attended the Team Teal Ovarian Cancer High Tea
12/3/23	Attended the Wimmera Veterans Morning Tea
15/3/23	Met with WestVic Business with CEO and Director of Communities and Place
15/3/23	Welcomed 16 new citizens at the Citizenship Ceremony
17/3/23	Met Anne Webster, Member for Mallee for a quarterly catch up with CEO (virtual)
18/3/23	Volunteered at the Wimmera River Parkrun Cops and Robbers
21/3/23	Attended a VRET2 Horsham Solar Farm Project Industry Briefing
22/3/23	Councillor Tour around the municipality
22/3/23	Presented trophies at Horsham Sharks Swimming Championships

Cr Bob Redden

Committee Representation	
Date	Description
15/3/23	Council Briefing Meeting re proposed 24/7 fuel station Baillie St/Dooen Road
Other Council Activities	
15/3/23	Citizenship ceremony
14/3/23	Leading Teams workshop
1/3/23	International Women’s’ Day Forum - Federation University

Cr David Bowe

Other Council Activities	
Date	Description
6/3/23	Council Briefing Meeting– Council Chambers
7/3/23	Wimmera Machinery Field Days
8/3/23	Wimmera Machinery Field Days
9/3/23	Wimmera Machinery Field Days
14/3/23	Councillor Workshop with Leading Teams –Horsham Golf Club
14/3/23	Council Briefing Meeting– Council Chambers
15/3/23	Citizenship Ceremony – Council Reception
15/3/23	Council Briefing Meeting– Council Chambers
20/3/23	Council Briefing Meeting– Council Chambers
22/3/23	Councillor Tour

Cr Penny Flynn

Other Council Activities	
Date	Description
23/2/23	ALGWA - Code of Conduct - 2023 Refresh/Reset – Online
28/2/23	Art Is... Festival Celebration – Horsham Regional Art Gallery
1/3/23	Meeting Dr Niki Vincent, Public Sector Gender Equality Commissioner – Council Office
1/3/23	International Women's Day Panel – Federation University
2/3/23	Horsham Health Minds – The Future of Leadership - Cynthia Mahoney – Federation University
8/3/23	Wimmera Machinery Field Days
10/3/23	The light fades but the gods remain: Bill Henson Opening – Horsham Regional Art Gallery
13/3/23	Team Teal Ladies Day Out – Horsham Harness Racing Club
14/3/23	Councillor Workshop – Horsham Golf Club
15/3/23	Citizenship Ceremony – Council Chamber
18/3/23	Parkrun Cops and Robbers Event – Wimmera River
22/3/23	Councillor Tour – Municipality
23/3/23	ALGWA - Building Positive Teams – Online

Cr Claudia Haenel

Committee Representation	
Date	Description
8/2/23	CEO Employment and Remuneration Committee meeting
24/2/23	Western Highway Action Committee Meeting: - Section of Dimboola Rd between O'Brees Rd. and Jenkinson Ave. Horsham was briefly closed in February for a Court jury inspection related to a local cyclist fatality in December 2019. - Truck Route planning is continuing - Truck parking is escalating as an issue – has been raised with DTP
Other Council Activities	
22/2/23	In conversation with Melbourne Lord Mayor, Sally Capp
27/2/23	February Council Meeting
1/3/23	Dr Niki Vincent, Public Sector Gender Equality Commissioner meeting
1/3/23	International Women's day Panel forum
6/3/23	Council Briefing Meeting
8/3/23	Wimmera Machinery Field Days
14/3/23	Leading Teams Training
14/3/23	Council Briefing Meeting
15/3/23	Coffee with Councillor Claudia
15/3/23	Council Briefing Meeting
19/3/23	Community Matters HRC community meeting
20/3/23	Council Briefing Meeting
21/3/23	Local Area Action Plan Community Session
22/3/23	Councillor Tour
23/3/23	Building Positive Teams - zoom
24/3/23	GWMWater Customer and Stakeholder Workshop
27/3/23	March Council Meeting

11. URGENT BUSINESS

12. PETITIONS AND JOINT LETTERS

13. PROCEDURAL BUSINESS

13.1 INFORMAL MEETINGS OF COUNCILLORS – RECORD OF MEETINGS

- Council Briefing Meeting held on Monday 6 March 2023 at 5:00pm
- Council Briefing Meeting held on Tuesday 14 March 2023 at 5:00pm
- Council Briefing Meeting held on Wednesday 15 March 2023 at 5:00pm
- Council Briefing Meeting held on Monday 20 March 2023 at 5:00pm
- Councillor Tour held on Wednesday 22 March 2023 from 8:30am to 5:00pm

Refer to **Appendix 13.1A**

13.2 SEALING OF DOCUMENTS

Nil

13.3 INWARD CORRESPONDENCE

Nil

13.4 COUNCIL COMMITTEE MINUTES

Nil

Recommendation

That Council receive and note agenda items:

- 13.1 Informal Meetings of Councillors – Record of Meetings
- 13.2 Sealing of Documents
- 13.3 Inward Correspondence
- 13.4 Council Committee Minutes.

14. NOTICE OF MOTION

**NATIMUK ECONOMIC AND SOCIAL PLAN
PROJECT ADVISORY COMMITTEE
TERMS OF REFERENCE**

1. PURPOSE

The aim of this Advisory Committee is to provide support and advice to Council on behalf of the broader community to ensure the priority action areas within the Natimuk Economic and Social Plan are implemented.

The Project Advisory Committee (PAC) will work with Council staff and prioritise the identified actions within the plan. The four strategic objectives associated with the Plan are:

1. Boosting business, tourism and the economy
2. An environmentally sustainable community
3. Improved recreation
4. Improved relationships

Priority actions for each objective are provided within the Plan.

ROLE AND RESPONSIBILITIES

The Project Advisory Committee is not a decision-making body. Its role is to:

1.1 Help identify key issues with regard to implementation of actions within the Natimuk Economic and Social Plan

1.2 Provide representative insight and advice into the relevant issues including climbing at Mount Arapiles (Dyurrite), Water for Lake Natimuk, Business, economy and tourism, Relationships with Traditional Owners, Climate and sustainability and Relationship with Horsham Rural City Council.

1.3 Provide guidance as to potential solutions pertaining to the implementation of the Natimuk Economic and Social Plan.

1.4 Provide a communication conduit to the community during the implementation phase.

1.5 Make recommendations for council to determine.

2. SCOPE

The Project Advisory Committee will work collaboratively with Council staff and provide advice to support the decision making of Council.

The PAC's deliberations and recommendations will be minuted and communicated to Council at the next available Council meeting.

Level of engagement – IAP2 level of participation*Involve*

Council will work directly with the Committee to ensure that public concerns and aspirations are consistently understood and considered.

Collaborate

Council will partner with the committee in each aspect of decisions including the development of alternatives and the identification of the preferred solutions.

The Project Advisory Committee's deliberations and recommendations will be minuted and communicated to Council at the next available Council meeting.

Conduct

The PAC or its members do not respond to personal or individual complaints. They may acknowledge a person's concern and advise a person how to register their concern with Council.

All members must abide by the policies of Horsham Rural City Council.

Members are expected to work considerately and respectfully of any diversity of opinions and experience

It is not the role of PAC members to speak with the media regarding the work of the Advisory Committee or on behalf of Council.

Confidentiality

Whilst an important role of the Committee will be to champion and help promote the activities of the Committee, information discussed, received, used or created by the Committee may be confidential. A Committee member must not disclose, discuss or otherwise make public confidential information, unless authorised by the Council Officer supporting the Project Advisory Committee.

Conflicts of Interest

Conflicts of interest must be declared. In the event of a conflict of interest, the declaration must be recorded in the minutes of the Committee and appropriate action taken dependant on the Conflict of Interest declared.

Council may terminate a member's appointment if they have been found to breach confidentiality, conflict of interest or code of conduct requirements.

3. MEMBERSHIP

Membership shall include:

- a) One Council Officer
- b) One Business Owner/Operator within the Natimuk CAD Precinct
- c) One member with an interest in tourism
- d) One member with an interest in sustainability and the environment
- e) One member with an interest in recreation
- f) One older person (60 + years)
- g) One younger person (16-25 years)

Selection criteria will be established to suit the purposes, aims and objectives of the Committee and will also include:

- Regular involvement in and an awareness of the issues to be addressed by the Committee
- A willingness to work with others and share decision making to achieve improved outcomes
- An ability to represent a broad range of views that reflect the diversity of the community
- A willingness to contribute to meetings in a fair and unbiased manner
- A capacity to commit to the Committee for the duration of the term of membership

The Committee shall consist of a maximum of seven people, to ensure an efficient functional committee.

Membership is to be reviewed once every two years along with the Committee's Terms of Reference

If a member is unable to attend three or more consecutive meetings, they will be contacted and if required, a new member identified.

Membership will reflect and comply with Council's Equal Opportunity Policy and will liaise with the Horsham Mobility Group to address issues surrounding accessibility and inclusion.

The filling of any vacancies of the committee will be consistent with the original selection processes.

There will be an opportunity to bring in external stakeholders with expertise on a needs basis.

3.1 Selection

Members will be selected through an expression of interest/nomination process which may be advertised in local newspapers, word of mouth to relevant organisations, Council's website and Council's social media accounts.

Selected stakeholder organisations will be contacted by the relevant Council officer and invited to nominate a representative for the committee.

Membership will aim to achieve a gender balance. Membership should also aim to include a diverse representation of age, experience of disability and cultural and linguistic backgrounds.

Nominees will be asked what their interest is in the following categories and why they want to be a member of the PAC:

- Business and the economy
- Tourism
- Environment and Sustainability

In the event that there are more nominations than available positions, the selection of the committee will be via a community vote. This will take place at an in person town meeting. There will also be an option for online and physical voting 2 weeks prior to the meeting to ensure everyone is given an opportunity to vote.

Community members will be allowed to vote for a maximum of three nominees in the order of their choice.

The Terms of Reference and membership will be endorsed by Council

3.2 Meetings

As a standing agenda item, the Chair will acknowledge and pay respect to the traditional custodians of the land as per the Council's Acknowledgement of Country.

Meetings will be held monthly and the duration of the meetings will be no longer than 1.5hrs.

A community representative will be appointed to Chair the meetings by the committee at its inaugural meeting. The Chair is to be independent from council unless agreed by the committee at the inaugural meeting

The agenda will be set by the Chair in collaboration with the Council staff representative.

The secretariat (meeting organisation, minutes distribution etc) will be provided by Council

All minutes will be forwarded to Council for information or if a decision is required.

The Committee will make at least one presentation to a Council Briefing annually

Councillors may attend the Advisory Committees as observers.

4 GRIEVANCE PROCEDURE

Grievance Procedures are as detailed in the HRCC volunteer management policies and procedures toolkit.

5 MEDIA

The Chairperson is empowered to be spokesperson for the activities of the Committee.

Media releases, flyers, brochures, pamphlets or other sources of information distributed by the Committee must be first approved by the Council staff representative.

In the absence of the Chair, the Responsible Officer is empowered to be the spokesperson for the Committee.

6 RESPONSIBILITY

Responsible Officer: Coordinator Investment & Business Development

Delegation Report



Application Details:

Application Description:	Use and development of the land for a service station, display of advertising signage and the creation and alteration of access to a road in a Transport Zone 2
Applicant Name:	Spectrum Retail Group c/o Urbis Pty Ltd
Owner's Name	Bronson Young
Date Received:	4/10/2022
Statutory Days:	Over 60 days
Application Number:	PA2200503
Planner:	Nick Carey
Land/Address:	2-4 Dooen Road, Horsham (Lot 1 on Title Plan 170447)
Zoning:	General Residential Zone-Schedule 1 ("GRZ1")
Overlays:	Design and Development Overlay – Schedule 3 Design and Development Overlay – Schedule 6
Under what clause(s) is a permit required?	Clause 32.08-2 to use the land as a service station Clause 32.08-9 to construct a building or construct or carry out works for a Section 2 use Clause 43.02-2 to construct a building or construct or carry out works Clause 52.05-13 for the display of advertising signage Clause 52.29-2 for the creation or alteration of access to a road in a Transport Zone 2
Restrictive covenants on the title?	No
Current use and development:	Retail use (Mobility Aids)

The Proposal

The proposal is for the use and development of the land for a service station, the erection and display of business identification signage and the alteration of an access to a road in a Transport Zone 2. The proposal in detail involves:

- Site layout includes an entry/exit driveways from/to Dooen Road and Baillie Street. The northern crossover from Dooen Road is entry only while the southern crossover is exit only. The crossover to Baillie Street is both for entry to and exit from the site.
- A fuel canopy with six fuel bowsers. The fuel canopy will comprise an area of 232.26 square metres with an overall height of 5.5 metres.
- Construction of a single storey building comprising a floor area of 203 square metres to be used as a fuel shop (7/11).
- Design of the fuel shop building includes flat roofing and precast concrete panels and STRAMIT "K" panel sheet (ribbed steel cladding) to the walls of the main building. The fascia will be constructed of compressed cement sheeting. Maximum building height to the top of

the fascia will be 4.76 metres. Incorporated in to the building design is a tower with dimensions of 8 metres by 3 metres located in the north western corner of the proposed building.

- Provision of 7 car parking spaces (incorporating one space for disabled persons) abutting the fuel shop and loading bay and 4 car parking spaces located in the northeast corner of the site.
- Signage includes a 10 metre high pylon sign abutting the Dooen Road frontage, signage located on the fascia of the canopy and the fascia and tower of the main building.
- Construction of a 2.6 metre high acoustic fence along the northern boundary adjacent to the residential land to the north
- The use will operate 24 hours per day, 7 days per week
- Mechanical plant will be located in an area adjacent to the southern façade of the main building surrounded by a timber paling fence.
- The fuel shop is ancillary to the use as a service station

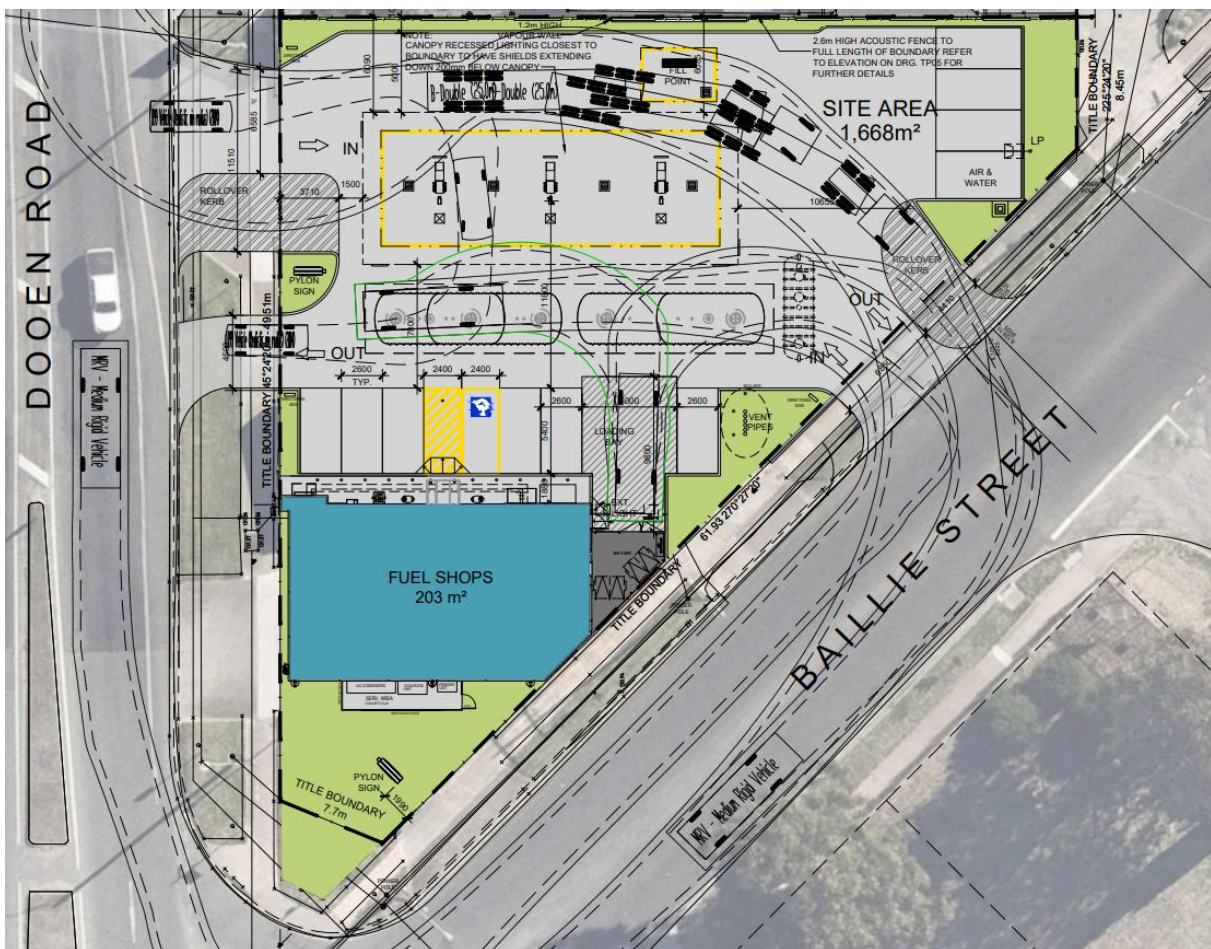


Figure 1: Proposed site layout

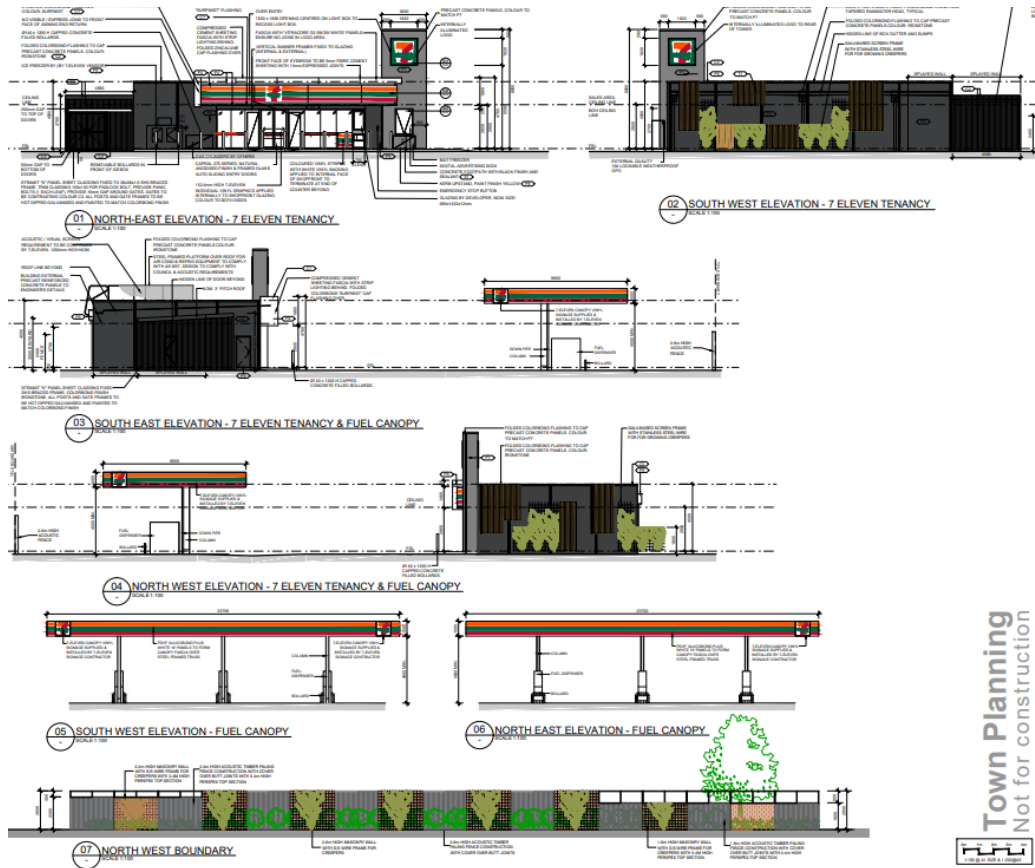


Figure 2 Proposed elevation plans

In addition to the plans the application is supported by the following reports and plans:

- Civil construction plans
- Landscape plans
- Traffic impact assessment report
- Acoustic assessment report
- Lighting report

Subject Site

The subject site is located at 2-4 Dooen Road, Horsham and is more particularly described as Lot 1 on Title Plan 170447.

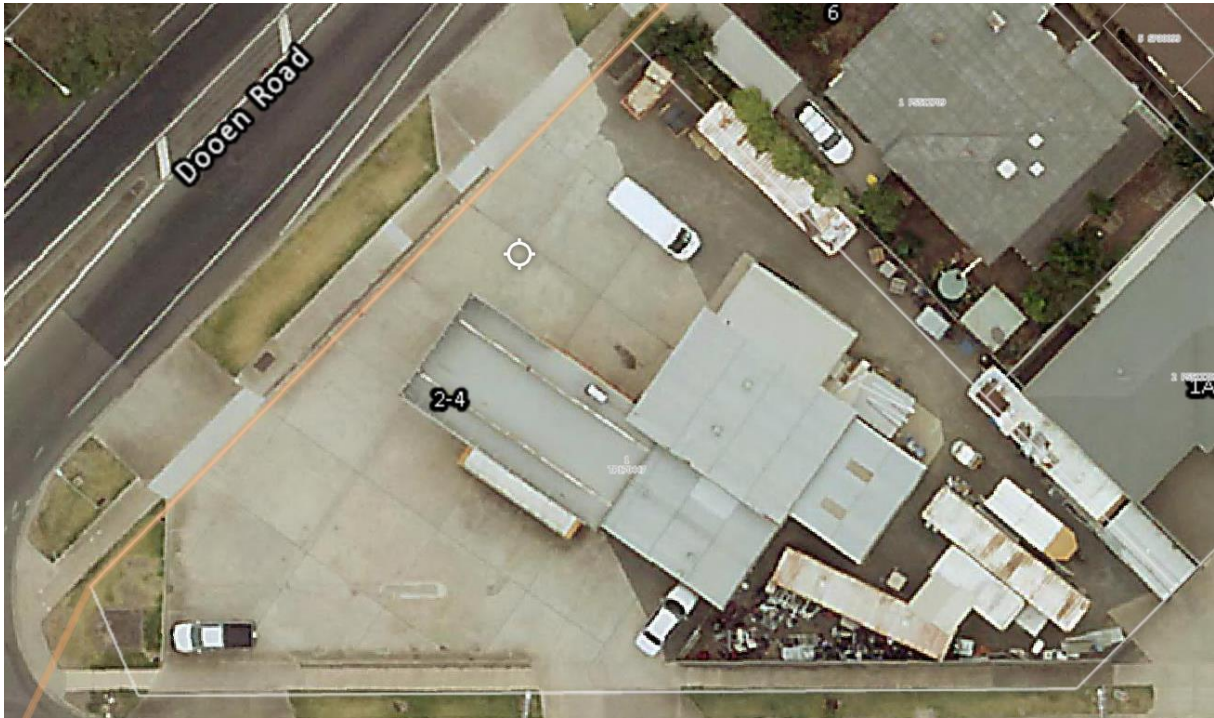


Figure 3: Subject site (as existing)

No restrictive covenant is registered on the Title.

The land is located on the north eastern intersection of Dooen Road and Baillie Street.

The subject site is triangular in shape with frontage to both Dooen Road and Baillie Street (see Figure 1 above).

The site has a 49.51 metre frontage to Dooen Road and a 61.82 metre frontage to Baillie Street. There are no easements recorded on title.

The site currently has two vehicular accesses on Dooen Road and two vehicular access on Baillie Street.

An existing building and canopy exist on the land indicative of the sites previous use as a service station. Several shipping containers are also located on the land.

Surrounds

The site adjoins Dooen Road to the north-west and two residential properties to the north east. Both lots to the north-east are also zoned GRZ1 and feature single-storey dwellings. Further north on the eastern side of Dooen road exists residential properties predominantly in the form of detached single dwellings.

To the east of the site on the northern side of Baillie Street are predominantly residential land uses while on the southern side of Baillie Street are residential land uses, Commonwealth land used as the Army Reserve Depot and further to the east the Wimmera Base Hospital. Baillie Street acts as the primary route to the hospital and educational establishments further to the east.

To the west and directly opposite is a vacant parcel of land used for informal parking associated with the Lutheran Church on the north western corner of McPherson Street and Baillie Street. Further to the west exists a range of residential and non-residential land uses leading to the eastern perimeter of the central business area of Horsham.

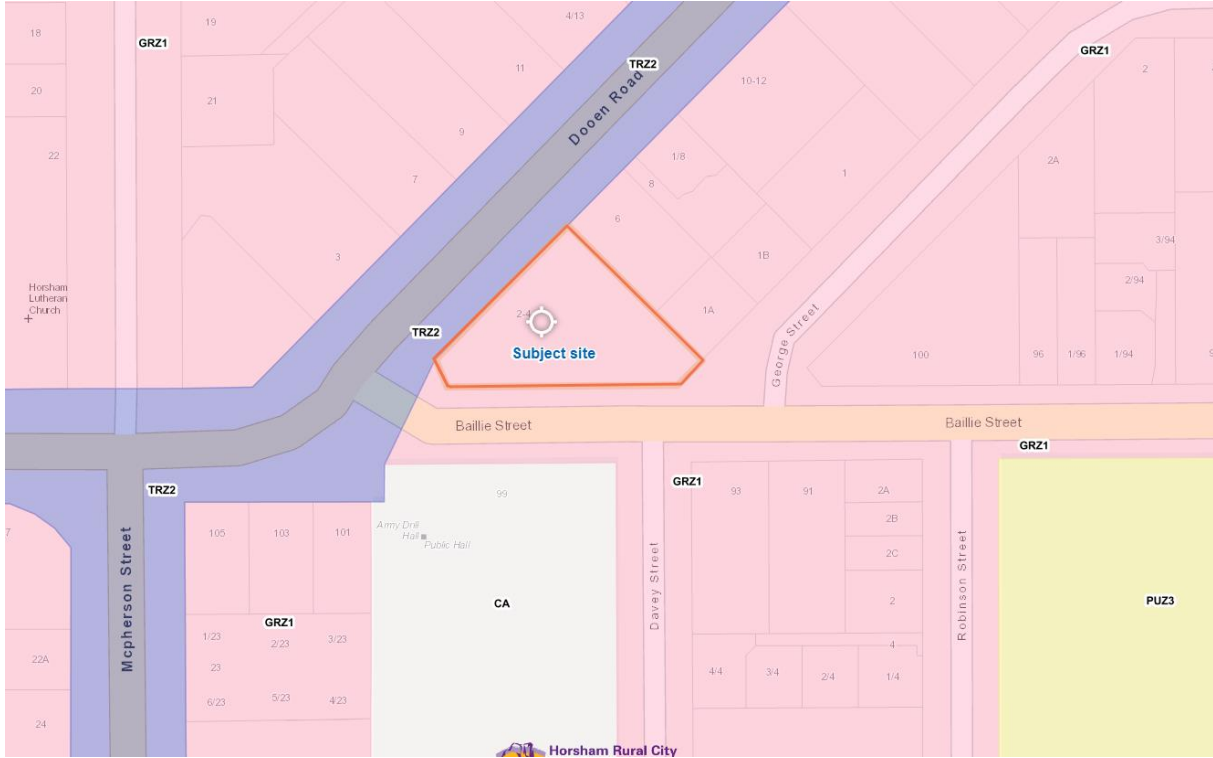


Figure 4: Subject site and existing zones applicable within the area



Figure 5: Aerial photo of subject site and surrounding development

Further Information

No request for further information was made as it was considered the application contained satisfactory information to enable a determination to be made by Council subject to referral responses and public notification of the application.

Notice

Notice was given pursuant to Section 52 of the *Planning and Environment Act 1987* to adjoining land owners and occupiers surrounding the proposal.

The notice period commenced on 18/10/2012 and concluded on 01/11/2022.

As a result of the notification of the application, 39 objections were received at the time of writing this report.

The option of a mediation meeting was offered to the objector however there were no response seeking a mediation meeting. Notwithstanding this however, had a mediation meeting been held it would have been unlikely to have resulted in all of the objections being withdrawn.

Referral Authorities

Section 55(1) of the *Planning and Environment Act 1987* states that Council must give a copy of an application to every person or body that the Planning Scheme specifies as a referral authority.

Authority	Sec 52 or 55	Date Sent	Comment
Department of Transport	55		No objection subject to conditions. The conditions relating to the following matters: <ul style="list-style-type: none"> • Requirement for left turn in and left turn out only with appropriate signage • Modification to the southern crossover to discourage right turn movements • Loading Management Plan relating to fuel deliveries
EPA	52	14/10/2022	No response. The EPA is not a mandatory referral authority

Internal Business Unit (Comment)	Date Sent	Comment
Building Department	10/12/2019	Building permit is required.
Engineering Services Department	10/12/2019	No objection subject to 4 conditions relating to an onsite stormwater detention system, stormwater, wastewater and relocation or reconstruction of existing service assets in the road reserve. Two permit notes relating to 'dial before you dig' and 'prior to work on Council assets'.

Planning Scheme Provisions and Assessment

Zone	Comment
Clause 32.08 General Residential Zone (GRZ)	<p>Use</p> <p>Clause 32.08-2 to use the land as a service station</p> <p>Development</p> <p>Clause 32.08-9 to construct a building or construct or carry out works for a Section 2 use</p>
Overlays	N/A
Clause 43.02 Design and Development Overlay	A permit is required to construct a building or construct or carry out works.
Particular Provisions Clause 52.06 Car parking	A Service Station is not listed in the car parking 'Table 1' at Clause 52.06-5, therefore <i>'Where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority.'</i>

	<p>The application proposes 11 car parking spaces and the site is proposed to operate 24/7.</p> <p>It is considered the 11 car parking spaces are adequate for this proposal.</p>
Clause 52.05- Signs	Clause 52-05-13 A permit is required for a business identification sign and internally illuminated sign
Clause 52.29 Land adjacent to the principal road network	Clause 52.29-2 for the creation or alteration of access to a road in a Transport Zone 2
Clause 52.34 – Bicycle Facilities	Service station – no applicable rate given that service station is not listed as a use in Table 1, Table 2 and Table 3 of Clause 52.34-5 relating to shower and change room requirements therefore this provision does not apply

Municipal Planning Strategy “MPS”) and Planning Policy Framework (“PPF”)

The purpose of the MPS and PPF in planning schemes is to inform planning authorities and responsible authorities of those aspects of planning policy which they are to take into account and give effect to in planning and administering their respective areas. They set out the strategic direction for Council and objectives and strategies to provide net community benefit.

Municipal Planning Strategy

Clause 02.02 – Vision

Council seeks to manage land use and development in a manner that:

- *Recognises our place and importance as a regional centre.*
- *Recognises the significance of our agricultural community.*
- *Protects and promotes the municipality as a safe place to live.*
- *Respects and protects our natural environment.*
- *Considers the impact of climate change.*
- *Provides accessible and quality services in a timely and efficient manner.*
- *Values our local heritage and history.*
- *Recognises the importance of economic growth and development.*

Clause 02.03-1 – Settlement

Council's strategic directions for settlement are to:

- *Encourage development that capitalises on Horsham's location, protects it's unique character, and enhances the "sense of place".*
- *Focus urban growth opportunities for Horsham regional city in:*
 - *Town Centre (Horsham Central Activity District (CAD)).*
 - *Existing Urban Area (outside of CAD).*
 - *Strategic Infill Sites.*
 - *Regeneration and growth areas to the north and west of Horsham.*
- *Facilitate the redevelopment of the Horsham Rail Corridor.*
- *Support development in Haven in an integrated manner.*
- *Encourage residential development and other land uses in Natimuk and other small settlements.*
- *Direct low density residential and rural living developments to locations adjoining existing settlements.*

Clause 02.03-5 – Built Environment and Heritage

Council's strategic directions for built environment and heritage are to:

- *Create a built environment that supports active living and social connectedness.*
- *Conserve the places and sites of cultural heritage value within the Horsham municipality.*
- *Protect notable historic sites within the CAD and support proposed modifications that enhance the character of the precinct.*

Clause 02.03-8 – Transport

Council's strategic directions for transport are to:

- *Facilitate improved transport connections (road, bicycle, pedestrian) across the rail corridor.*
- *Encourage road corridors and improved connections to link developing areas to established areas.*
- *Support upgrades to the regional road network that provide:*
 - *Amenity benefits to Horsham residents.*
 - *Connection to the Wimmera Highway and the Henty Highway.*
- *Support upgrades to the cycling network to improve safety and cater for all levels of cyclist.*
- *Protect the air safety of Horsham Airport.*
- *Facilitate further development of Horsham Airport and land adjacent the airport for air service related businesses.*

PPF Policies

Clause 11.01-1R – Settlement – Wimmera Southern Mallee

The key strategies of this Clause are:

- *Support the regional city role of Horsham as the key population and employment centre for the region.*
- *Support investment in higher order services and facilities at Horsham that cater for a regional catchment.*

Clause 11.03-6S – Regional and local places

Objective

To facilitate integrated place-based planning.

Strategies

- *Integrate relevant planning considerations to provide specific direction for the planning of sites, places, neighbourhoods and towns.*
- *Consider the distinctive characteristics and needs of regional and local places in planning for future land use and development.*

Clause 13.05-1S Noise management

Objective

To assist the management of noise effects on sensitive land uses.

Strategies

- *Ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions.*
- *Minimise the impact on human health from noise exposure to occupants of sensitive land uses (residential use, child care centre, school, education centre, residential aged care centre or hospital) near the transport system and other noise emission sources through suitable building siting and design (including orientation and internal layout), urban design and land use separation techniques as appropriate to the land use functions and character of the area.*

Clause 13.06-1S Air quality management

Objective

To assist the protection and improvement of air quality.

Strategies

- *Ensure, wherever possible, that there is suitable separation between land uses that pose a human health risk or reduce amenity due to air pollutants, and sensitive land uses (residential use, child care centre, school, education centre, residential aged care centre or hospital).*
- *Minimise air pollutant exposure to occupants of sensitive land uses near the transport system through suitable siting, layout and design responses.*

Clause 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.

Strategies

- *Ensure that use or development of land is compatible with adjoining and nearby land uses.*
- *Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.*
- *Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.*
- *Protect existing commercial, industrial and other uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.*

Clause 15.01-15

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.

Strategies

- *Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.*
- *Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*
- *Ensure the interface between the private and public realm protects and enhances personal safety.*
- *Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.*
- *Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.*
- *Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.*

- *Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.*
- *Promote good urban design along and abutting transport corridors.*

Clause 15.01-1L Urban design - Horsham Rural City

Strategies – Horsham

- *Facilitate development of priority pedestrian routes linking residential areas to the Horsham Central Activity District, the medical precincts of the Wimmera Base Hospital and Baillie Street, and schools.*
- *Design development fronting Horsham’s highway entrances to contribute as a well presented entry to the city.*

Clause 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.

Strategies

- *Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale, massing and energy performance of new development.*
- *Ensure development responds and contributes to the strategic and cultural context of its location.*
- *Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.*
- *Improve the energy performance of buildings through siting and design measures that encourage:*
 - *Passive design responses that minimise the need for heating, cooling and lighting.*
 - *On-site renewable energy generation and storage technology.*
 - *Use of low embodied energy materials.*
- *Encourage use of recycled and reusable materials in building construction and undertake adaptive reuse of buildings, where practical.*
- *Encourage water efficiency and the use of rainwater, stormwater and recycled water.*
- *Minimise stormwater discharge through site layout and landscaping measures that support on-site infiltration and stormwater reuse.*
- *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.*
- *Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.*

- *Ensure development is designed to protect and enhance valued landmarks, views and vistas.*
- *Ensure development considers and responds to transport movement networks and provides safe access and egress for pedestrians, cyclists and vehicles.*
- *Encourage development to retain existing vegetation.*
- *Ensure development provides landscaping that responds to its site context, enhances the built form, creates safe and attractive spaces and supports cooling and greening of urban areas.*

Clause 15.01-5S Neighbourhood character

Objective

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

Strategies

- *Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.*
- *Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.*
- *Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:*
 - *Pattern of local urban structure and subdivision.*
 - *Underlying natural landscape character and significant vegetation.*
 - *Neighbourhood character values and built form that reflect community identity.*

Clause 17.01-1S Diversified economy

Objective

To strengthen and diversify the economy.

Strategies:

- *Protect and strengthen existing and planned employment areas and plan for new employment areas.*
- *Facilitate regional, cross-border and inter-regional relationships to harness emerging economic opportunities.*
- *Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.*
- *Improve access to jobs closer to where people live.*
- *Support rural economies to grow and diversify.*

17.01-1R Diversified economy – Wimmera Southern Mallee Key

Strategy:

Capitalise on economic development opportunities through building on the region's assets, particularly agriculture, energy, mining and tourism.

Clause 17.02-1S Business

Objective:

To encourage development that meets the communities' needs for retail, entertainment, office and other commercial services.

Strategies

- *Plan for an adequate supply of commercial land in appropriate locations.*
- *Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.*
- *Locate commercial facilities in existing or planned activity centres.*
- *Provide new convenience shopping facilities to provide for the needs of the local population in new residential areas and within, or immediately adjacent to, existing commercial centres.*
- *Provide small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.*
- *Provide outlets of trade-related goods or services directly serving or ancillary to industry that have adequate on-site car parking.*
- *Locate cinema based entertainment facilities within or on the periphery of existing or planned activity centres.*
- *Apply a five year time limit for commencement to any planning permit for a shopping centre or shopping centre expansion of more than 1000 square metres leasable floor area.*

Clause 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.

Strategies

Plan and develop a transport system that facilitates:

- *Social and economic inclusion for all people and builds community wellbeing.*
- *The best use of existing social and economic infrastructure.*

- *A reduction in the distances people have to travel to access jobs and services.*
- *Better access to, and greater mobility within, local communities.*
- *Network-wide efficiency and coordinated operation.*

Plan land use and development to:

- *Protect existing transport infrastructure from encroachment or detriment that would impact on the current or future function of the asset.*
- *Protect transport infrastructure that is in delivery from encroachment or detriment that would impact on the construction or future function of the asset.*
- *Protect planned transport infrastructure from encroachment or detriment that would impact deliverability or future operation.*
- *Protect identified potential transport infrastructure from being precluded by land use and development.*

Plan land use and development to allow for the ongoing improvement and development of the State Transport System in the short and long term.

Plan movement networks and adjoining land uses to minimise disruption to residential communities and their amenity.

Plan the timely delivery of transport infrastructure and services to support changing land use and associated transport demands.

Plan improvements to public transport, walking and cycling networks to coordinate with the ongoing development and redevelopment of urban areas.

Plan the use of land adjacent to the transport system having regard to the current and future development and operation of the transport system.

Reserve land for strategic transport infrastructure to ensure the transport system can be developed efficiently to meet changing transport demands.

Support urban development that makes jobs and services more accessible:

- *In accordance with forecast demand.*
- *By taking advantage of all available modes of transport.*

Protect existing and facilitate new walking and cycling access to public transport.

Locate major government and private sector investments in regional cities and centres on major transport corridors to maximise the access and mobility of communities.

Design neighbourhoods to:

- *Better support active living.*
- *Increase the share of trips made using sustainable transport modes.*
- *Respond to the safety needs of all users.*

Design the transport system and adjacent areas to achieve visual outcomes that are responsible to local context with particular reference to:

- *Landscaping.*
- *The placement of signs.*
- *Providing buffer zones and resting places.*

Zone

Clause 32.08 – General Residential 1 Zone (GRZ)

Purpose

The subject site is wholly located within the General Residential Zone.

The purpose of the zone is as follows:

- *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.*

Pursuant to Clause 32.08-2, a permit is required to use land for a service station provided that either the site:

- Adjoins a commercial zone or industrial zone.
- Adjoins, or has access to, a road in a Transport Zone 2 or a Transport Zone 3.

The site also must not exceed either:

- 3000 square metres.
- 3600 square metres if it adjoins on two boundaries a road in a Transport Zone 2 or a Transport Zone 3.

The site adjoins a road in a Transport 2 Zone and does not exceed 3000 square metres. Accordingly the proposal is not prohibited by the planning scheme.

Additionally, a permit is required pursuant to Clause 32.08-9 to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.

Clause 32.08-14 states that the General Residential Zone is in Category 3 (High amenity areas) of Clause 52.05 – Signs. Pursuant to Clause 52.05-13 a permit is required to construct or put up for display a business identification sign.

Overlays

Clause 43.02 – Design and Development Overlay (Schedule 6)

The subject site is partially located within the Design and Development Overlay – Schedule 6 (DDO6) - Horsham Residential Area Urban Conservation Precinct.

The design objectives of the overlay are as follows:

- *To conserve and enhance buildings, areas, trees, gardens and other places which are of scientific, aesthetic, architectural, historic or cultural value and which contribute to the cultural values of the area.*
- *To discourage the erection of high front fences and paint colour schemes which will detract from the historic character of the area, especially as perceived from public thoroughfares.*
- *To protect, maintain and enhance the character and appearance of the precincts which is determined especially by the post Federation and inter war houses and gardens, collectively demonstrating periods of development in Horsham and the residential lifestyles which accompanied them.*
- *To ensure that new developments respect the character and visual prominence of those buildings, gardens and works which contribute to the cultural values of the areas.*

Particular provisions

Clause 52.06 Car parking

Car parking for the proposed development is assessed under Clause 52.06 of the Planning Scheme.

A Service Station is not listed in the car parking 'Table 1' at Clause 52.06-5, therefore 'Where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority.'

The application proposes 11 car parking spaces and the site is proposed to operate 24/7.

Objections

Up to the point of preparing this report 39 objections have been received in relation to the proposal. The objection raise a number of matters which can be categorised in to the following themes:

- Traffic
- Pollution
- Amenity
- Devaluation
- Competition/number of service station in Horsham

These issues are discussed in detail below however it is important to note that the issues of devaluation and competition are not relevant considerations in the assessment of the application. In the decision of the matter of *Beer v Greater Bendigo CC [2014] VCAT 604 (22 May 2014)* in the Victorian Civil and Administrative Tribunal the Member stated:

“There is now established case law which holds that a proposed decrease in property value is an irrelevant consideration. This has been a long standing position by the Tribunal and other than in exceptional cases, and where clear evidence can be presented, loss in property value will not be entertained as a ground of objection.”

Competition that may result from the granting of a permit is also not a relevant consideration. The purpose of the planning system is not to intervene in the free market but to ensure acceptable outcomes in relation to land use and development based on a balanced assessment of the planning scheme policies.

In 2015 the Planning and Environment Act 1987 was amended by including in Sec 60 the following subsection:

(1B) For the purposes of subsection (1)(f), the responsible authority must (where appropriate) have regard to the number of objectors in considering whether the use or development may have a significant social effect.

This does not mean that where there are a large number of objectors there will be a significant social effect. Evidence must be provided to demonstrate this is the case. This was reinforced in *McDonald's Australia Pty Ltd v Yarra Ranges SC [2012] VCAT 1539 (10 October 2012)* where the Member stated:

“A large number of submissions opposing a development do not constitute evidence of adverse social or economic impacts. Such impacts would need to be identified through independent empirical study(s) using credible social scientific methodologies. They would need to identify adverse impacts on particular groups in the community and show that the impacts clearly arise from the development. It would need to demonstrate that the impacts would arise only if the development proceeds, and that the impacts would be significant.”

As no evidence has been provide to demonstrate significant social effect, the number of objectors is not a relevant consideration in making a decision.

Planning assessment

Traffic Generation

The applicant has submitted a Traffic Report that indicates the service station is likely to generate the following traffic movements:

AM Peak Hour: 10.6 vph / bowser

PM Peak Hour: 10.0 vph / bowser.

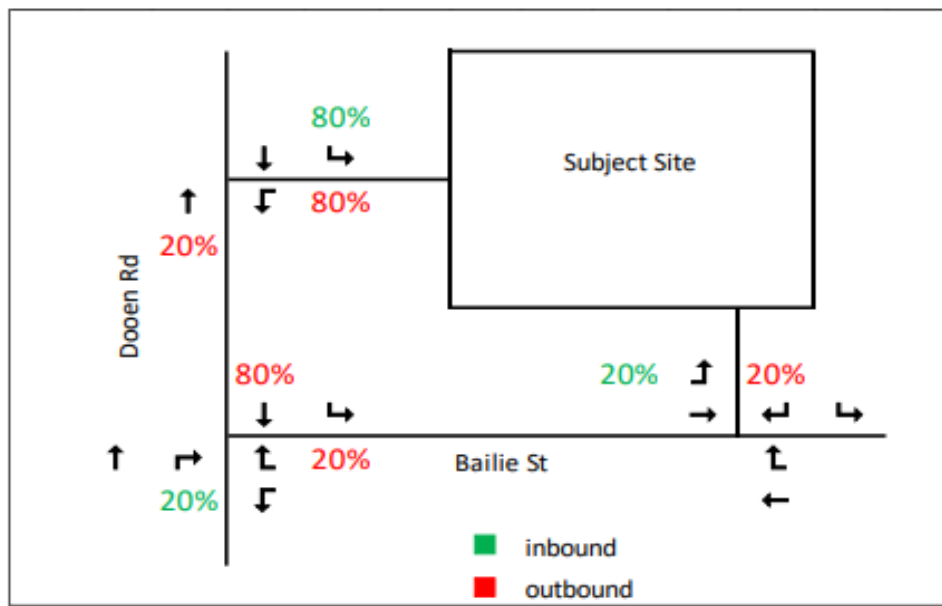
On this basis given there are 6 bowsers the following traffic generation is anticipated:

Weekday AM 64 vph

Weekday PM 60 vph

It is anticipated that the majority of movements in to the site will occur from a left in traffic movement from Dooen Road on the basis that traffic travelling east has the opportunity to

use one of the existing petrol stations located on the eastbound side of Western Highway prior to reaching the subject site. Anticipated generated traffic distribution is as follows:



It is anticipated that traffic generation will be primarily derived from non-link diverted trips whereby there is no diversion from the route traffic would otherwise take, in other words it will be primarily occurring from passing traffic.

Given the traffic generation proposed and the existing traffic conditions, it is not anticipated that traffic generation will result in an unacceptable increase in traffic whereby the existing traffic network is not capable of absorbing the additional traffic.

Car parking

The application proposes 11 car parking spaces. Clause 52.06 does not specify a car parking rate for a service station and therefore car parking must be provide to the satisfaction of the responsible authority.

Vehicle parking associated with a service station primarily occurs when vehicles are using the fuel bowsers. Although there is no car parking rate specified for a service station, if the equivalent rate for a shop was used to calculate car parking rates, based on a floor area of 203 square metres, 8 car parking spaces would be required. On this basis it is considered the proposed number of car parking space will adequately cater for anticipated demand.

Loading and unloading

Clause 65.01 of the Horsham Planning Scheme indicates that “Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- *The adequacy of loading and unloading facilities*

Loading and unloading will occur from fuel deliveries to the site and the delivery of goods to the fuel shop. It is anticipated fuel deliveries will occur 1-2 times per week. A dedicated loading bay is proposed to be located adjacent to the fuel shop. Underground fuel tank refilling will occur from a 25 metre long B double vehicle. A swept path assessment has been undertaken which demonstrates the vehicle is able to enter the site from Dooen Road and exit the site via Baillie Street.

The Department of Transport (DOT) has specified that any permit must include a condition specifying fuel delivery vehicles must turn left into the site. In addition DOT require a Loading Management Plan which must include details about type of vehicles, schedule, and required access route (in and out of the site) for fuel delivery activity.

It is considered that subject to conditions relating to access to and egress from the site, loading and unloading arrangements are satisfactory.

Amenity

It is inevitable intensification of a site by a change of land use will have amenity impacts particularly where it is in close proximity to sensitive land uses. Clause 13.07-1S - *Land use compatibility* seeks to ensure that use or development of land is compatible with adjoining and nearby land uses and adverse off-site impacts from commercial, industrial and other uses are avoided or minimised through land use separation, siting, building design and operational measures.

Objectors have raised concerns about a range of amenity issues associated with the use as a service station including noise, light emissions, traffic movements, odour emissions and hours of operation. These items are all addressed below.

Noise

Noise from a commercial use where it adjoins a residential use of land is a valid consideration.

The applicant has submitted an acoustic report that indicates that background noise measurements were undertaken at the subject site between 1700 hours on Tuesday, 12 July and 1000 hours on Sunday, 17 July 2022. The results indicate the measured lowest daily average background noise level, (dB) is as follows:

Time period	Measured background noise level¹ , LA90 (1 hour)
Day	41
Evening	37
Night	29

The measured background noise levels have been used to derive the noise limits applicable to the subject site under the Noise Protocol.

The Noise Protocol is based on EPA Publication 1826-4 *Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues*.

To comply with the Noise Protocol the following noise limits apply:

Period	Measured background noise level ² , dB LA90	Noise limit, dB Leff
Day	41	41
Evening	37	37
Night	29	29

To minimise the impact on the two adjoining residential properties it is proposed to construct a 2.6 metre high acoustic fence along the northern boundary.

In addition to meeting these noise limits, consideration can be given to limiting the hours of operation. The applicant proposes the use to occur 24 hours for 7 days per week. In balancing the impact of the proposal on sensitive adjoining residential uses is considered that operation of the use on a 24 hour basis is unreasonable adjacent to residential uses. It is therefore recommended the hours be restricted to the following:

- Sunday to Thursday (inclusive) – 7.00am-10.00pm
- Friday to Saturday – (inclusive) - 7.00am -11.00pm

This will allow operation of the service station during normal peak hours whilst also ensuring the residential amenity is not unreasonably impacted.

Light Emissions

Objections have been raised regarding light overspill and its amenity impacts on abutting properties. It is considered that adequate baffling of lighting can occur as a condition of approval. Additionally a condition of permit should require amended hours of operation to ensure amenity impacts are further mitigated.

Odour Emissions

Concerns have been raised there regarding emissions from fumes from volatile fuels and their impact on health.

To minimise fume emissions Vapour Recovery Systems that include a second line between tanker and underground storage tanks that carries vapours from the tank to the tanker when the product is being deposited into the tank should be implemented.

These measures are detailed in EPA Publication 888.4* August, 2015 - *The design, installation and management requirements for underground petroleum storage systems (UPSS)* and it is proposed to include a condition requiring compliance with this publication.

Net community benefit

Clause 71.02-3 outlines the requirements for integrated decision making. It specifically states:

The Planning Policy Framework operates together with the remainder of the scheme to deliver integrated decision making. 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.

The meaning of net community benefit was discussed in *Autron Property Pty Ltd v Stonnington CC [2017] VCAT 1352 (28 August 2017)*. The Presiding Member and Member stated:

“The concept of net community benefit is not one of ideal outcomes, but of outcomes which result in a net benefit to the community assessed within a policy framework by reference to both their benefits and disbenefits.”

It is recognised the proposal will have amenity impacts however with appropriate conditions to mitigate any adverse impacts it is considered the proposal will provide a net community benefit.

Decision guidelines

Clause 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.*
 - Considered in the processing of the application
- *The Municipal Planning Strategy and the Planning Policy Framework.*
 - Considered in the assessment of the application as per this report
- *The purpose of the zone, overlay or other provision.*
 - Considered in the assessment of the application as per this report
- *Any matter required to be considered in the zone, overlay or other provision.*
 - Considered in the assessment of the application as per this report
- *The orderly planning of the area.*

The proposal is considered to be orderly planning of the area as it is consistent with the zoning of the land which allows a limited range of other non-residential uses to serve local community needs in appropriate locations.
- *The proximity of the land to any public land.*
 - The nearest public land is the Wimmera Base hospital. It is considered the proposal will not impact on the functioning of the hospital.
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*

- The proposal is not considered development that would 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.*
 - It will be a condition of the permit that stormwater be retarded on site prior to discharge to Council's underground stormwater system.
- *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.*
 - No native vegetation will be affected by the proposal. The land is cleared of any vegetation.
- *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.*
 - There are no known hazards.
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*
 - There is sufficient land available for loading and unloading the proposal and the proposal has provided adequate traffic information to determine the proposal will not impact on the road and traffic flow.

Conclusion

The proposed use and development have been assessed and on balance is seen to be supported by the policies of the Planning Policy Framework, the purpose of the GRZ and particular provisions.

In making a decision the following options are available to Council:

1. Issue a Notice of Decision to grant a Permit (NOD). Issuing a NOD will give objectors the right to apply to VCAT to seek a review of the decision.
2. Issue a Notice of Decision to refuse to grant a permit. The applicant will have a right to apply to VCAT to seek a review of the decision.
3. Defer the application. The applicant will have a right of review under Sec 79 of the Planning and Environment Act 1987 for a failure to decide the application within the prescribed time.
4. Issue a NOD with conditions restricting the hours of operation. The applicant will have a right to apply to VCAT under Sec 80 of the Planning and Environment Act 1987 for a review of conditions.

It is considered the proposal constitute orderly planning and with appropriate conditions any adverse impacts resulting from the proposal will be mitigated. It is recommended that a Notice of Decision to grant a Permit be issued subject to conditions.

Decision

That Council, being the Responsible Authority under the Horsham Planning Scheme and the Planning and Environment Act 1987 and having considered the application details, objections, referral responses, and the relevant provisions of the Horsham Planning Scheme, issue a Notice of Decision to grant a Permit for the use and development of the land for a service station, display of advertising signage and the creation and alteration of access to a road in a Transport Zone 2 at 2-4 Dooen Road, Horsham (Lot 1 on Title Plan 170447) subject to the following conditions.

Conditions

Amended plans required

1. Before the use / development starts, amended plans to the satisfaction of the responsible authority 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 with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - (a) A reduction in the height of the pylon sign to a maximum of eight (8) metres.

Layout Not Altered

2. The use and development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

Completion and Maintenance of Landscaping Works

3. Prior to the use commencing, all landscape works forming part of the approved landscape plan must be completed to the satisfaction of the Responsible Authority. The landscaping shown on the approved landscape plan must be maintained to the satisfaction of the Responsible Authority for a period of 18 months from the practical completion of the landscaping. During this period, any dead, diseased or damaged plants or landscaped areas are to be repaired or replaced during this period and must not be deferred until the completion of the maintenance period.

Hours of operation

4. The use may operate only between the hours of:
 - Sunday to Thursday – 7.00am-10.00pm
 - Friday to Saturday – 7.00am -11.00pm

Amenity – Light

5. No external lighting of the site including signage lighting is to occur outside of the operating hours specified in Condition 4.

Amenity - Delivery Times Waste collection and Circulation

6. Unless otherwise approved by the Responsible Authority in writing, the delivery of fuel to the site must only take place between the hours of 7.00am and 6.00pm on any weekday or 7.00am and 1.00pm on Saturday. Any fuel deliveries must occur outside of peak operating times.
7. Unless otherwise approved by the Responsible Authority in writing:
 - a) No fuel or delivery vehicles are to enter the site via Baillie Street.
 - a. All trucks delivering either fuel or goods to the site exiting the site via Baillie Street must make a right hand turn movement towards Dooen Road.
 - b. Exit signs indicating that only right hand turn movements out of the site towards Dooen Road are permitted from the south eastern two-directional crossover on Baillie Street and are to be installed to the satisfaction of the Responsible Authority;
8. Unless otherwise approved by the Responsible Authority in writing:
 - a. All waste collection must be between the hours of 7.00am and 6.00pm on any weekday or 7am and 1.00pm on Saturday; and
 - b. Waste collection vehicles must exit the site on Baillie Street with a right hand turn movement towards Dooen Road .
9. Unless otherwise approved by the Responsible Authority in writing:
 - a. No deliveries may occur between the hours of 10pm and 7am; and
 - b. Any non-fuel deliveries must occur between the hours of 7.00am and 10.00pm on any weekday or 7.00am and 1.00pm on Saturday.

Amenity - Noise

10. Noise emissions from the site must not exceed the standards set out in the State Environment Protection Policy (“Control of Noise from Commerce, Industry and Trade”) No. N-1 to the satisfaction of the Responsible Authority.
11. Within six (6) months of the use hereby permitted commencing, the permit holder must engage a suitably qualified noise consultant to measure, record and report on the typical noise levels emanating from the use against the prescribed noise limits prescribed in the State Environment Protection Policy (“Control of Noise from Commerce, Industry and Trade”) No. N -1. A copy of that report and its results must be provided to the Responsible Authority and shall thereafter be available to the public.
12. Air conditioning units, ventilation fans, plant and other mechanical systems:

- a) Must be located, shielded or acoustically treated or placed in soundproof housing so that the noise levels from such devices does not prejudice the amenity of the area to the satisfaction of the Responsible Authority.
 - b) Must not be located on the Fuel Shop building roof.
14. All security alarms or similar devices installed on the land must be of a silent type in accordance with any current standards published by Standards Australia International Limited and be connected to a security service.
15. No external sound amplification or loudspeakers may be used for the purpose of announcements other than emergency announcements, broadcast or s similar purpose.

Fuel storage

16. Underground petroleum storage systems is to occur in accordance with EPA Publication 888.4* August, 2015 - *The design, installation and management requirements for underground petroleum storage systems (UPSS)*

General Amenity

16. The approved use and development must be managed 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, dust, waste water, waste products, grit or oil; or
 - d. the presence of vermin
- to the satisfaction of the Responsible Authority.
17. All external lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining or nearby land.
18. All business advertising signs must not contain any flashing light.
19. All business advertising signs must be constructed and maintained to the satisfaction of the Responsible Authority.
20. All materials and goods stored on the site must be stored in such a manner so as not to cause unsightliness to persons on adjoining or nearby land, to the satisfaction of the Responsible Authority.
21. All waste and the remnants of solid waste materials used or produced on the site must be stored and removed from the site and disposed of in such a manner as to avoid any

nuisance, pollution or offence to the satisfaction of the Responsible Authority.

22. Covered and enclosed places of storage for waste and waste containers must be set aside within the development, to the satisfaction of the Responsible Authority.
23. The operators of the use must undertake an active program of litter prevention to minimise the impact of litter on the surrounding area, to the satisfaction of the Responsible Authority.
24. The delivery, dispatch, loading and unloading of goods from vehicles must be carried out entirely within the property boundaries. The loading and/or unloading of goods or products from within the Dooen Road or Baillie Street road reserves is prohibited.
25. All fencing including acoustic fencing must be maintained to the satisfaction of the Responsible Authority.
26. Before the use starts, the development must be connected to reticulated water supply, sewerage, drainage, telecommunications and underground electricity to the requirements of the relevant servicing authority and to the satisfaction of the Responsible Authority.
27. During construction, the permit holder must take all actions and use its best endeavours to prevent the discharge of dust and sediment during the construction and post construction activities at the premises. In addition, construction activities must be undertaken in accordance with the EPA guideline titled 'Environmental Guidelines for Major Construction Sites' (EPA publication No. 480, December 1995).
28. All construction activities, including the storage of materials and the parking of construction vehicles, are to be undertaken on the site. The storage of building goods and associated items shall be kept wholly upon the site and not on adjacent Council owned land or road reserves unless approved in writing by the Council.

Access

29. New vehicle crossings must be provided in accordance with Council's Standard Drawing Number STD 3 (Urban – Residential) to the satisfaction of the responsible authority.
30. All required vehicle crossings must be constructed at the full cost of the permit holder and once constructed, be maintained to the satisfaction of the Responsible Authority and the Department of Transport.
31. All disused or redundant vehicle crossings must be removed and the areas reinstated back to kerb and channel to the satisfaction of the Responsible Authority.
32. No works shall be undertaken within the Council's declared road reserve without first

obtaining a Council Road Opening Permit and Vehicle Crossing Permit.

Car Parking

33. Before the development starts, three (3) copies of construction plans must be prepared by a suitably qualified civil/traffic engineer and submitted to the Responsible Authority for approval. These plans must detail all civil works associated with the development including footpaths, kerb and channel design, pedestrian links, car parking spaces, loading bays and waste storage areas. Once approved, the plans will be endorsed and will then form part of the permit. All works constructed or carried out must be in accordance with those plans to the satisfaction of the Responsible Authority.
34. Before the use starts, all car spaces and access lanes associated with the development must be constructed, drained, sealed and line marked so that they can be used in accordance with the endorsed plans, to the satisfaction of the Responsible Authority.
35. Parking areas and access lanes associated with the use must not be used for any other purpose without the written consent of the Responsible Authority.
36. The access lanes serving the car park must be left open at all times during business hours and must not be used for any purpose other than providing vehicular access between the street and the parking spaces and other site areas.
37. All vehicles under the control of the operator of the use or the staff of the operator must be parked on the site and not within the adjoining road reserves.
38. Signs to the satisfaction of the Responsible Authority must be provided directing drivers to the area(s) set aside for car parking and electric vehicle charging stations, and must be located and maintained to the satisfaction of the Responsible Authority. The area of each sign must not exceed 0.3 square metres.
97. Appropriate signs must be erected to assist the direction and movement of traffic both through and around the site to the satisfaction of the Responsible Authority.
40. Any reasonable costs associated with the erection of traffic signs or works on the road reservations required as a result of complying with the requirements of this permit must be met by the operator of this permit.
41. Protective kerbs must be provided to the satisfaction of the Responsible Authority to prevent damage to fences or landscaped areas.

Drainage

42. The development must be drained to the satisfaction of the Responsible Authority.

43. Drainage discharge from the building and impervious surfaces must be managed within the boundaries of the subject land to the satisfaction of the Responsible Authority.
44. Drainage of the car parking areas associated with the development must be constructed in such a manner so as to prevent contaminated surface waters from entering stormwater drains or waterways to the satisfaction of the Responsible Authority.
45. Litter screening devices must be installed on all stormwater drainage lines and pits to prevent litter from entering stormwater drains. Such devices must be maintained on a regular basis by the operator of the use to the satisfaction of the Responsible Authority by the regular emptying of litter baskets and traps.
46. Before the works commence, detailed civil construction plans must be prepared to the satisfaction of the Responsible Authority for endorsement by the Responsible Authority. All construction plans submitted for approval must be consistent with this permit and must conform with the requirements of all relevant servicing and road authorities, and in particular water, sewerage, drainage, telecommunications, power, VicRoads and Council. The plans must be drawn to scale with dimensions and three copies must be provided. Once approved the plans will be endorsed and will then form part of the permit.
47. Before the use begins and/or the building(s) is/are occupied, the discharge from the site shall be retarded on site to the satisfaction of the Relevant Authority, to ensure a maximum discharge rate off-site as specified in the Infrastructure Design Manual unless otherwise approved by the Responsible Authority.
48. Before the use begins and/or the building(s) is/are occupied all stormwater must be conveyed to the legal point of discharge by underground pipe drains to the satisfaction of the responsible Authority. No effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system. Contact Council's Project Engineer on 03 5382 9744 for discharge point details, before commencement of works.
49. Any relocation or reconstruction of existing service assets in the road reserve must be at the full cost of the developer.

Waste Water Management

50. The use and development must comply with the Code of Practice, "The Control of Water Effluent from Service Stations ", AIP CP1-1992, Australian Institute of Petroleum Ltd in relation to the design, construction and operation of the petrol station.
51. A settlement and oil separation system must be installed in order to treat water drained from the sealed surfaces on the site into the drainage system. The system must be to the satisfaction of the Responsible Authority and the Environment Protection Authority.

Sediment Control

52. The permit holder 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).

GWM Water

53. A Trade Waste Agreement is required to be completed to GWM Water's satisfaction in accordance with the relevant Trade Waste By Law, and any associated requirements, prior to commencement of any new or altered Trade Waste discharge to GWM Water's sewerage system.

Department of Transport

54. Prior to the endorsement of plans, amended plans must be submitted to and approved by the Head, Transport for Victoria. When approved, the amended plans must be endorsed and will form part of the permit. The plans must be drawn to scale with dimensions and generally in accordance with the submitted plan(s) (Concept Sketch Plan, Drawing No. TP02, Revision P4, prepared by The Retail Group Pty Ltd, dated September 2022) but amended to show:
- a) Appropriate signage to be provided at the entry crossover and exit crossover on Dooen Road, facing ingress and egress traffics informing that the crossovers are respectively left in and left out only.
 - b) The southern crossover (exit crossover) to have a greater angle to physically discourage right turn out movements.
55. Prior to the commencement of the use here by approved, the access points/ crossovers onto Dooen Road must be constructed to the satisfaction of the Responsible Authority and at no cost to the Responsible Authority and the Head, Transport for Victoria.
56. Unless otherwise agreed in writing with the Responsible Authority, prior to the commencement of the use here by approved, a Loading Management Plan must be prepared to the satisfaction of and at no cost to the Responsible Authority. The Loading Management Plan must include details about type of vehicles, schedule, and required access route (in and out of the site) for fuel delivery activity.
- Note: Fuel delivery vehicles to turn left into the site from Dooen Road. Fuel delivery activity to be scheduled outside of the service station peak operational periods and general peak traffic periods.
57. The approved Loading Management Plan must be complied with, to the satisfaction of the Responsible Authority.

Permit Expiry

58. This permit will expire if one of the following circumstances applies:

- a. The development and the use are 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 use is discontinued for a period of two (2) years.

In accordance with section 69 of the Planning and Environment Act 1987, before the permit expires or within six (6) months afterwards the owner or the occupier of the land to which this permit applies may ask the Responsible Authority for an extension of time.

The owner or occupier of land to which this permit for development applies may ask the Responsible Authority for an extension of time to complete the development if the request for an extension of time is made within 12 months after the permit expires; and the development started lawfully before the permit expired.

Permit Notes:

Horsham Rural City Council

- a) All building works associated with this development must be in accordance with the Building Act 1993 and Building Regulations 2018.
- b) A building permit will be required for the building work associated with this development.
- c) Please note that the plans submitted for building approval are to be the same as those approved by this planning permit. If any external alteration or change of use occurs, an amended plan should be submitted to the planning department for approval.
- d) Prior to work on Council assets including work within road reserves or easements, the relevant road opening permit must be obtained. A relevant fee will be charged for the permit at the time of application.
- e) Prior to any excavation works the applicant and/or their contractors must undertake "Dial before you Dig" information for existing utility services locations. The phone number for this service is 1100.

Department of Transport

The proposed development requires works within the road reserve. Separate approval under the Road Management Act 2004 for this activity may be required from the Head, Transport for Victoria. Please contact the Department of Transport and Planning about working within the road reserve prior to commencing.

Please note that the application proposes to use a short stretch of Baillie Street for fuel delivery vehicles (B-Double) to return to Dooen Road. Baillie Street is a local road and is not gazetted for restricted access vehicles (heavy freight vehicles like B-Double). As such, means of consent or permit from Council for these vehicles on this section of Baillie Road must be obtained.

1. PURPOSE

To provide guidelines around the use of electronic signatures at Horsham Rural City Council (**Council**).

2. INTRODUCTION

The use of electronic signatures enables Council to achieve significant operating efficiencies. It also carries a level of risk so needs to be used for approvals that are low to medium risk only, such as the affixing of electronic signatures to general correspondence.

3. SCOPE

This procedure applies to requests for the use of electronic signatures for the Mayor, Councillors, the Chief Executive Officer (**CEO**) and the Directors of Council.

4. PERMITTED ACTIONS

- 4.1 Electronic signatures may be used for items of general correspondence and other low to medium risk approvals within Council.
- 4.2 Many documents are now electronically signed via a PDF document with a digital signature inserted, which can then be forwarded on to the next signatory.
- 4.3 Under no circumstances, may electronic signatures be used for cheques, other financial transactions or any other high risk document.
- 4.4 All requests for the use of electronic signatures, on behalf of another person (Mayor, Councillor, CEO or Directors) must be directed through the Executive Assistant to the CEO and Councillors.
- 4.5 The sharing of electronic signatures shall only be available for the Mayor, Councillors, CEO and Directors of Council.
- 4.6 The Executive Assistant to the CEO and Councillors will hold all relevant electronic signatures, having requested that such signatures be provided at the commencement of the Council term or officer's employment.
- 4.7 Requests for the use of an electronic signature must be made via email to the person whose signature is required.
- 4.8 The person whose signature is required (Mayor, Councillors, CEO and Directors) will respond via email advising whether the request is approved or not approved.
- 4.9 Upon receiving confirmation of approval, the Executive Assistant to the CEO and Councillors will insert the electronic signature into the document, convert it to PDF format if possible and forward to the person making the request.
- 4.10 A separate authorisation is required each time an electronic signature is to be used.
- 4.11 A digital signature is to be used where the documentation is considered a high risk document, such as financial, procurement or contract related matters.
- 4.11 The Executive Assistant to the CEO and Councillors will ensure all electronic signatures will be disposed of at the end of the term / employment.

5. COMMUNICATION

This procedure will be available on Council's intranet and the Councillor Portal.

6. RESPONSIBILITY

Policy Owner: Chief Executive Officer

DEFINITIONS Definition	Meaning
Digital Signature	A digital signature is a cryptographic technique that creates a unique and unforgeable identifier in an electronic document. A digital code (generated and authenticated by public key encryption) is attached to an electronically transmitted document to verify the contents of the document and the sender's identity.
Electronic Signature	An electronic signature (or e-signature) on an electronic document is intended to perform the same purpose as a handwritten signature on a paper document. For the purposes of this procedure, it refers to the placing a digitised image of a handwritten signature on a scanned copy of a document or a born-digital document
General Correspondence	Includes letters, forms, and similar low to medium risk documents onlu– this does not include contracts which require a digital signature as per “digital signature” definition

7. SUPPORTING DOCUMENTS

Document	Location
Policy No C04/019 – Procurement Policy	Intranet
Electronic Signature Request Form	Intranet
Sign and Seal Authorisation Form	Intranet

8. DOCUMENT CONTROL

Version Number	Approval Date	Approval By	Amendment	Review Date
01	2 October 2017	Executive Management Group	Updated policy/new framework	2 October 2020
02	** March 2023	Council	To include all Councillors and minor administrative changes.	** March 2027

S5 Instrument of Delegation Council to Chief Executive Officer

Horsham Rural City Council

Instrument of Delegation

to

The Chief Executive Officer

Instrument of Delegation

In exercise of the power conferred by s 11(1) of the *Local Government Act 2020 (the Act)* and all other powers enabling it, the Horsham Rural City Council (**Council**) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

- 1. this Instrument of Delegation is authorised by a Resolution of Council passed on 27th March 2023
- 2. the delegation
 - 2.1 comes into force immediately upon a Council resolution being made and is to be signed by the Council’s Chief Executive Officer and the Mayor;
 - 2.2 is subject to any conditions and limitations set out in the Schedule;
 - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.4 remains in force until Council resolves to vary or revoke it.

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

.....
Witness

Date:

Signed by the Mayor in the presence of:)
)

.....
Witness

Date:

SCHEDULE

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

Conditions and Limitations

The delegate must not determine the issue, take the action or do the act or thing

1. if the issue, action, act or thing is an issue, action, act or thing which involves
 - 1.1 entering into a contract exceeding the value of \$275,000 (incl GST);
 - 1.2 making any expenditure that exceeds \$275,000 (incl GST) unless it is;
 - 1.2.1 expenditure made under a contract already entered into; or
 - 1.2.2 expenditure that has been approved by a resolution of Council; or
 - 1.2.3 expenditure which relates to statutory charges required to make such as superannuation, taxation, fire services property levy or expenditure which relates to Council's necessary insurances.
 - 1.3 appointing an Acting Chief Executive Officer for a period exceeding 28 days;
 - 1.4 electing a Mayor or Deputy Mayor;
 - 1.5 granting a reasonable request for leave under s 35 of the Act;
 - 1.6 making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
 - 1.7 approving or amending the Council Plan;
 - 1.8 adopting or amending any policy that Council is required to adopt under the Act;
 - 1.9 adopting or amending the Governance Rules;
 - 1.10 appointing the chair or the members to a delegated committee;
 - 1.11 making, amending or revoking a local law;
 - 1.12 approving the Budget or Revised Budget;
 - 1.13 approving the borrowing of money;
 - 1.14 adopting the Community Vision;

- 1.15 adopting the Financial Plan;
- 1.16 adopting the Asset Plan;
- 1.17 adopting the Revenue and Rating Plan;
- 1.18 subject to section 181H(1)(b) of the *Local Government Act 1989*, declaring general rates, municipal charges, service rates and charges and specified rates and charges;
2. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
3. 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;
4. 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
 - 4.1 policy; or
 - 4.2 strategyadopted by Council;
5. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 11(2)(a)-(n) (inclusive) of the Act or otherwise; or
6. 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.



INSTRUMENT OF DELEGATION

S6 INSTRUMENT OF DELEGATION COUNCIL TO MEMBERS OF STAFF

Preamble

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
Bus Prtnr Risk HR	Business Partner Risk & HR
CEO	Chief Executive Officer
Coord Assets	Co-ordinator Assets
Coord Civil Wrks	Co-ordinator Civil Works
Coord Envir Health	Co-ordinator Environmental Health
Coord PL Bldg	Co-ordinator Statutory Planning & Building
Coord Strat PL	Co-ordinator Strategic Planning
Dir Com Plc	Director Communities and Place
Dir Corp Ser	Director Corporate Services
Dir Infra	Director Infrastructure
EHO	Environmental Health Officer
HR Lead	Human Resources Lead
Mgr Com Serv	Manager Community Services & Safety
Mgr Engr	Manager Engineering & Capital Projects
Mgr Fin	Manager Finance
Mgr Inv Attrct	Manager Investment Attraction & Growth
Mgr Ops	Manager Operations
Mgr Strat Asst Mgt	Manager Strategic Asset Management
MBS	Municipal Building Surveyor
N/A	Not Applicable
N/D	Not Delegated
Snr Rates	Senior Rates Officer
Snr Stat Plnrr	Senior Statutory Town Planner
TL Urban Infra	Team Leader Urban Infrastructure

3. declares that:

3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 27 March 2023; and

3.2 the delegation:

3.2.1 comes into force immediately upon a Council resolution being made and is to be signed by the Councils Chief Executive Officer;

3.2.2 on the coming into force of the instrument all previous delegations to members of Council staff are revoked;

3.2.3 remains in force until varied or revoked;

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

3.2.5 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

3.3 the delegate must not determine the issue, take the action or do the act or thing:

3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;

3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a

(a) policy; or

(b) strategy

adopted by Council;

3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or

3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

Signed by the Chief Executive Officer of Council

in the presence of:

)

)

.....

Witness

Date:

Delegation Sources

- Cemeteries and Crematoria Act 2003
- Domestic Animals Act 1994
- Food Act 1984
- Heritage Act 2017
- Local Government Act 1989
- Planning and Environment Act 1987
- Residential Tenancies Act 1997
- Road Management Act 2004
- Cemeteries and Crematoria Regulations 2015
- Planning and Environment Regulations 2015
- Planning and Environment (Fees) Regulations 2016
- Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020
- Road Management (General) Regulations 2016
- Road Management (Works and Infrastructure) Regulations 2015

S6 Instrument of Delegation - Members of Staff

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	HR Lead	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	HR Lead	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	Snr Rates, HR Lead, Coord Civil Wrks, TL Urban Infra	Where Council is a Class B cemetery trust
s 12A(1)	Function to do the activities set out in paragraphs (a) - (n)	Snr Rates, HR Lead, Coord Civil Wrks, TL Urban Infra	Where Council is a Class A cemetery trust

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 12A(2)	Duty to have regard to matters set out in paragraphs (a) - (e) in exercising its functions	Snr Rates, HR Lead, Coord Civil Wrks, TL Urban Infra	Where Council is a Class A cemetery trust
s 13	Duty to do anything necessary or convenient to enable it to carry out its functions	HR Lead	
s 14	Power to manage multiple public cemeteries as if they are one cemetery.	HR Lead	
s 15(4)	Duty to keep records of delegations	Dir Corp Ser	
s 17(1)	Power to employ any persons necessary	CEO	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	HR Lead	

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	HR Lead	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	HR Lead	
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	N/A	Where Council is a Class A cemetery trust
s 18C	Power to determine the membership of the governance committee	N/A	Where Council is a Class A cemetery trust
s 18D	Power to determine procedure of governance committee	N/A	Where Council is a Class A cemetery trust
s 18D(1)(a)	Duty to appoint community advisory committee for the purpose of liaising with communities	N/A	Where Council is a Class A cemetery trust
s 18D(1)(b)	Power to appoint any additional community advisory committees	N/A	Where Council is a Class A cemetery trust

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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.	N/A	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	N/A	Where Council is a Class A cemetery trust
s 18F(2)	Duty to give preference to a person who is not a funeral director or a stonemason (or a similar position) when appointing a person to a community advisory committee	N/A	Where Council is a Class A cemetery trust
s 18H(1)	Duty to hold an annual meeting before 30 December in each calendar year	N/A	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	N/A	Where Council is a Class A cemetery trust

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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))	N/A	Where Council is a Class A cemetery trust
s 18L(1)	Duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust	N/A	Where Council is a Class A cemetery trust
s 18N(1)	Duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)	N/A	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	N/A	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	N/A	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	N/A	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	N/A	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	N/A	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	N/A	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.	N/A	Where Council is a Class A cemetery trust
s 19	Power to carry out or permit the carrying out of works	HR Lead	
s 20(1)	Duty to set aside areas for the interment of human remains	HR Lead	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	HR Lead	
s 20(3)	Power to set aside areas for those things in paragraphs (a) - (e)	HR Lead	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	HR Lead	
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	Dir Corp Ser	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	Dir Corp Ser	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	HR Lead	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	Dir Corp Ser	Provided the street was constructed pursuant to the Local Government Act 1989
S 52	Duty to submit a report to the Secretary in relation to any public cemetery for which the cemetery trust is responsible for each financial year in respect of which it manages that cemetery	Dir Corp Ser	
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	Dir Corp Ser	Report must contain the particulars listed in s 57(2)
s 59	Duty to keep records for each public cemetery	HR Lead	
s 60(1)	Duty to make information in records available to the public for historical or research purposes	HR Lead	
s 60(2)	Power to charge fees for providing information	HR Lead	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	HR Lead	
s 64B(d)	Power to permit interments at a reopened cemetery	HR Lead	
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	CEO	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	HR Lead	
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	HR Lead	
s 70(2)	Duty to make plans of existing place of interment available to the public	HR Lead	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	HR Lead	
s 71(2)	Power to dispose of any memorial or other structure removed	HR Lead	
s 72(2)	Duty to comply with request received under s 72	HR Lead	
s 73(1)	Power to grant a right of interment	HR Lead	
s 73(2)	Power to impose conditions on the right of interment	HR Lead	
s 74(3)	Duty to offer a perpetual right of interment	HR Lead	
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	HR Lead	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	HR Lead	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	HR Lead	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	HR Lead	
s 80(2)	Function of recording transfer of right of interment	HR Lead	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	HR Lead	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment	HR Lead	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	HR Lead	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	HR Lead	
s 84F(2)(d)	Function of receiving notice of decision to vary or force the surrender of a right of interment under s 84C(2), (3) or (5)	HR Lead	
s 84H(4)	Power to exercise the rights of a holder of a right of interment	HR Lead	
s 84I(4)	Power to exercise the rights of a holder of a right of interment	HR Lead	
s 84I(5)	Duty to pay refund to the previous holder or holders of the right of interment	HR Lead	
s 84I(6)(a)	Power to remove any memorial on the place of interment	HR Lead	
s 84I(6)(b)	Power to grant right of interment under s 73	HR Lead	
s.85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	HR Lead	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	HR Lead	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.	HR Lead	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	HR Lead	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	HR Lead	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	HR Lead	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	HR Lead	
s.86(4)	Power to take action under s.86(4) relating to removing and re-interring cremated human remains	HR Lead	
s.86(5)	Duty to provide notification before taking action under s.86(4)	HR Lead	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	HR Lead	
s 87(3)	Duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	HR Lead	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	HR Lead	
s 91(1)	Power to cancel a right of interment in accordance with s 91	HR Lead	
s 91(3)	Duty to publish notice of intention to cancel right of interment	HR Lead	
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	HR Lead	
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	HR Lead	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	HR Lead	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	HR Lead	
s 100(1)	Power to require a person to remove memorials or places of interment	HR Lead	
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)	HR Lead	
s 100(3)	Power to recover costs of taking action under s 100(2)	HR Lead	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	HR Lead	
s 102(1)	Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	HR Lead	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	HR Lead	
s 103(1)	Power to require a person to remove a building for ceremonies	Dir Corp Ser	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	Dir Corp Ser	
s 103(3)	Power to recover costs of taking action under s 103(2)	HR Lead	
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	HR Lead	
s 106(2)	Power to require the holder of the right of interment to provide for an examination	HR Lead	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	HR Lead	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	HR Lead	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	HR Lead	
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	HR Lead	
s 108	Power to recover costs and expenses	HR Lead	
s 109(1)(a)	Power to open, examine and repair a place of interment	HR Lead	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	HR Lead	Where the holder of right of interment or responsible person cannot be found

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	HR Lead	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	HR Lead	
s 110(1A)	Power to maintain, repair or restore the place of interment if unable to find any of the other holders after diligent inquiries and with the consent of the Secretary	HR Lead	
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	HR Lead	
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	HR Lead	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	HR Lead	
s 112	Power to sell and supply memorials	HR Lead	
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	HR Lead	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	HR Lead	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	HR Lead	
s 119	Power to set terms and conditions for interment authorisations	HR Lead	
s 131	Function of receiving an application for cremation authorisation	N/A	

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	N/A	Subject to s 133(2)
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	HR Lead	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	HR Lead	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	HR Lead	
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	HR Lead	
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	HR Lead	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 151	Function of receiving applications to inter or cremate body parts	HR Lead	
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	HR Lead	
sch 1 cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	HR Lead	
sch 1 cl 8(8)	Power to regulate own proceedings	HR Lead	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	N/A	Where Council is a Class A cemetery trust

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 1A cl 8(8)	Power to regulate own proceedings	N/A	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	CEO, Dir Com Plc, Mgr Com Serv	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	Coord Envir Health, EHO	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	Coord Envir Health, EHO	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	Coord Envir Health	If s 19(1) applies Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under 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	Coord Envir Health	If s 19(1) applies

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	Coord Envir Health, EHO	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	Coord Envir Health, EHO	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	Coord Envir Health, EHO	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	Coord Envir Health, EHO	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	Coord Envir Health, EHO	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19CB(4)(b)	Power to request copy of records	Coord Envir Health, EHO	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	Coord Envir Health, EHO	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	Coord Envir Health, EHO	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	Coord Envir Health, EHO	Where Council is the registration authority
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	Coord Envir Health, EHO	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19IA(2)	Duty to give written notice to the proprietor of the premises	Coord Envir Health, EHO	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	Coord Envir Health, EHO	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	Coord Envir Health, EHO	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	Coord Envir Health, EHO	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	Coord Envir Health, EHO	

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	Coord Envir Health, EHO	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	Coord Envir Health, EHO	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	Coord Envir Health, EHO	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	Coord Envir Health, EHO	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Power to register or renew the registration of a food premises	Coord Envir Health, EHO	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	Coord Envir Health, EHO	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	Coord Envir Health, EHO	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	Coord Envir Health, EHO	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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)	Coord Envir Health, EHO	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	Coord Envir Health, EHO	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	Coord Envir Health, EHO	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	Coord Envir Health, EHO	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	Coord Envir Health, EHO	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	Coord Envir Health, EHO	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	Coord Envir Health, EHO	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	Coord Envir Health, EHO	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	Coord Envir Health, EHO	Where Council is the registration authority not exceeding the prescribed time limit defined under s 38E(5)

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38E(4)	Duty to register the food premises when conditions are satisfied	Coord Envir Health, EHO	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	Coord Envir Health, EHO	Where Council is the registration authority
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	Coord Envir Health, EHO	Where Council is the registration authority
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	Coord Envir Health, EHO	Where Council is the registration authority
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	Coord Envir Health, EHO	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	Coord Envir Health, EHO	
s 39A	Power to register, or renew the registration of a food premises despite minor defects	Coord Envir Health, EHO	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 39A (6)	Duty to comply with a direction of the Secretary	Coord Envir Health, EHO	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	Coord Envir Health, EHO	Where Council is the registration authority
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	Coord Envir Health, EHO	

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	Coord Envir Health, EHO	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	Coord Envir Health, EHO	Where Council is the registration authority
s 40E	Duty to comply with direction of the Secretary	Coord Envir Health, EHO	
s 40F	Power to cancel registration of food premises	Coord Envir Health, EHO	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 43	Duty to maintain records of registration	Coord Envir Health, EHO	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	Coord Envir Health, EHO	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	Coord Envir Health, EHO	Where Council is the registration authority
s 45AC	Power to bring proceedings	Coord Envir Health, EHO	
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person	Coord Envir Health, EHO	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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	Snr Stat Plnr, Coord PL Bldg	Must first obtain Executive Director's written consent Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

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	Dir Com Plc	

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	Dir Com Plc	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	Dir Com Plc, Mgr Inv Attrct	
s 4H	Duty to make amendment to Victoria Planning Provisions available in accordance with public availability requirements	Snr Stat Plnrr, Coord Strat PL, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 41(2)	Duty to make and copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	Snr Stat Plnr, Coord PL Bldg	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	Dir Com Plc, Coord Strat PL, Coord PL Bldg	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	Dir Com Plc	
s 8A(5)	Function of receiving notice of the Minister's decision	Dir Com Plc	
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	Dir Com Plc	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	Dir Com Plc	
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	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL	
s 12B(1)	Duty to review planning scheme	Dir Com Plc	
s 12B(2)	Duty to review planning scheme at direction of Minister	Dir Com Plc	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	Dir Com Plc	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	Dir Com Plc	
s 17(1)	Duty of giving copy amendment to the planning scheme	Dir Com Plc, Coord Strat PL	
s 17(2)	Duty of giving copy s 173 agreement	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	Dir Com Plc, Coord Strat PL	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	Snr Stat Plnr, Coord Strat PL, Coord PL Bldg	Until the proposed amendment is approved or lapsed

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL, Coord PL Bldg	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL, Coord PL Bldg	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	N/D	Where Council is a planning authority

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 21(2)	Duty to make submissions available in accordance with public availability requirements	Snr Stat Plnr, Coord Strat PL, Coord PL Bldg	Until the end of 2 months after the amendment comes into operation or lapses
s 21A(4)	Duty to publish notice	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL, Coord PL Bldg	
s 22(1)	Duty to consider all submissions received before the date specified in the notice	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 22(2)	Power to consider a late submission Duty to consider a late submission, if directed by the Minister	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL, Coord PL Bldg	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	Dir Com Plc	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	Dir Com Plc, Snr Stat Plnrr, Mgr Inv Attrct, Coord Strat PL, Coord PL Bldg	
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	Snr Stat Plnrr, Coord Strat PL, Coord PL Bldg	

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	Snr Stat Plnrr, Coord Strat PL, Coord PL Bldg	During the inspection period
s 27(2)	Power to apply for exemption if panel's report not received	Dir Com Plc	
s 28(1)	Duty to notify the Minister if abandoning an amendment	Dir Com Plc	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	Dir Com Plc, Coord Strat PL	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	Dir Com Plc, Coord Strat PL	
s 30(4)(a)	Duty to say if amendment has lapsed	Dir Com Plc, Coord Strat PL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 30(4)(b)	Duty to provide information in writing upon request	Dir Com Plc, Coord Strat PL	
s 32(2)	Duty to give more notice if required	Dir Com Plc, Coord Strat PL	
s 33(1)	Duty to give more notice of changes to an amendment	Dir Com Plc, Coord Strat PL	
s 36(2)	Duty to give notice of approval of amendment	Dir Com Plc, Coord Strat PL	
s 38(5)	Duty to give notice of revocation of an amendment	Dir Com Plc, Coord Strat PL	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	Dir Com Plc	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 40(1)	Function of lodging copy of approved amendment	Dir Com Plc, Coord Strat PL	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	Snr Stat Plnr, Coord Strat PL, Coord PL Bldg	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	Snr Stat Plnr, Coord Strat PL, Coord PL Bldg	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	Snr Stat Plnr, Coord Strat PL, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	N/A	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	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy Power to endorse the draft Statement of Planning Policy	Dir Com Plc	Where Council is a responsible public entity

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL	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	Dir Com Plc, Snr Stat Plnr, Coord PL Bldg	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	Dir Com Plc, Coord Strat PL	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	Dir Com Plc, Coord Strat PL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	Dir Com Plc, Coord Strat PL	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	Dir Com Plc, Coord Strat PL	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	Dir Com Plc, Coord Strat PL	
s 46GP	Function of receiving a notice under s 46GO	Dir Com Plc, Coord Strat PL	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL	
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	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL	
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL	
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	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution Power to specify the manner in which the payment is to be made	Snr Stat Plnrr, Coord PL Bldg	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GV(3)(b)	Power to enter into an agreement with the applicant	Dir Com Plc, Mgr Inv Attrct	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)	Dir Com Plc, Snr Stat Plnrr, Mgr Inv Attrct, Coord PL Bldg	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)	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	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	Snr Stat Plnrr, Coord PL Bldg	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	Snr Stat Plnrr, Coord PL Bldg	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	Dir Infra	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	Dir Infra	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	Mgr Fin	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	Mgr Fin	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	Mgr Fin	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is that planning authority

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(2)(a)	Function of receiving the monetary component	Mgr Fin	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	Mgr Fin	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	Mgr Fin	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)	Mgr Fin	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	Mgr Inv Attrct, Mgr Fin	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	Mgr Inv Attrct, Mgr Fin	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	Mgr Fin	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	Dir Com Plc, Mgr Inv Attrct	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	Dir Com Plc, Mgr Inv Attrct	<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	Mgr Inv Attrct, Coord Strat PL	Where Council is the development agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	Dir Com Plc, Mgr Inv Attrct	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	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL	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)	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL	Where Council is the development agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL	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	Mgr Inv Attrct	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	Dir Com Plc, Mgr Inv Attrct	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 also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	Dir Com Plc, Mgr Inv Attrct, Coord Strat PL	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	Dir Com Plc	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)	Dir Com Plc, Mgr Inv Attrct	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Function of receiving proceeds of sale	Dir Com Plc, Mgr Inv Attrct	Where Council is the collection agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			This provision does not apply where Council is also the development agency
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)	Dir Com Plc, Mgr Inv Attrct	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)	Dir Com Plc, Mgr Inv Attrct	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	Dir Com Plc	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	Mgr Inv Attrct, Coord Strat PL	Where Council is a collecting agency or development agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	Dir Com Plc	Where Council is a collecting agency or development agency
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	Mgr Inv Attrct, Coord Strat PL	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	Snr Stat Plnr, Coord PL Bldg	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	Snr Stat Plnr, Coord PL Bldg	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	Dir Com Plc	

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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	Mgr Fin	
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.	Mgr Fin	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	Dir Com Plc	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	Dir Com Plc	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
	by the Council of works, services or facilities in an area under s 46Q(4)(a)		
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	Dir Com Plc	Must be done in accordance with Part 3
s46Q(4)(e)	Duty to expend that amount on other works etc.	Dir Com Plc	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	Dir Com Plc	
s 46QD	Duty to prepare report and give a report to the Minister	Dir Com Plc	Where Council is a collecting agency or development agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with the public availability requirements, during the inspection period	N/A	
s 46V(4)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with s 197B of the Act and on payment of the prescribe fee, after the inspection period	N/A	
s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	N/A	
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public available requirements	N/A	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46Y	Duty to carry out works in conformity with the approved strategy plan	CEO, Dir Com Plc, Dir Infra, Dir Corp Ser	
s 47	Power to decide that an application for a planning permit does not comply with that Act	Snr Stat Plnr, Coord PL Bldg	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	Snr Stat Plnr, Coord PL Bldg	
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	Snr Stat Plnr, Coord PL Bldg	
s 50(4)	Duty to amend application	Snr Stat Plnr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50(5)	Power to refuse to amend application	Dir Com Plc, Coord PL Bldg	
s 50(6)	Duty to make note of amendment to application in register	Snr Stat Plnr, Coord PL Bldg	
s 50A(1)	Power to make amendment to application	Snr Stat Plnr, Coord PL Bldg	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	Snr Stat Plnr, Coord PL Bldg	
s 50A(4)	Duty to note amendment to application in register	Snr Stat Plnr, Coord PL Bldg	
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	Snr Stat Plnr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	Snr Stat Plnr, Coord PL Bldg	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	Snr Stat Plnr, Coord PL Bldg	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	Snr Stat Plnr, Coord PL Bldg	
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	Snr Stat Plnr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	Snr Stat Plnr, Coord PL Bldg	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	Snr Stat Plnr, Coord PL Bldg	
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	Snr Stat Plnr, Coord PL Bldg	
s 52(3)	Power to give any further notice of an application where appropriate	Dir Com Plc, Snr Stat Plnr, Mgr Inv Attrct, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	Snr Stat Plnr, Coord PL Bldg	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	Snr Stat Plnr, Coord PL Bldg	
s 54(1)	Power to require the applicant to provide more information	Snr Stat Plnr, Coord PL Bldg	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	Snr Stat Plnr, Coord PL Bldg	
s 54(1B)	Duty to specify the lapse date for an application	Snr Stat Plnr, Coord PL Bldg	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	Dir Com Plc, Mgr Com Serv , Snr	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Stat Plnrr, Coord PL Bldg	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	Snr Stat Plnrr, Coord PL Bldg	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Snr Stat Plnrr, Coord PL Bldg	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	Snr Stat Plnrr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	Snr Stat Plnrr, Coord PL Bldg	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	Snr Stat Plnrr, Coord PL Bldg	
s 57A(5)	Power to refuse to amend application	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 57A(6)	Duty to note amendments to application in register	Snr Stat Plnrr, Coord PL Bldg	
s 57B(1)	Duty to determine whether and to whom notice should be given	Snr Stat Plnrr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	Snr Stat Plnr, Coord PL Bldg	
s 57C(1)	Duty to give copy of amended application to referral authority	Snr Stat Plnr, Coord PL Bldg	
s 58	Duty to consider every application for a permit	Snr Stat Plnr, Coord PL Bldg	
s 58A	Power to request advice from the Planning Application Committee	Dir Com Plc	
s 60	Duty to consider certain matters	Dir Com Plc, Snr Stat Plnr, Mgr Inv Attrct, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 60(1A)	Duty to consider certain matters	Dir Com Plc, Snr Stat Plnrr, Mgr Inv Attrct, Coord PL Bldg	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	Dir Com Plc, Snr Stat Plnrr, Mgr Inv Attrct, Coord PL Bldg	
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	Dir Com Plc, Snr Stat Plnrr, Mgr Inv Attrct, Coord PL Bldg	<p>The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006</p> <hr/> <p>If there are two or more objectors to a permit application, the matter must be referred to Council for determination</p>

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	N/A	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	CEO	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 62(1)	Duty to include certain conditions in deciding to grant a permit	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 62(2)	Power to include other conditions	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
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)	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
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)	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	Snr Stat Plnrr, Coord PL Bldg	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(3)	Duty not to issue a permit until after the specified period	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	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	Snr Stat Plnrr, Coord PL Bldg	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	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	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	Snr Stat Plnr, Coord PL Bldg	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	Snr Stat Plnr, Coord PL Bldg	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	Snr Stat Plnr, Coord PL Bldg	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	Snr Stat Plnr, Coord PL Bldg	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	Snr Stat Plnr, Coord PL Bldg	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	Snr Stat Plnr, Coord PL Bldg	
s 69(1A)	Function of receiving application for extension of time to complete development	Dir Com Plc, Snr Stat Plnr, Coord PL Bldg	
s 69(2)	Power to extend time	Dir Com Plc, Snr Stat Plnr, Coord PL Bldg	
s 70	Duty to make copy permit available for inspection in accordance with the public availability requirements	Snr Stat Plnr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 71(1)	Power to correct certain mistakes	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 71(2)	Duty to note corrections in register	Snr Stat Plnrr, Coord PL Bldg	
s 73	Power to decide to grant amendment subject to conditions	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 74	Duty to issue amended permit to applicant if no objectors	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Snr Stat Plnrr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	Snr Stat Plnrr, Coord PL Bldg	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	Snr Stat Plnrr, Coord PL Bldg	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	Snr Stat Plnrr, Coord PL Bldg	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	Snr Stat Plnrr, Coord PL Bldg	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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 76D	Duty to comply with direction of Minister to issue amended permit	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 83	Function of being respondent to an appeal	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 83B	Duty to give or publish notice of application for review	Snr Stat Plnrr, Coord PL Bldg	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
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	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 84AB	Power to agree to confining a review by the Tribunal	Snr Stat Plnrr, Coord PL Bldg	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 91(2)	Duty to comply with the directions of VCAT	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	Snr Stat Plnrr, Coord PL Bldg	
s 93(2)	Duty to give notice of VCAT order to stop development	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 95(3)	Function of referring certain applications to the Minister	Snr Stat Plnr, Coord PL Bldg	
s 95(4)	Duty to comply with an order or direction	Snr Stat Plnr, Coord PL Bldg	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	Dir Com Plc	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	Dir Com Plc	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	Dir Com Plc	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	Dir Com Plc	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 96F	Duty to consider the panel's report under s 96E	N/D	
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	Dir Com Plc	
s 96H(3)	Power to give notice in compliance with Minister's direction	Snr Stat Plnr, Coord PL Bldg	
s 96J	Duty to issue permit as directed by the Minister	Dir Com Plc, Snr Stat Plnr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 96K	Duty to comply with direction of the Minister to give notice of refusal	Snr Stat Plnrr, Coord PL Bldg	
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	Dir Com Plc, Mgr Inv Attrct, Coord PL Bldg	
s 97C	Power to request Minister to decide the application	Dir Com Plc	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
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	Snr Stat Plnrr, Coord PL Bldg	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with the public availability requirements	Snr Stat Plnrr, Coord PL Bldg	

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	Snr Stat Plnr, Coord PL Bldg	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	Snr Stat Plnr, Coord PL Bldg	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	Dir Com Plc	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	Snr Stat Plnr, Coord PL Bldg	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	Dir Com Plc, Snr Stat Plnr, Coord PL Bldg	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	Dir Com Plc, Snr Stat Plnr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 97Q(4)	Duty to comply with directions of VCAT	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	Snr Stat Plnrr, Coord PL Bldg	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	Dir Com Plc	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 101	Function of receiving claim for expenses in conjunction with claim	Dir Com Plc	
s 103	Power to reject a claim for compensation in certain circumstances	Dir Com Plc	
s.107(1)	Function of receiving claim for compensation	Dir Com Plc	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 107(3)	Power to agree to extend time for making claim	Dir Com Plc	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	Dir Com Plc	
s 114(1)	Power to apply to the VCAT for an enforcement order	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 123(1)	Power to carry out work required by enforcement order and recover costs	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 123(2)	Power to sell buildings, materials, etc. salvaged in carrying out work under s 123(1)	Dir Com Plc	Except Crown Land
s 129	Function of recovering penalties	Dir Com Plc	
s 130(5)	Power to allow person served with an infringement notice further time	Snr Stat Plnr, Coord PL Bldg	
s 149A(1)	Power to refer a matter to the VCAT for determination	Dir Com Plc, Snr Stat Plnr, Coord PL Bldg	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	Dir Com Plc, Snr Stat Plnr, Coord PL Bldg	
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	Dir Com Plc	Where Council is the relevant planning authority

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)		
s 171(2)(f)	Power to carry out studies and commission reports	Dir Com Plc	
s 171(2)(g)	Power to grant and reserve easements	Dir Com Plc	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	N/D	Where Council is a development agency specified in an approved infrastructure contributions plan
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	N/D	Where Council is a collecting agency specified in an approved infrastructure contributions plan
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	N/D	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	Dir Com Plc	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	CEO, Dir Com Plc	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 Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	CEO	
	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	CEO	
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	Dir Com Plc	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	Dir Com Plc	
s 178A(1)	Function of receiving application to amend or end an agreement	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 178A(5)	Power to propose to amend or end an agreement	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
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	Snr Stat Plnrr, Coord PL Bldg	
s 178C(4)	Function of determining how to give notice under s 178C(2)	Snr Stat Plnrr, Coord PL Bldg	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	Dir Com Plc	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	Dir Com Plc	If no objections are made under s 178D Must consider matters in s 178B <hr/> Not Delegated
s 178E(2)(c)	Power to refuse to amend or end the agreement	CEO, Dir Com Plc	If no objections are made under s 178D Must consider matters in s 178B

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	Dir Com Plc	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	Dir Com Plc	After considering objections, submissions and matters in s 178B
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	N/D	After considering objections, submissions and matters in s.178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	Dir Com Plc	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)	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	Dir Com Plc	
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	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 179(2)	Duty to make copy of each agreement available in accordance with the public availability requirements	Snr Stat Plnrr, Coord PL Bldg	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Snr Stat Plnrr, Coord PL Bldg	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	Snr Stat Plnrr, Coord PL Bldg	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	Snr Stat Plnrr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 182	Power to enforce an agreement	Dir Com Plc, Snr Stat Plnr, Coord PL Bldg	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	Dir Com Plc, Snr Stat Plnr, Coord PL Bldg	
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	N/D	
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	N/D	
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	Dir Com Plc	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 184G(2)	Duty to comply with a direction of the Tribunal	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 184G(3)	Duty to give notice as directed by the Tribunal	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	Snr Stat Plnrr, Mgr Inv Attrct, Coord Strat PL, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 198(1)	Function to receive application for planning certificate	Snr Stat Plnr, Coord PL Bldg	
s 199(1)	Duty to give planning certificate to applicant	Snr Stat Plnr, Coord PL Bldg	
s 201(1)	Function of receiving application for declaration of underlying zoning	Snr Stat Plnr, Coord PL Bldg	
s 201(3)	Duty to make declaration	Snr Stat Plnr, Coord PL Bldg	
	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	Dir Com Plc, Snr Stat Plnr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
	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	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
	Power to give written authorisation in accordance with a provision of a planning scheme	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	Dir Com Plc	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	

Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	Coord Envir Health, EHO	
s 522(1)	Power to give a compliance notice to a person	Coord Envir Health, EHO	

Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	Dir Com Plc	
s 525(4)	Duty to issue identity card to authorised officers	HR Lead	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	Dir Com Plc	
s 526A(3)	Function of receiving report of inspection	Dir Com Plc	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	Dir Com Plc	

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	Dir Infra	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	N/D	
s 11(9)(b)	Duty to advise Registrar	Coord Assets, Mgr Engr	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	Coord Assets, Mgr Engr	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	Dir Infra	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	N/D	Where Council is the coordinating road authority
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	Dir Infra	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	Dir Infra	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	Dir Infra	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	Dir Infra	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	Dir Infra	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	N/D	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	Dir Infra	

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	N/D	
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	Dir Infra	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	Dir Infra	
s 15(2)	Duty to include details of arrangement in public roads register	Dir Infra	
s 16(7)	Power to enter into an arrangement under s 15	Dir Infra	

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	Dir Infra	
s 17(2)	Duty to register public road in public roads register	Dir Infra	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	Dir Infra, Mgr Strat Asst Mgt	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	Dir Infra, Mgr Strat Asst Mgt	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	N/D	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	N/D	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	Dir Infra	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	Dir Infra	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	Dir Infra	
s 19(4)	Duty to specify details of discontinuance in public roads register	Dir Infra	

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	Dir Infra	
s 21	Function of replying to request for information or advice	Dir Infra	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	Dir Infra	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	Dir Infra	
s 22(5)	Duty to give effect to a direction under s 22	Dir Infra	
s 40(1)	Duty to inspect, maintain and repair a public road.	Dir Infra, Mgr Ops, Mgr Strat Asst Mgt	

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	Mgr Engr, Dir Infra, Mgr Ops, Mgr Strat Asst Mgt	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	Dir Infra	
s 42(1)	Power to declare a public road as a controlled access road	Dir Infra	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	Dir Infra	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	Dir Infra	Where Council is the coordinating road authority If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	Dir Infra	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			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)	Mgr Ops	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	Mgr Engr, Dir Infra, Mgr Strat Asst Mgt	
s 49	Power to develop and publish a road management plan	Dir Infra	
s 51	Power to determine standards by incorporating the standards in a road management plan	Dir Infra	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc. of document in road management plan	Dir Infra, Mgr Strat Asst Mgt	
s 54(2)	Duty to give notice of proposal to make a road management plan	Dir Infra, Mgr Strat Asst Mgt	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	Dir Infra, Mgr Strat Asst Mgt	
s 54(6)	Power to amend road management plan	Dir Infra, Mgr Strat Asst Mgt	
s 54(7)	Duty to incorporate the amendments into the road management plan	Dir Infra, Mgr Strat Asst Mgt	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	Dir Infra, Mgr Strat Asst Mgt	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 63(1)	Power to consent to conduct of works on road	Mgr Engr, Dir Infra, Mgr Ops	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	Dir Infra, Mgr Ops	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	Mgr Engr, Dir Infra, Mgr Ops	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc.	Mgr Engr, Dir Infra, Mgr Ops	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	Mgr Engr, Dir Infra, Mgr Ops	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 67(3)	Power to request information	Mgr Engr, Dir Infra, Mgr Ops	Where Council is the coordinating road authority
s 68(2)	Power to request information	Mgr Engr, Dir Infra, Mgr Ops	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	Dir Infra	
s 72	Duty to issue an identity card to each authorised officer	Dir Infra	
s 85	Function of receiving report from authorised officer	Dir Infra	
s 86	Duty to keep register re s 85 matters	Dir Infra	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 87(1)	Function of receiving complaints	Dir Infra	
s 87(2)	Duty to investigate complaint and provide report	Dir Infra	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	Dir Infra	
s 112(2)	Power to recover damages in court	Dir Infra	
s 116	Power to cause or carry out inspection	Bus Prtnr Risk HR, Mgr Engr, Dir Infra, Mgr Ops,	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Mgr Strat Asst Mgt	
s 119(2)	Function of consulting with the Head, Transport for Victoria	Mgr Engr, Dir Infra	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	Dir Infra	
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)	Dir Infra	
s 121(1)	Power to enter into an agreement in respect of works	Dir Infra	
s 122(1)	Power to charge and recover fees	Dir Infra	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 123(1)	Power to charge for any service	Dir Infra	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	Dir Infra	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	Dir Infra	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	Dir Infra	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	Dir Infra	
sch 2 cl 5	Duty to publish notice of declaration	Dir Infra	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	Dir Infra	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	Dir Infra	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-road infrastructure and technical advice or assistance in conduct of works	Mgr Engr, Dir Infra, Mgr Ops, Mgr Strat Asst Mgt	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
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	Mgr Engr, Dir Infra, Mgr Ops, Mgr Strat Asst Mgt	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	Mgr Engr, Dir Infra, Mgr Ops, Mgr Strat Asst Mgt	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	Mgr Engr, Dir Infra, Mgr Ops, Mgr Strat Asst Mgt	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	Mgr Engr, Dir Infra, Mgr Ops, Mgr Strat Asst Mgt	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	Mgr Engr, Dir Infra, Mgr Ops, Mgr Strat Asst Mgt	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	Mgr Engr, Dir Infra, Mgr Ops, Mgr Strat Asst Mgt	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)	Mgr Engr, Dir Infra, Mgr Ops	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	Mgr Engr, Dir Infra, Mgr Ops, Mgr Strat Asst Mgt	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	Mgr Engr, Dir Infra, Mgr Ops, Mgr Strat Asst Mgt	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	Mgr Engr, Dir Infra, Mgr Ops, Mgr Strat Asst Mgt	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	Mgr Engr, Dir Infra, Mgr Ops, Mgr Strat Asst Mgt	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	Mgr Engr, Dir Infra, Mgr Ops, Mgr Strat Asst Mgt	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 16(6)	Power to set reasonable conditions on consent	Mgr Engr, Dir Infra, Mgr Ops, Mgr Strat Asst Mgt	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	Mgr Engr, Dir Infra, Mgr Ops, Mgr Strat Asst Mgt	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	Mgr Engr, Dir Infra, Mgr Ops, Mgr Strat Asst Mgt	Where Council is the coordinating road authority
sch 7 cl18(1)	Power to enter into an agreement	Mgr Engr, Dir Infra, Mgr Ops, Mgr Strat Asst Mgt	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch7 cl 19(1)	Power to give notice requiring rectification of works	Mgr Engr, Dir Infra, Mgr Ops, Mgr Strat Asst Mgt	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	Mgr Engr, Dir Infra, Mgr Ops, Mgr Strat Asst Mgt	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	Mgr Engr, Dir Infra, Mgr Ops, Mgr Strat Asst Mgt	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	Dir Infra	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	Dir Infra	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	Dir Infra	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	Dir Infra	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	HR Lead	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	HR Lead	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	HR Lead	
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	HR Lead	
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	HR Lead	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	HR Lead	
r 30(2)	Power to release cremated human remains to certain persons	HR Lead	Subject to any order of a court
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	HR Lead	

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	HR Lead	
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	HR Lead	
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	HR Lead	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	HR Lead	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	HR Lead	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	HR Lead	
r 34	Duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs (a)-(b)	HR Lead	
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	HR Lead	

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 40	Power to approve a person to play sport within a public cemetery	HR Lead	
r 41(1)	Power to approve fishing and bathing within a public cemetery	HR Lead	
r 42(1)	Power to approve hunting within a public cemetery	HR Lead	
r 43	Power to approve camping within a public cemetery	HR Lead	
r 45(1)	Power to approve the removal of plants within a public cemetery	HR Lead	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	HR Lead	
r 47(3)	Power to approve the use of fire in a public cemetery	HR Lead	
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	HR Lead	

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules	HR Lead	
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch 2	HR Lead	See note above regarding model rules
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	HR Lead	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	HR Lead	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	HR Lead	See note above regarding model rules
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	HR Lead	See note above regarding model rules

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 8	Power to approve certain mementos on a memorial	HR Lead	See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	HR Lead	See note above regarding model rules
sch 2 cl 11(2)	Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	HR Lead	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	HR Lead	See note above regarding model rules
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	HR Lead	See note above regarding model rules
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	HR Lead	See note above regarding model rules

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	HR Lead	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	HR Lead	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	Dir Com Plc, Coord Strat PL, Coord PL Bldg	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 Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	
r.25(a)	Duty to make copy of matter considered under section 60(1A)(g) in accordance with the public availability requirements	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	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 in accordance with the public availability requirements	Dir Com Plc, Snr Stat Plnrr, Coord PL Bldg	where Council is not the responsible authority but the relevant land is within Council's municipal district
r.42	Function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	Dir Com Plc, Coord Strat PL, Coord PL Bldg	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	Dir Com Plc, Mgr Inv Attrct	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	Dir Com Plc, Mgr Inv Attrct	
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	Dir Com Plc, Mgr Inv Attrct	

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	Coord Envir Health, EHO	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 10	Function of receiving application for registration	Coord Envir Health, EHO	
r 11	Function of receiving application for renewal of registration	Coord Envir Health, EHO	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	Coord Envir Health, EHO	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	Coord Envir Health, Dir Com Plc, EHO	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	Coord Envir Health, EHO	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	Coord Envir Health, Dir Com Plc, EHO	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	Coord Envir Health, EHO	
r 12(4) & (5)	Duty to issue certificate of registration	Coord Envir Health, EHO	
r 14(1)	Function of receiving notice of transfer of ownership	Coord Envir Health, EHO	
r 14(3)	Power to determine where notice of transfer is displayed	Coord Envir Health, EHO	
r 15(1)	Duty to transfer registration to new caravan park owner	Coord Envir Health, EHO	
r 15(2)	Duty to issue a certificate of transfer of registration	Coord Envir Health, EHO	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	Coord Envir Health, EHO	
r 17	Duty to keep register of caravan parks	Coord Envir Health, EHO	
r 18(4)	Power to determine where the emergency contact person's details are displayed	Coord Envir Health, EHO	
r 18(6)	Power to determine where certain information is displayed	Coord Envir Health, EHO	
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	Coord Envir Health, EHO	
r 22(2)	Duty to consult with relevant emergency services agencies	Coord Envir Health, EHO	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	Coord Envir Health, EHO	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	Coord Envir Health, EHO	
r 25(3)	Duty to consult with relevant floodplain management authority	Coord Envir Health, EHO	
r 26	Duty to have regard to any report of the relevant fire authority	Coord Envir Health, EHO	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	Coord Envir Health, EHO	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	Coord Envir Health, EHO	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	Coord Envir Health, EHO	
r 41(4)	Function of receiving installation certificate	Coord Envir Health, EHO	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	Dir Com Plc	
sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	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	Dir Infra, Mgr Strat Asst Mgt	
r 9(2)	Duty to produce written report of review of road management plan and make report available	Dir Infra, Mgr Strat Asst Mgt	
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)	Dir Infra, Mgr Strat Asst Mgt	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	Dir Infra, Mgr Strat Asst Mgt	
r 13(1)	Duty to publish notice of amendments to road management plan	Dir Infra, Mgr Strat Asst Mgt	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	Dir Infra, Mgr Strat Asst Mgt	

Road Management (General) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 16(3)	Power to issue permit	Mgr Engr, Dir Infra, Mgr Ops	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	Mgr Engr, Dir Infra, Mgr Ops, Mgr Strat Asst Mgt	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	Dir Infra	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	Dir Infra	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	Mgr Engr, Mgr Ops	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))	Dir Infra	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	Dir Infra	

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	Dir Infra	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	Dir Infra	Where Council is the coordinating road authority

RELIANSYS® DELEGATIONS - EXPORT OF UPDATES BY REGISTER - COMPLETE

S6 INSTRUMENT OF DELEGATION - MEMBERS OF STAFF

Note - Exported provisions are separated by category into NEW and then CHANGED and then DELETED.

31 JANUARY 2023

NEW Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
652456	Cemeteries and Crematoria Act 2003	s 52	Duty to submit a report to the Secretary in relation to any public cemetery for which the cemetery trust is responsible for each financial year in respect of which it manages that cemetery	Dir Corp Serv	_____

CHANGED Provisions

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
490868	Planning and Environment Regulations 2015	r.25(a)	duty to make copy of matter considered under section 60(1A)(g) in accordance with the public availability requirements	Dir Com Plc, Snr Stat Plnr, Coord PL Bldg	where Council is the responsible authority _____
490869	Planning and Environment Regulations 2015	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 in accordance with the public availability requirements	Dir Com Plc, Snr Stat Plnr, Coord PL Bldg	where Council is not the responsible authority but the relevant land is within Council's municipal district _____

Spendmapp Monthly Report

Local Government Area: Horsham Rural City Council

Spendmapp cleans and analyses bank transaction data by time, geography, Expenditure Category and Type allowing continuous monitoring and analysis of local economic activity.

For the month of January 2023:

- Resident Local Spend was \$22.1M. This is a 5.96% increase from the same time last year.
- Visitor Local Spend was \$13.1M. This is a 23.52% increase from the same time last year.
- Total Local Spend was \$35.2M. This is a 11.87% increase from the same time last year.
- Resident Escape Spend was \$11.7M. This is a 18.83% increase from the same time last year.
- Resident Online Spend was \$11.2M. This is a -2.97% decrease from the same time last year.

The 23.52 % increase in Visitor Local Spend suggests a relatively healthy growth in visitor economy activity.

Expenditure by Expenditure Type

These expenditure charts show the long-term pattern of expenditure activity by Expenditure Type across the Horsham Rural City Council LGA. Typically, we see spending spikes at Easter and Christmas; dips in the post-Christmas period; and a steady climb through winter.

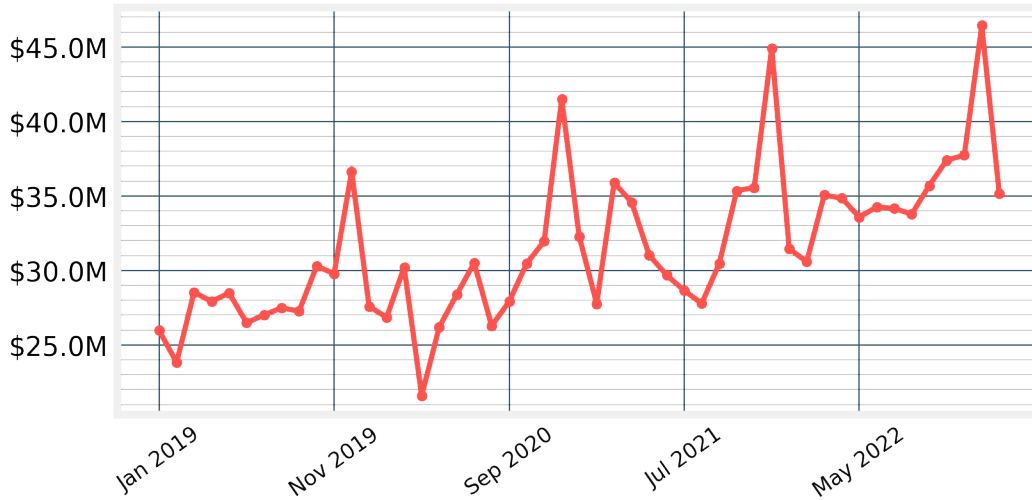
By way of a benchmark, the mean ratio of Resident Online Spend to all resident spending is 0.22. That is, for every dollar spent by resident cardholders anywhere, 22c goes online. Another 34c is in Escape Expenditure and the rest is spent locally.

Over the last few years across most of Australia, total expenditure has been relatively flat, even in fast growing municipalities. The exception to this has often been in Resident Online Spend, which continues to grow relative to Total Local Spend.



Total Local Spend

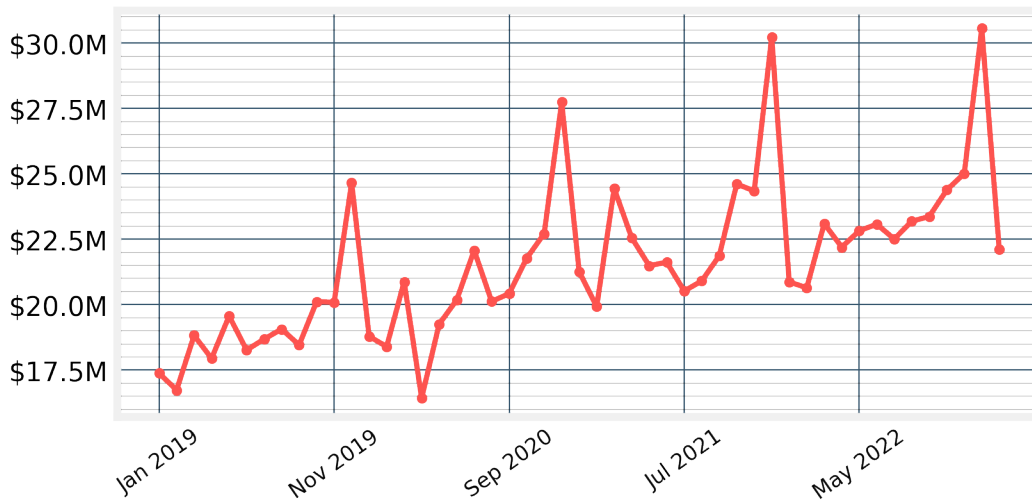
The total amount spent with merchants within the Horsham Rural City Council LGA.



Over the last 49 months, the spending trend (as shown by the trendline in the Spendmapp app) for Total Local Spend has been upwards.

Resident Local Spend

The amount spent by residents and local businesses with merchants inside the Horsham Rural City Council LGA.

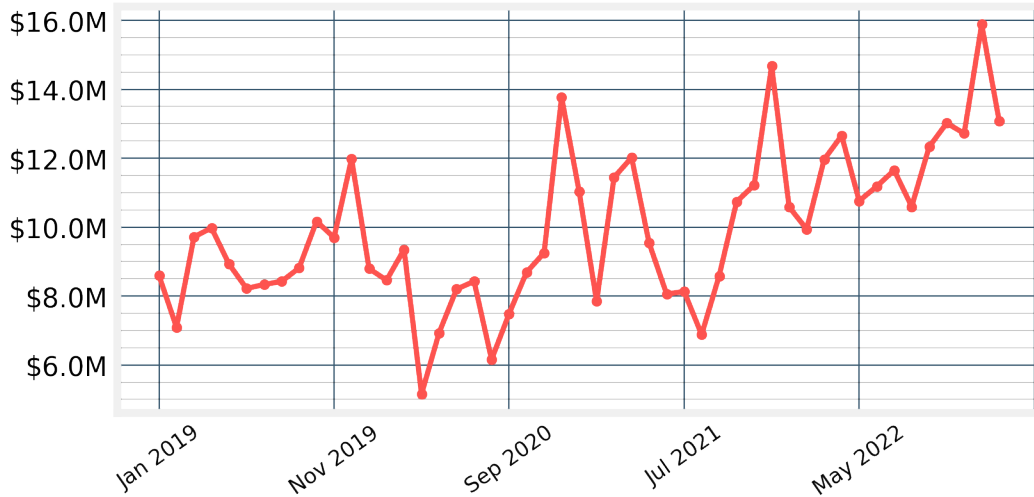


Over the last 49 months, the spending trend (as shown by the trendline in the Spendmapp app) for Resident Local Spend has been upwards.



Visitor Local Spend

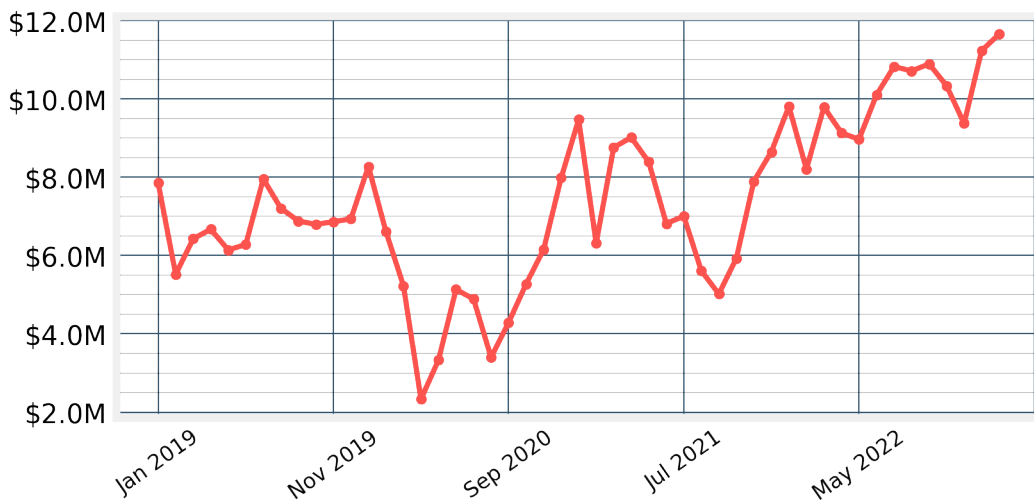
The amount spent by non-residents and non-local businesses with merchants inside the Horsham Rural City Council LGA.



Over the last 49 months, the spending trend (as shown by the trendline in the Spendmapp app) for Visitor Local Spend has been upwards.

Resident Escape Spend

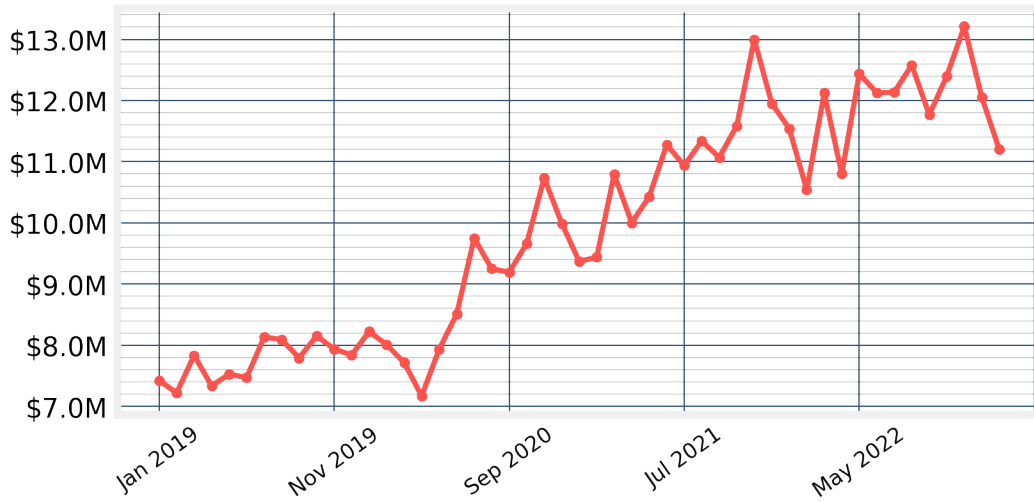
The amount spent by residents and local businesses outside the Horsham Rural City Council LGA.



Over the last 49 months, the spending trend (as shown by the trendline in the Spendmapp app) for Resident Escape Spend has been upwards.

Resident Online Spend

The amount spent by Horsham Rural City Council LGA residents and local businesses with online merchants.

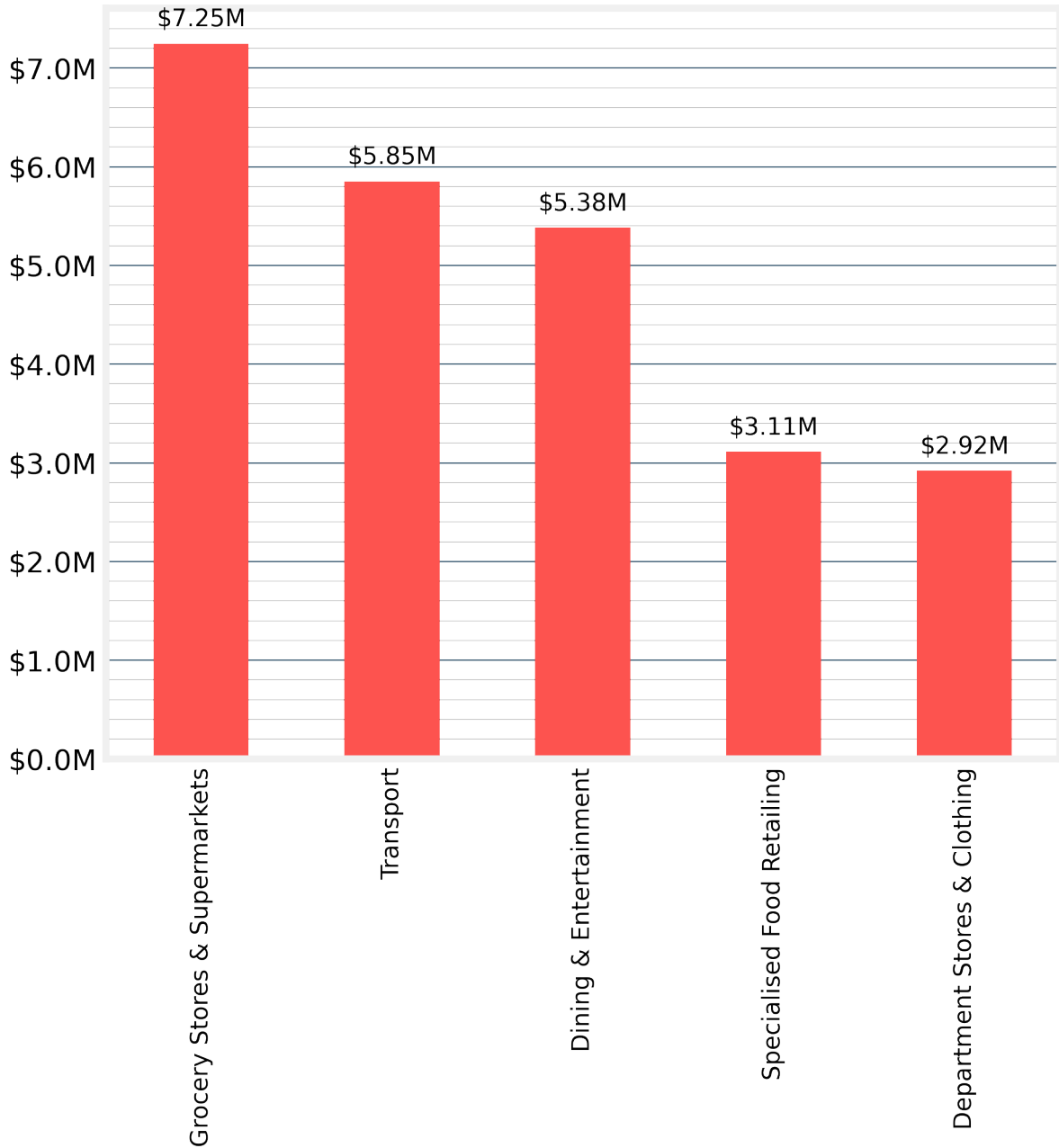


Over the last 49 months, the spending trend (as shown by the trendline in the Spendmapp app) for Resident Online Spend has been upwards.

Expenditure by Expenditure Category

The Top 5 Spending Categories for January 2023

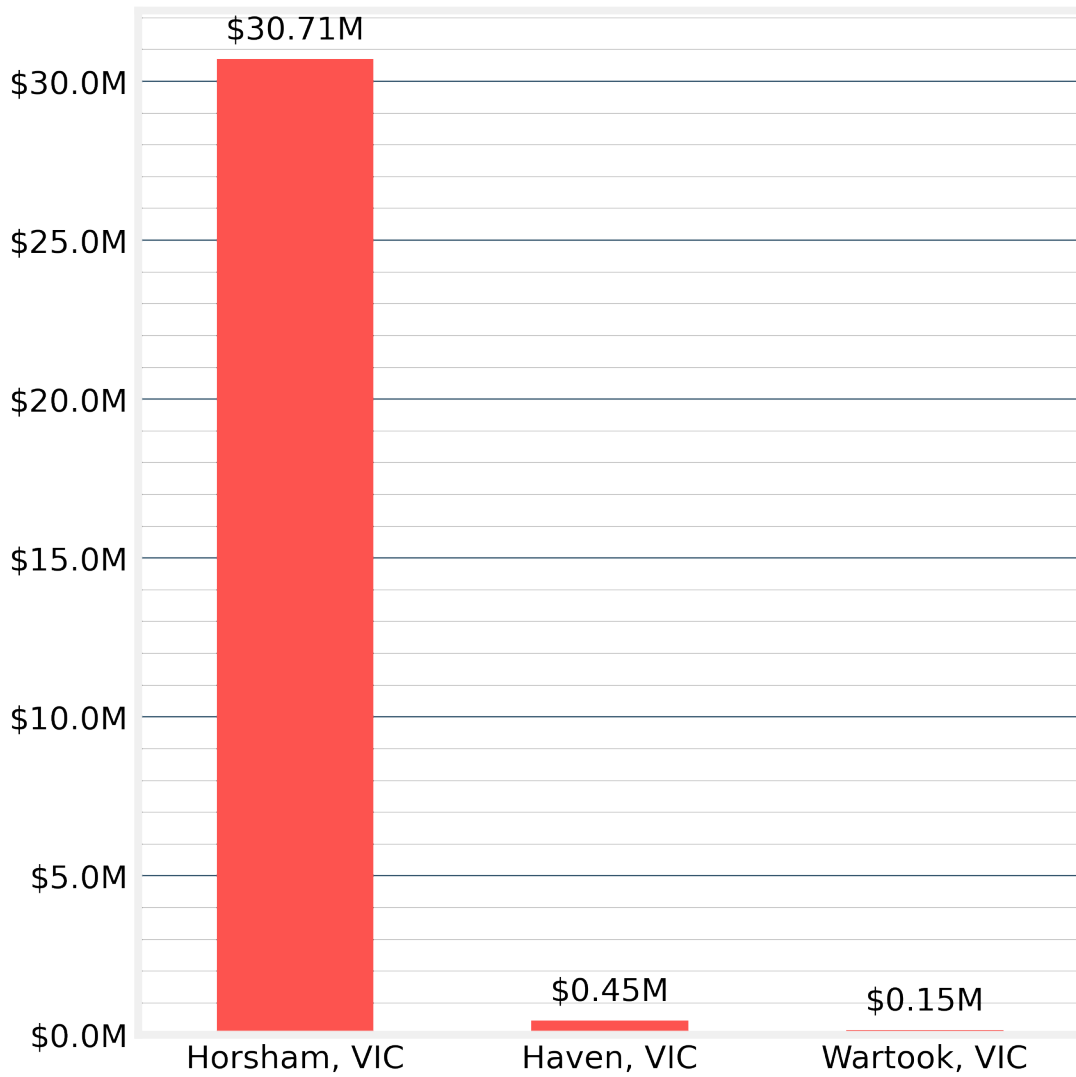
Total Local Spend split by the top 5 Expenditure Categories.



Spend by Origin and Destination

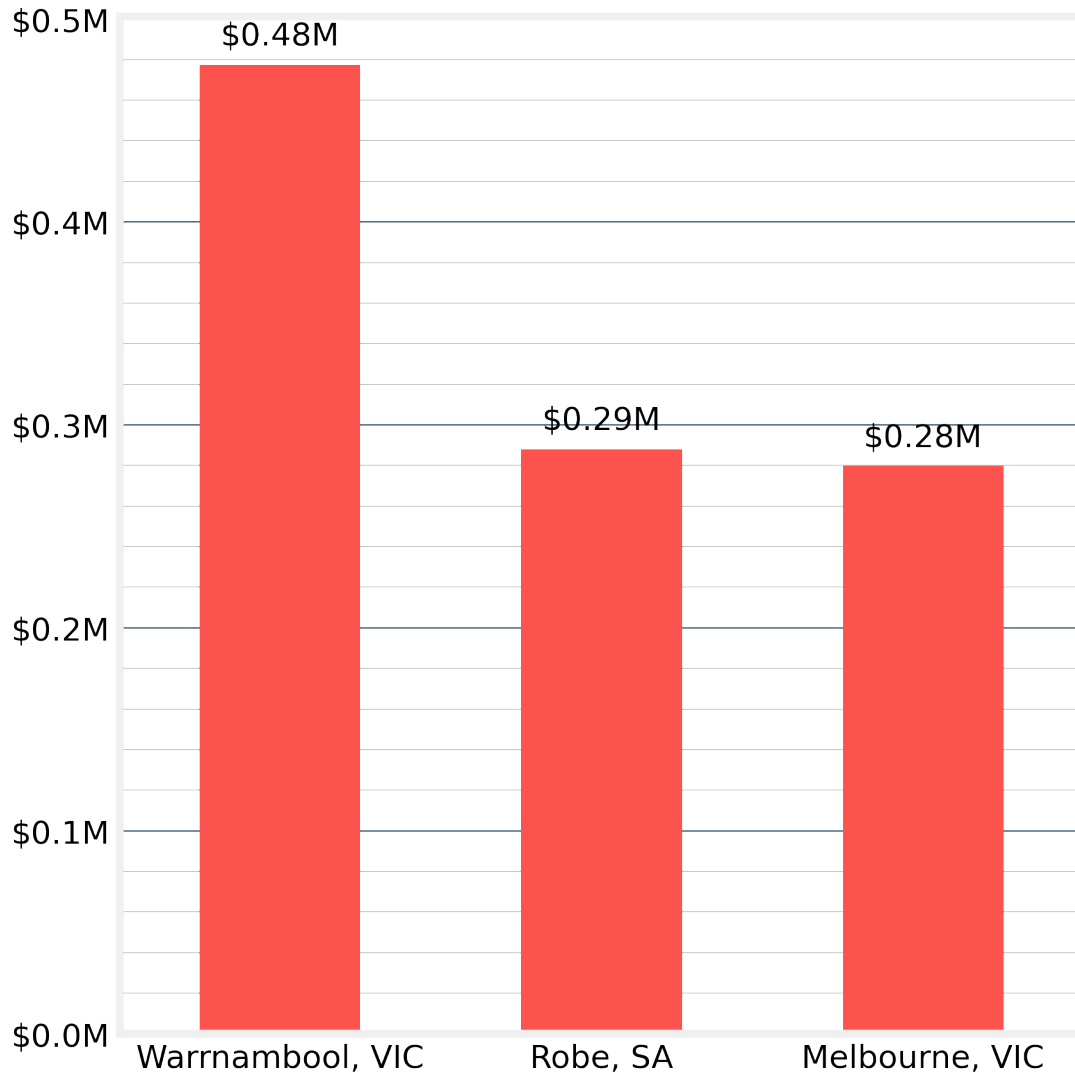
The Top 3 Suburbs by Total Local Spend for January 2023

Total Local Spend by Suburbs of destination (i.e. where the spending occurs)



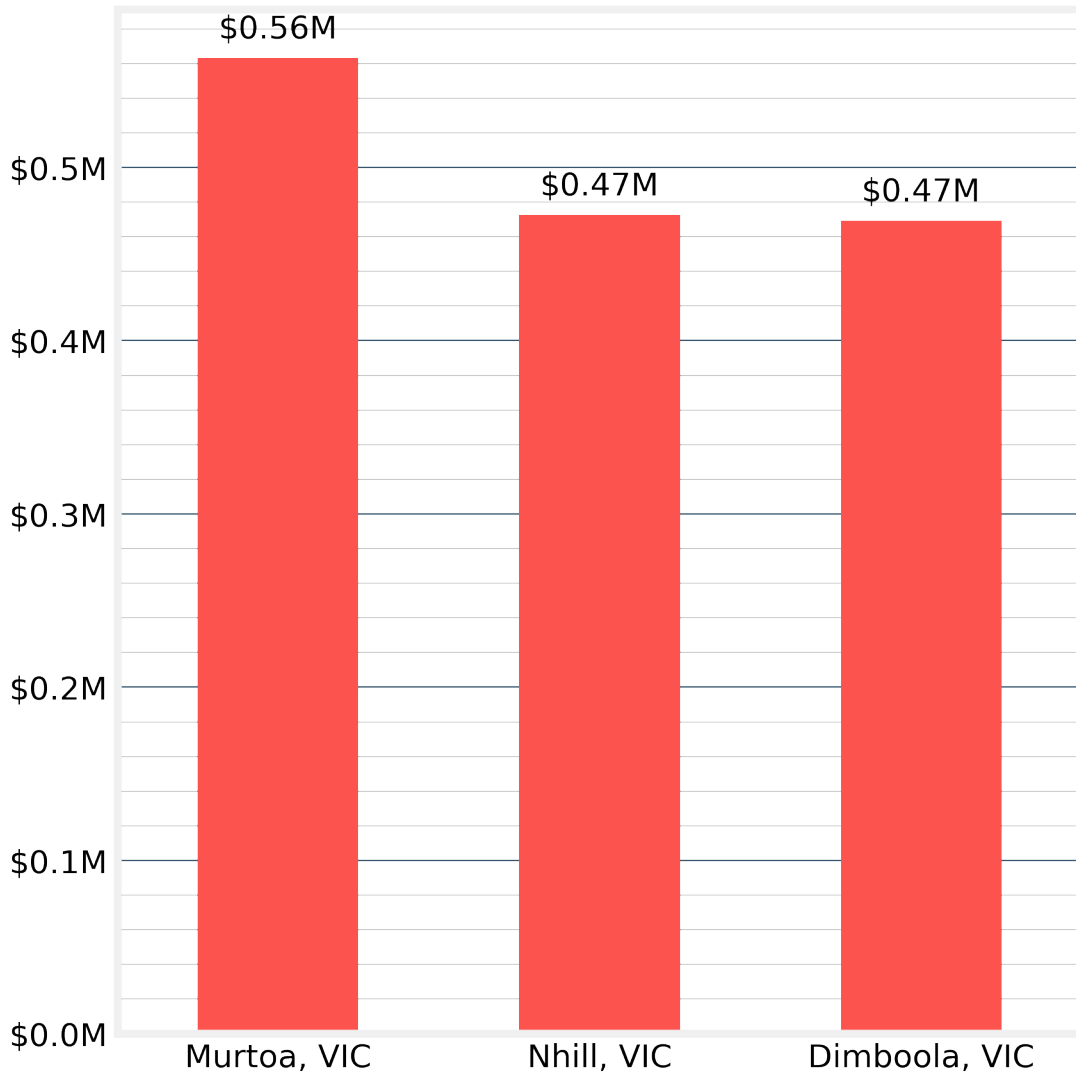
The Top 3 Suburbs by Resident Escape Spend for January 2023

Resident Escape Spend by destination Suburbs (i.e. where the spending goes to).



The Top 3 Suburbs by Visitor Local Spend for January 2023

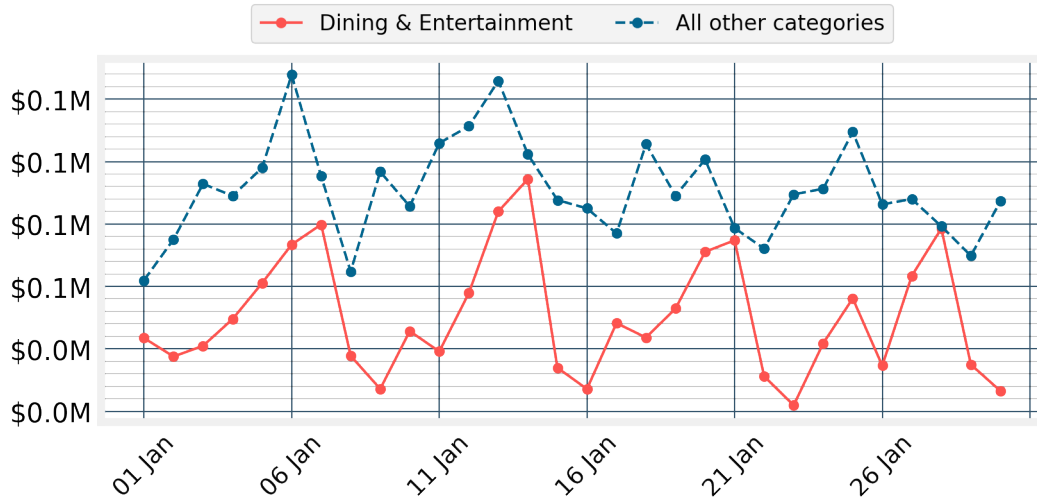
Visitor Local Spend by Suburbs of origin (i.e. where the visitors originate).



Night Time Economy

Night Time Economy for January 2023

The biggest spending night of the month of January 2023 was Friday 13 January with Total Local Spend of \$0.3M. This was made up of \$0.1M in Dining and Entertainment spending and \$0.2M spending in all other categories.





MINUTES OF INFORMAL MEETINGS OF COUNCILLORS
COUNCIL BRIEFING HELD IN THE COUNCIL CHAMBERS
ON MONDAY 6 MARCH 2023 AT 5.00PM

Attendance: Cr Robyn Gulline, Mayor; Cr D Bowe, Cr P Flynn, Cr C Haenel, Cr L Power
 Cr B Redden, Cr I Ross, Sunil Bhalla, Chief Executive Officer; Kim Hargreaves, Director
 Corporate Services; Kevin O'Brien, Director Communities and Place; John Martin,
 Director Infrastructure

Apologies: Nil

1. WELCOME AND INTRODUCTION

The Mayor welcomed everyone to the meeting.

**2. DISCLOSURE OF CONFLICT OF INTEREST SEC 130 and 131, LOCAL GOVERNMENT ACT 2020 AND
 HORSHAM RURAL CITY COUNCIL GOVERNANCE RULES**

Nil

3. PRESENTATIONS

3.1 Green Lake Users Group

5.00pm – 5.30pm

Attending: Stacey Taig, Mark Clyne, Justin Brilliant & Dave Brennan

4. COUNCIL MEETING REPORTS FOR DISCUSSION

4.1 VEC Electoral Structure Review (Kim) **Appendix 4.1**
 Discussed

5.30pm – 5.45pm

4.2 Delegations Updates (Kim) **Appendix 4.2**
 Discussed

5.45pm – 6.00pm

4.3 Johnson Asahi Development (John) **Appendix 4.3**
 Discussed

6.00pm – 6.10pm

4.4 Electronic Signature Procedure (Kim) **Appendix 4.4**
 Discussed

6.10pm – 6.25pm

5. GENERAL DISCUSSION (Sunil Bhalla)

6. CLOSE

The meeting closed at 7:40pm

MINUTES OF INFORMAL MEETINGS OF COUNCILLORS
COUNCIL BRIEFING HELD IN THE COUNCIL CHAMBERS
ON TUESDAY 14 MARCH 2023 AT 5.00PM

Attendance: Cr Robyn Gulline, Mayor; Cr D Bowe, Cr P Flynn, Cr C Haenel, Cr L Power
Cr B Redden, Cr I Ross, Sunil Bhalla, Chief Executive Officer; Kevin O'Brien, Director Communities and
Place; John Martin, Director Infrastructure; Annie Mintern (Item 3.1 only), Glenn Capuana &
Stephanie Harder (Item 4.1 only), Nicholas Carey (Item 5.1 only)

Apologies: Kim Hargreaves, Director Corporate Services

1. WELCOME AND INTRODUCTION

The Mayor welcomed everyone to the meeting.

**2. DISCLOSURE OF CONFLICT OF INTEREST SEC 130 and 131, LOCAL GOVERNMENT ACT 2020 AND HORSHAM
RURAL CITY COUNCIL GOVERNANCE RULES**

Nil

3. COUNCIL MEETING REPORTS FOR DISCUSSION

3.1 Natimuk Advisory Committee ToR (Kevin) **Appendix 3.1** **5.00pm – 5.15pm**

Attending: Annie Mintern (*virtual attendance*)

3.2 Investment Attraction & Growth Report (Kevin) **Appendix 3.2**

4. PRESENTATION

4.1 Id.Com - ABS (Census) Data Presentation **5.30pm – 6.00pm**

Attending: Glenn Capuana & Stephanie Harder (*all in person*)

5. COUNCIL MEETING REPORTS FOR DISCUSSION

5.1 Dooen Rd Service Station Planning Permit (Kevin) **Appendix 5.1**
Attending: Nicholas Carey (*in person*) **6.00pm – 6.30pm**

5.2 VCAT/Planning/Building Update (Kevin) **Appendix 5.2**

5.3 Electronic Signature Procedure (**Verbal Update by Kim**) **6.35pm – 6.45pm**

6. CONFIDENTIAL COUNCIL MEETING REPORTS

6.1 Frederick Street Reconstruction Contract (John) **Appendix 6.1** **6.45pm – 6.50pm**

6.2 North East Wonwondah Rd Reconstruction Contract (John) **Appendix 6.2** **6.50pm – 7.00pm**

7. GENERAL DISCUSSION (Sunil Bhalla)

- Status of EB Negotiations
- New Parking Meters

8. CLOSE

The meeting closed at 8:30pm

MINUTES OF INFORMAL MEETINGS OF COUNCILLORS
COUNCIL BRIEFING HELD IN THE COUNCIL CHAMBERS
ON WEDNESDAY 15 MARCH 2023 AT 5.00PM

Attendance: Cr Robyn Gulline, Mayor; Cr D Bowe, Cr P Flynn, Cr C Haenel, Cr L Power
Cr B Redden, Cr I Ross, Sunil Bhalla, Chief Executive Officer; Kevin O'Brien, Director
Communities and Place; John Martin, Director Infrastructure, Nicholas Carey, Joel
Hastings

Apologies: Kim Hargreaves, Director Corporate Services

*The purpose of this meeting is to hear from the developer and objectors in regards to PA2200390
2-4 Dooen Road Horsham, Service Station proposal.*

Dinner will be provided at conclusion of meeting.

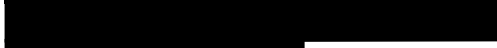
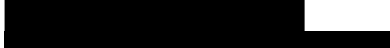
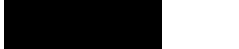



1. WELCOME AND INTRODUCTION

The Mayor welcomed everyone to the meeting.

**2. DISCLOSURE OF CONFLICT OF INTEREST SEC 130 and 131, LOCAL GOVERNMENT ACT 2020
AND HORSHAM RURAL CITY COUNCIL GOVERNANCE RULES**

Nil

3. PRESENTATIONS

	5:00pm
	5:10pm
	5:15pm
	5:20pm
	5:30pm
	5:35pm
	5:40pm
	5:45pm
	5:50pm
	5:55pm
	6:00pm
	6:05pm
	6:10pm
	6:15pm

4. CLOSE

The meeting closed at 7:25pm



MINUTES OF INFORMAL MEETINGS OF COUNCILLORS
COUNCIL BRIEFING HELD IN THE COUNCIL CHAMBERS
ON MONDAY 20 MARCH 2023 AT 5.00PM

Attendance: Cr Robyn Gulline, Mayor; Cr D Bowe, Cr P Flynn, Cr C Haenel, Cr L Power, Cr B Redden, Cr I Ross, Sunil Bhalla, Chief Executive Officer; Kim Hargreaves, Director Corporate Services; Kevin O'Brien, Director Communities and Place; John Martin, Director Infrastructure, Simon Rennie (Interim Finance Manager), Zac Gorman (Management Accountant)

1. WELCOME AND INTRODUCTION

The Mayor welcomed everyone to the meeting.

2. DISCLOSURE OF CONFLICT OF INTEREST SEC 130 and 131, LOCAL GOVERNMENT ACT 2020 AND HORSHAM RURAL CITY COUNCIL GOVERNANCE RULES

Nil

3. PRESENTATIONS

3.1 Budget Overview (PowerPoint presentation)

5:00pm – 6:00pm

Attending: Simon Rennie

4. REPORTS FOR INFORMATION ONLY

4.1 Monthly Finance Report (Kim) **Appendix 4.1**

5. GENERAL DISCUSSION (Sunil Bhalla)

- Waste Collection Services Policy
- Hamilton Street Pedestrian Bridge

6. CLOSE

The meeting closed at 7:25pm



MINUTES OF INFORMAL MEETINGS OF COUNCILLORS
COUNCILLOR TOUR
HELD ON WEDNESDAY 22 MARCH 2023

Attendance: Cr Robyn Gulline, Mayor; Cr D Bowe, Cr P Flynn, Cr C Haenel, Cr L Power, Cr B Redden, Cr I Ross, Sunil Bhalla, Chief Executive Officer; Kim Hargreaves, Director Corporate Services; Kevin O'Brien, Director Communities and Place; John Martin, Director Infrastructure; Fiona Gormann, Manager Investment Attraction and Growth; Alan Clyne (Bus Driver)

1. DISCLOSURE OF CONFLICT OF INTEREST SEC 130 and 131, LOCAL GOVERNMENT ACT 2020 AND HORSHAM RURAL CITY COUNCIL GOVERNANCE RULES

Nil

2. ITINERARY

8:30am – 8:35am	Drive to Cenotaph
8:35am – 8:55am	Walk from Cenotaph to Rowing Club – Dianna Blake (to meet at Cenotaph) C2R Riverfront - Meeting Place (5min) Water Play Park (5min) Wotonga Basin – Irrigation Works (5min)
8:55am – 9:00am	Meet bus at Rowing Club and drive to City Gardens Wetlands
9:00am – 9:15am	City Gardens Wetland (15min) - John Martin
9:15am – 9:20am	Drive to Coughlin Park
9:20am – 9:40am	Coughlin Park. Park at carpark in Robinson Street, near tennis courts. Meet the COM for an update on activities (30min)
9:40am – 9:45am	Drive to Railway Station (Railway Avenue)
9:45am – 10:00am	Railway Station/Corridor (15min) – Sue Sheridan (to meet at Railway Station)
10:00am – 10:05am	Drive to Children's Hub
10:05am – 10:25am	MORNING TEA at Children's Hub (20min) Mandy Kirsopp to meet at Children's Hub
10:25am – 10:55am	Horsham North Local Area Plan (30min) – Mandy Kirsopp <ul style="list-style-type: none"> - Local park near Perkins Court - Rasmussen Road potential rezoning site - Foundry Park - Mill Street interface with rail corridor - Industrial and Commercial Areas – Amenity impacts / Plan for transitional land uses - Wawunna Road – Heritage
10:55am – 11:00am	Drive to Wimmera Kart Racing Club
11:00am – 11:20am	Wimmera Kart Racing Club (20 min) (Meet committee and receive update of activities)
11:20am – 11:25am	Drive to WAL Hub
11:25am – 11:45am	WIFT/WAL Hub – New works in readiness for development – Fiona Gormann Johnson Asahi (20 min)
11:45am – 11:55am	Travel to Landfill

11:55am – 12:15pm	Dooen Landfill – Status of new cell and hard waste cell reinstatement and further plans (20 min) – Rehan Majeed
12:15pm – 12:25pm	Travel to Blue Ribbon Raceway
12:25pm – 12:40pm	Blue Ribbon Raceway (15min) (Meet with committee to see how things are going)
12:40pm – 12:45pm	Travel to Kalkee Recreation Reserve
12:45pm – 1:15pm	LUNCH at Kalkee Recreation Reserve (Meet with committee to see how things are going)
1:15pm – 1:20pm	Kalkee Road – RRV Widening Works (south of Kalkee Reserve) – John Martin
1:20pm – 1:40pm	Travel to Nuseed
1:40pm – 2:10pm	Nuseed Site Visit – (30 min) – (Fiona Gormann)
2:10pm – 2:25pm	Travel to Green Lake
2:25pm – 2:40pm	Green Lake Yacht Club (Council’s water allocation funding and broader issues in regard to Green Lake) (15min)
2:40pm – 2:55pm	Travel to Winfields Rd – Inspect Otta Seal (Krishna Shrestha)
3:00pm – 3:15pm	Travel to and inspect North East Wonwondah Rd – HVSP upgrade
3:15pm – 3:40pm	Travel to Telangatuk East
—————	Inspect hall – (10min)
—————	Dyers / Brennans Rd – re Rural Road Network Plan
—————	Murrays Rd – re gravel depth
4:15pm – 4:50pm	Plush Hannans Road, east of Norton Estate. Inspect Otta Seal (Krishan Shrestha)
4:50pm – 5:00pm	Travel back to Civic Centre
5:00pm	Arrive Civic Centre