

AGENDA

MEETING OF THE
HORSHAM RURAL CITY COUNCIL

To be held on
25 March 2024
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 25 March 2024
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, Jaadwa, Jadawadjali, Wergaia and Jupagulk 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 practicable.

Chairman, Cr Robyn Gulline read the following statement:

My role as Mayor is to ensure the Council meeting is conducted in accordance with the Council's Governance Rules (sub rule 69.2). Members of the public do not have a right to address Council and may only do so with the consent of the Chair or by prior arrangement (sub rule 69.1). It is important for a successful Council meeting that the members of the gallery respect the setting and do not disrupt the meeting, particularly during the debate and discussion on Council items (sub rule 69.3). If required, as Chair, I may order the removal of any person (other than a Councillor) who disrupts the meeting or fails to comply with sub rule 69.2 (rule 70).

4. APOLOGIES

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 26 February 2024 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)(a) –Council business information

15.2 CEO EMPLOYMENT AND REMUNERATION COMMITTEE REPORT: MARCH 2024
Defined as confidential information in accordance with Local Government Act 2020 - Section 3(1)(f) –Personal Information

CLOSE



SUNIL BHALLA
 Chief Executive Officer

REPORTS FOR COUNCIL DECISION

9. OFFICERS REPORTS

9.1 AGE FRIENDLY PLAN 2024 - 2027

Author's Name:	Daniel Rees	Director:	Kim Hargreaves
Author's Title:	Community Inclusion Officer	Directorate:	Corporate Services
Department:	Governance and Information Management	File Number:	F07/A09/000002

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

Age Friendly Plan 2024-2027 (**Appendix 9.1A**)

Purpose

To present the draft Age Friendly Plan 2024-2027 and make it available to community for comment.

Summary

A Draft Age Friendly Plan has been developed and is based on research and engagement with our community and Council staff. The Plan is a renewal of the Age Friendly Communities Implementation Plan adopted by Council in 2019.

Recommendation

That Council receive and note the draft Age Friendly Plan 2024-2027 and make it available to the public for a period of four weeks for comment.

REPORT

Background

Horsham Rural City has a total population of approximately 20,500 people with some 5,746 of these aged 60 or over, representing 28% of the overall population. The statistics indicate that we have an aging population.

This data indicates the importance of developing an age friendly community with resources and facilities that improve access and liveability for older people.

Discussion

Council needs an Age Friendly Plan to ensure that we develop and deliver inclusive and accessible projects, services and facilities, and continue to develop an age friendly community.

Key opportunities to improve access and liveability for people as they age include:

- Celebrate older people as valuable members of the community
- Communicate and engage with older people in a way that works for them
- Accessibility of infrastructure, particularly paths, crossings, and buildings
- A diverse range of events and activities
- Employment and volunteering opportunities.

The draft Plan was developed following a process of community engagement that occurred between August and November 2023. The Older Persons Advisory Committee provided advice to staff around relevant engagement activities with these activities then conducted by Council staff.

Community engagement included an online survey, engagement at the Expo, workshops and focus groups and reached 197 people, including:

- 12 people across two meetings with the Older Persons Advisory Committee
- 10 staff at one staff workshop
- 113 people at workshops with Horsham U3A, Horsham Probus and Upper Class
- Individual feedback from 62 people either completing the survey online or at the Expo.

Note: Some people may have participated multiple times in the engagement.

The feedback received from the engagement activities identified a range of barriers that exist in our community. This led to discussion as to how HRCC can improve liveability for Seniors through projects, systems, and initiatives that we implement.

An action plan was then developed as a result of these discussions. The Plan is intended to identify priorities for older people living in our municipality. Progressing the implementation of the plan will lead to an increasingly age friendly community.

The Age Friendly Plan includes six themes:

1. Outdoor spaces and buildings
2. Transport
3. Housing
4. Respect and social inclusion
5. Civic participation
6. Communication and information.

Options to Consider

Council can decide not to release the report for comment however the plan was informed through consultation with the public and the Older Persons Advisory Committee, so feedback would be welcomed.

Sustainability Implications

Nil

Community Engagement

The development of the plan was informed by the community engagement activity outlined above and in the Draft Age Friendly Plan.

Innovation and Continuous Improvement

The World Health Organisation provides a checklist for age friendly cities. The previous Age Friendly Communities Implementation Plan was developed based on this checklist. The survey used to inform this plan was guided by some of the sections from the WHO checklist, in particular the sections that are relevant to local government. The plan represents innovation and continuous improvement in working towards developing an age friendly community.

Collaboration

The Older Persons Advisory Committee will play a key role prioritising and providing advice on the implementation of the plan.

Financial Implications

Some actions within the plan will require funding and staff resources to implement. The specifics are yet to be determined.

Regional, State and National Plans and Policies

Not applicable

Council Plans, Strategies and Policies

2021-2025 Council Plan - Theme 1: Community: Enhance the inclusivity, accessibility and safety of our places and spaces.

Risk Implications

The Horsham Rural City Council Age Friendly Plan 2024-2027 demonstrates Council's commitment to building a community that improves the liveability and access for the Seniors in our community. It will reduce social and economic risks to the region as a result.

Conclusion

The Age Friendly Plan will ensure HRCC becomes an increasingly age-inclusive region, and will assist us to deliver projects, services and places that are inclusive of people as they age. This plan highlights the priorities that are particularly important to older people living in our community, and when implemented will support the continued development of an age friendly community.

9.2 INSTRUMENT OF DELEGATION 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

S6 Instrument of Delegation to members of Council staff (**Appendix 9.2A**)

Purpose

To approve the updated Instrument of Delegation (S6 Instrument of Delegation) Council to other Members of Council staff (S6).

Summary

- Updates have been made only to the S6 Instrument of Delegation to members of Council staff (the Instrument) to reflect several legislative and organisational changes
- This update takes into account legislative changes which were assented to or made on or before 31 December 2023.
- This update reflects the realignment to position titles and role changes to Manager positions in the Infrastructure Directorate.

Recommendation

In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Horsham Rural City Council (**Council**) **RESOLVES THAT –**

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *S6 Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer.
3. On the coming into force of the instrument all previous delegations to members of Council staff (other than the S5 Instrument of Delegation, Council to the CEO) are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

REPORT

Background

A Council is a statutory entity and as such it is only able to do 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 27 March 2023. There are no legislative or organisational changes to this instrument of delegation; it therefore remains in force.
- S6 Instrument of Delegation to members of Council staff, including the CEO, 25 September 2023. There are minor legislative and organisational changes to this instrument of delegation as outlined below.

Discussion

This update amends the S6 Instrument of Delegation administered by Council, with the changes outlined below.

1. Legislative changes to the S6 Instrument of Delegation to members of Council staff (S6)

The following change has been made to the S6:

- 1.1. Sections 125(1) and 149B of the *Planning and Environment Act 1987* have been inserted (Appendix 9.2A – refer Page 115 & Page 116)

Note: As previously advised by Maddocks Lawyers it is recommended that the Chief Executive Officer (CEO) be named as a delegate in this instrument.

- 1.2. Regulation 15(3) of the *Residential Tenancies (Caravan Parks and Movable Dwelling Registration and Standards) Regulations 2020* has been inserted (Appendix 9.2A – refer Page 147)

Note: Provision assigned to Co-ordinator Environmental Health (Coord Envir Health) and Environmental Health Officer (EHO)

2. Operational changes affecting delegations to the S6 Instrument of Delegation to members of Council staff (S6)

Realignment of position titles/roles in the Infrastructure Directorate all delegations made to the previous positions of Manager Strategic Asset Management (Mgr Strat Asst Mgt), Manager Engineering (Mgr Engr) and Manager Operations (Mgr Ops) in the *Road Management Act 2004* and *Road Management (General) Regulations 2016* have been remade and in some instances reassigned to refer to the realigned roles and position titles - Manager Assets and Engineering (Mgr A&E), Manager Waste and Environment (Mgr W&E) and Manager Roads and Facilities (Mgr R&F).

All updates are shown in the Instrument (**Appendix 9.2A**) as 'track changes'. Once the Instrument has been approved, a 'clean' version will be signed by the CEO and published to Council's website in accordance with Council's obligations under the Act and the Public Transparency Policy.

Options to Consider

Council has the option to reject the recommendations and therefore resolve not to delegate the powers, duties and functions as recommended. It should be noted this would be contrary to the advice received from Maddocks and/or the officers recommendations.

By not adopting the *S6 Instrument of Delegation to members of Council staff* all decisions in relation to the provisions contained in the attached instrument will be required to be made by resolution of Council.

Sustainability Implications

Nil

Community Engagement

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

Innovation and Continuous Improvement

Council uses the subscribed service by Maddocks Lawyers as part of our commitment to continuous improvement as a cost effective and efficient means to ensure our delegations continue to align with legislative and other regulatory changes.

Collaboration

Maddocks Lawyers delegation service and consultation with the relevant internal departments to ensure that appropriate officers are appointed to exercise the powers granted.

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. These costs have been budgeted for within the 2023-24 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 and 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 remain contemporary to ensure members of staff are appropriately empowered to undertake their roles. Updates to the S6 Instrument 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.

9.3 PA2200515 - LOT 1 1 WESTERN HIGHWAY, RIVERSIDE

Author's Name:	Joel Hastings	Director:	Kevin O'Brien
Author's Title:	Co-ordinator Statutory Planning and Building	Directorate:	Communities and Place
Department:	Communities and Place	File Number:	PA2200515

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 9.3A)

Purpose

To determine Planning Permit Application PA2200515 for the Use and development of the land for a service station and to create access to a road in a Transport Zone 2.

Summary

The planning application proposes the use and development of the land for a service station and to create access to a road in a Transport Zone 2 and was received on 14 October 2022 and subsequently amended on 5 July 2023.

A full planning assessment against the Horsham Planning Scheme considering the relevant policy, objections, and views of the referral authorities in accordance with section 60 of the Planning and Environment Act 1987 has raised issues regarding traffic safety, highway development and orderly planning and has received a number of objections from neighboring residents and the Horsham community.

The service station will provide fuel, food, conveniences, truck parking and service the high volume of vehicles using the western highway. It is well located outside the urban area, allowing for the safe and efficient movement of traffic and meets the requirements of the Horsham Planning Scheme.

Recommendation

That Council having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Grant a Permit under the provisions of the Horsham Planning Scheme in respect of the land known and described as **Lot 1 1 Western Highway, Riverside**, for the **use and development of the land for a service station and to create access to a road in a Transport Zone 2** in accordance with the endorsed plans and subject to the conditions outlined in the delegate report.

REPORT

Background

The application seeks a planning permit for the use and development of the land for a service station, construction and display of business identification signage and to create access to a road in a Transport 2 Zone. The site is located at Lot 1, 1 Western Highway Riverside Vic 3400. The subject site has an area of approximately 40,520m² and is irregular in shape with a 200.83m frontage to the Western Highway which acts as a major transport route connecting Melbourne to Adelaide. There is no existing vehicular access to the Western Highway. The land is vacant and clear of vegetation with the exception of a tree located in the north of the property.

Discussion

The proposal involves:

- A site layout which includes an entry/exit driveways from/to the Western Highway. The northern crossover is entry only while the southern crossover is exit only.
- Two bowser canopies with a total of fourteen fuel bowsers.
 - Bowser canopy A will be used by cars and has eight (8) fuel bowsers. It comprises an area of 610m² and a height of 6.2m.
 - Bowser Canopy B will be used by trucks and has six (6) fuel bowsers. It comprises an area of 184m² and a height of 6.5m.
- Construction of a single storey convenience building comprising a floor area of 509m² to be used as a convenience store along with a lounge, toilets, kitchens and seating area. The design of the building includes flat roofing with a building height of 4.55m.
- Alongside the building is a proposed 3m wide drive thru that wraps around the western/southern side of the building along with a 29m² order canopy and two waiting bays.
- Provision of seventy-six car parking spaces, incorporating two spaces for disabled persons and two waiting bays for the drive thru. Fourteen spaces, including disabled spaces, are provided alongside the frontage of the convenience building. Other spaces have been located in a dedicated parking area on the western side of the site.
- Ten truck parking spaces have been provided along the eastern side of the site.

In addition to the service station, a wastewater treatment area is proposed in the northern part of the property. Two effluent treatment mounds (10.2m wide x 61m long) will be provided and an infill dam and channel. The effluent treatment will have 10m setbacks from boundaries.

The proposed Service Station will provide essential services for the travellers and the local community using the Western Highway and allow for the safe and efficient operation of the transport system. The location outside the urban area of Horsham will avoid the amenity impacts associated with servicing large volumes of light and heavy vehicles in the city.

The proposal is consistent with policies of the Horsham Planning Scheme and a permit should be issued subject to conditions regarding road safety, lighting, wastewater management and landscaping to ensure any amenity or environmental impacts can be managed.

Refer to the Delegate Report (**Appendix 9.3A**) for assessment against the requirements of the Horsham Planning Scheme and Planning and Environment Act 1987.

Options to Consider

Option 1 – Approve the application on the grounds that it complies with the planning scheme provisions and will result in an acceptable planning. (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).

Option 2 – Resolve to Issue a Notice of Decision to Refuse a Planning Permit. (Refusing the application may result in the applicant lodging an application for review of Council’s decision with 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).

Sustainability Implications

The proposal is consistent with requirements for sustainability in the Horsham Planning Scheme and will support the safe and efficient operation of the transport system.

Community Engagement

As required under the Planning and Environment Act 1987 notice of the application was given to adjoining owners/occupiers. 15 submissions have been received and the parties have had an opportunity to discuss their concerns with Council.

Innovation and Continuous Improvement

Not applicable

Collaboration

The report has been prepared in collaboration by council officers within the Planning Department and has sought the advice of referral authorities including Infrastructure, EPA and DTP.

Financial Implications

The decision on the application is unlikely to have any direct financial implications for council.

Regional, State and National Plans and Policies

The Delegate report provides assessment against relevant plans and policies.

Council Plans, Strategies and Policies

2021-2025 Council Plan – Theme 2: Liveability and Theme 3: Sustainability

Risk Implications

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

Conclusion

Planning Permit application PA2200515 has been assessed against the relevant provisions of the Horsham Planning Scheme and Council is requested to make a decision on the application on the basis of Clause 65:

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.*

REPORTS FOR INFORMATION

9.4 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 2024 (data is from bank card transactions and may not capture all Ag Industry)
(Appendix 9.4A)

Purpose

To present the Investment Attraction and Growth Department Report for January 2024.

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 2024.

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

INVESTMENT ATTRACTION

Council Priorities	Action	Goal Measured by	Progress
2.10 (ongoing)	Undertake regular meetings between Wimmera Southern Mallee Development and Investment Attraction Department to inform and discuss economic development opportunities	10 forums held per year	Meetings held on a regular basis each month. Outcomes relate to business development opportunities that benefits the region overall. 1 meeting held in 2024.
(2 years)	Prepare and implement the recommendations from the Aerodrome Masterplan	Aerodrome Masterplan development	The draft Master Plan was presented to the Horsham Flight Hub Project Control Group at the end of January. Feedback from the PCG will be collected in March prior to Final Draft Plan being presented to Council.
3.6 (ongoing)	Widely promote the advantages of establishing solar and wind farms in the Horsham region	Website updated and investment prospectus developed	The Business Team met with OX2 Australia in January to discuss the progress of the Horsham Solar Farm. Construction scheduled to commence in August 2024.
(1-2 years)	Council support and advocate for renewable energy projects of all scales	Begin discussions with smaller townships for community scale solar	The Business Team attended a GNET briefing to discuss the 100 Neighbourhood Battery program, which is available for small community projects.

BUSINESS DEVELOPMENT AND TOURISM

Grampians Tourism News

Industry Forum

The next Grampians Tourism Industry Forum will be held on Thursday 14 March. Grampians Tourism invites interested operators and partners to register for our upcoming Industry Forum from 2:30 pm at Maydale Reserve in Horsham. Our guest speakers will include Ryan Smith (The Access Agency), Fiona Sweetman, (Victoria Tourism Industry Council), Andrea Cross, (Maydale Reserve) and Sunil Bhalla (HRCC).

Spendmapp

Please see below summary of spending for the month of January.

M = Million	January 2024	December 2023	% Change Previous Month	% Change Previous Year
Total Local Spend	\$35.00 M	\$44.66 M	21.6% decrease	0.8% decrease
Resident Local Spend	\$22.10 M	\$29.30 M	24.6% decrease	0.5% decrease
Visitor Local Spend	\$12.90 M	\$15.36 M	16.0% decrease	1.5% decrease
Resident Escape Spend	\$12.40 M	\$11.05 M	12.2% increase	6.0% increase
Resident Online Spend	\$12.30 M	\$12.32 M	0.1% decrease	5.1% increase

For the month of January, the 5.35 % increase in Resident Escape Spend which means local goods and service providers are losing market share to non-local businesses. (See appendix for detailed information).

The biggest spending night of the month of January was Friday 19th with Total Local Spend of \$0.2M. This was made up of \$0.1M in Dining and Entertainment spending and \$0.1M spending in all other categories. (See appendix for detailed information).

Visit Victoria Launches New Global Tourism Campaign



The campaign was launched on the 14th of January it aims to increase visitation and expenditure in Victoria. **Every bit different** brings Victoria – Melbourne and the regions – together under a single unifying brand. It is the first time in a decade that Visit Victoria will promote regional Victoria in interstate markets.

Up and Coming Major Events

Tennis Victoria Pat Cash Cup - February 2024

Horsham will host Tennis Victoria's Pat Cash Cup this February with the State's young tennis stars ready to hit the grass courts at the Horsham Lawn Tennis Club. The event has a large drawcard of around 200 plus players, all competing in a round robin tournament.

March Long Weekend Events

Horsham will be buzzing with the delivery of major events over the March Long Weekend.

- Horsham Fishing Competition
- Motocross MX Amateurs
- Horsham Car and Bike Show
- Riverfront Pop Up Summer Series
- Natimuk Farmers Market
- Horsham Harness Pacing Cup
- Horsham Greyhound Cup
- Women’s Outdoor Wellness Project (Natimuk)

Motorcycling Australia – Pro MX National 7 April

On the first weekend in April 2024, Horsham will host Round 2 of the 2024 Australian Motocross Championship Series (Pro MX) National. Pro MX events are the premium level of competition for the sport of Motocross in Australia. Horsham will see an influx of motorcycle enthusiasts, support teams, event staff, officials and media personnel, including TV crew. It is also anticipated the event will have a draw card of over 2,000 plus spectators.

Council Priorities	Action	Goal Measured By	Progress
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	Pop Up Summer Series riverfront included two events in January which were both well attended and great feedback has been received from both the food vendors and musicians, along with the wider community. Australia Day waterskiing on the river also attracted a large crowd and was very well received.
3.1.3 (2 years)	Develop and implement the Natimuk Social and Economic Plan and Dadswells Bridge Community Action Plan	Plan Developed & Progress report to Council	The Natimuk Project Advisory Committee have commenced implementation of the Natimuk Economic and Social Plan with plans and sites being identified for a new bus shelter and additional outdoor seating.
3.2.1 (ongoing)	Work with local business leaders throughout the municipality to develop business confidence and growth	Two business forums held annually	Regular meetings are being held with the Westvic Business Ambassador, along with a member of the business team attending their monthly executive meetings. Current discussions are around precinct planning and strategic leasing.

Officers Reports

Council Priorities	Action	Goal Measured By	Progress
(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	Four industry workshops have been hosted	The next Grampians Tourism Forum is being held in Horsham in March 2024.
(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	The monthly newsletter was sent on 24/01/24 to 1,283 contacts receiving 426 opens (40%) and 11 clicks.

Business Visitations for the Month January 2024

Month Visitation	Retail Services	Hospitality & Accommodation	Event contacts	Over all contacts for the month
January	8	6	20	34
Total	8	6	20	34

Occupied Businesses:

Street and Number of Businesses	December 2023 Businesses Occupied	January 2024 Businesses Occupied	January 2024 Businesses Vacant	January 2024 Percentage Businesses Occupied
Darlot St – 43 car wash and businesses operating from a house included	41	41	2	95%
Firebrace St - 99	89	90	9	91%
Hamilton St - 17	16	16	1	94%
Wilson St – 34	29	29	5	85%
Pynsent St – 28 Cinema included	25	24	4	86%
Roberts Ave – 27 Coles included	25	24	3	89%
McLachlan St – 24 CFA & GWM included	24	24	0	100%
Total 272 Post February 2022 there were 262 shops identified in the study area	249/272	248/272	24	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.

STRATEGIC PLANNING

Council Priorities	Action	Goal Measured By	Progress
1.3.3	Develop a subdivision design and open space local planning policy.	Policy adopted by Council and Horsham Planning Scheme amended.	Draft Landscape guidelines have been prepared by Recreation and Open Space, Infrastructure and Planning Teams.
1.3.4	Develop an open space contribution rate(s) and a new local Public Open Space Contribution Policy.	Policy adopted by Council and Horsham Planning Scheme amended.	A consultant has commenced background work required for a mandatory public open space development contribution rate for inclusion in the planning scheme.
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	Letters have been sent to landowners whose properties have been identified by the study, to advise that their property is locally significant. A report seeking that Council request The Minister to authorise Council to prepare and exhibit a formal planning scheme amendment will be considered in February 2024.
(4 years)	Prepare a Conservation Management Plan for the Horsham Cinema	Management plan endorsed by Council	The draft plan has been reviewed by Project Control Group and feedback has been provided to consultant.

STATUTORY PLANNING

Planning Applications Determined

Below are the number of Planning Permits issued for the month of January 2024 and a comparison with the same period last year.

Type	JANUARY 2024		JANUARY 2023	
	No.	*Value \$	No.	*Value \$
Miscellaneous Domestic	1	719500	1	58966
Industrial/Commercial	1	120000	2	1621075
Subdivisions	4 (9 lots)	420550	5 (12 lots)	
Other	-	-		
Total	6	1260050	8	1680041

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

Total number of planning permits issued in the Horsham Rural City Council area from 1 July 2023 to 31 January 2024 is 45 compared to 81 in the same period in 2022-2023.

Planning permits issued for subdivisions have permitted 59 new lots from 1 July 2023 to 31 January 2024 compared to 166 in the same period in 2022-2023.

Building Services

Below are the number of building permits issued for the month of **January 2024** and a comparison with the same period last year.

Permits issued by Horsham Rural City Council for this Municipality

Type	2024		2023	
	No.	Value \$	No.	Value \$
Dwellings	1	719,500	1	90,000
Alterations to Dwellings	-	-	-	-
Dwelling resittings	-	-	-	-
Misc Domestic (Carports, Garages etc)	-	-	2	21,555
Removal/Demolish	1	11,000	2	22,710
Industrial/Commercial	-	-	-	-
Signs	-	-	-	-
Total	2	730,500	5	134,265

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

Type	2024		2023	
	No.	Value \$	No.	Value \$
Dwellings	2	1,369,226	3	1,636,781
Alterations to Dwellings	2	85,085	1	70,000
Dwelling resittings	-	-	1	58,905
Misc Domestic (Carports, Garages etc)	3	32,120	6	402,327
Removal/Demolish	1	7,000	-	-
Industrial/Commercial	2	241,613	2	164,096
Signs	-	-	-	-
_Sub Total	10	1,735,044	13	2,332,109

A total of **17** Building Permits have been issued by the Horsham Rural City Council at a total value of **\$3,679,153** from **1 July 2023 to 31 January 2024** compared to **23** Building Permits at a total value of **\$2,102,701** in 2022-2023.

Private Building Surveyors have issued **115** Building Permits at a total value of **\$52,867,020** from **1 July 2023 to 31 January 2024** compared to **136** at a total value of **\$31,652,089** in 2022-2023.

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 Southern Mallee Development (WSM), 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 3: 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 and Implementation Plan 2022 onwards.

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.

9.5 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 2024.

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 2024.

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*

RCCC Board Meeting: The RCCC Board met via Teams on 29 February 2024. The discussions included the role and resourcing of the Transformation Management Office post implementation of the technology solution at the participating Councils.

Meeting with Hon Lily D'Ambrosio: The CEOs and Mayors from Horsham, West Wimmera, Buloke, Hindmarsh, Northern Grampians and Hindmarsh, and the CEO and Board Chair of Wimmera Southern Mallee Development met on 4 March 2024 with Minister Lily D'Ambrosio, Minister for Energy and Resources to discuss transmission and renewable projects proposed in the region. The main objective of the meeting was to explore opportunities for the WSM region to work with state government on regional readiness and managing impact of new developments.

Wimmera Regional CEO Meeting: The CEOs from Horsham, West Wimmera, Buloke, Hindmarsh, Northern Grampians and Hindmarsh had their monthly meeting on Thursday 14 March. The group discussed the Wimmera Renewable Energy/Mining Impact and Readiness Study.

Grampians Tourism Board Meeting: The Grampians Tourism Board met at the Civic Centre on 14 March 2024. Discussion included the impact of recent bushfires on the visitation to the region.

Grampians Tourism Industry Form: The Grampians Tourism Industry Forum was held on 14 March 2024 at the Maydale Reserve. The CEO presented to the forum on Horsham's tourism growth, and provided an update on key projects including the City to River development, local events, Horsham Flight HUB masterplan and accommodation development.

Funding Opportunities:

Horsham City Oval Playground	RDV	\$100,000
Laharum Oval Community Facility Kitchen Upgrade	RDV	\$11,363
Quantong Community Facility Upgrade	RDV	\$25,000
Natimuk Hall Internal Upgrades	RDV	\$13,682
Natimuk Hall Landscape Activation	RDV	\$50,000
Heavy Vehicle Safety Event	TAC	\$10,000
Speed Advisory Messages SAMs	TAC	\$6,400
Flood Study Implementation Support	DEECA	\$34,452

B. *Community Engagement*

Community Leadership Program: Community Leadership Program information sessions were held on 6 and 13 March 2024 at the Civic Centre. The Community Leadership Program is intended to foster community members' interest in contesting an elected position and building knowledge around the operations of Council and roles, responsibilities, and expectations of Councillors as a means to support potential candidates at the 2024 Council election.

C. Projects and Events

Wimmera Machinery Field Days: The CEO attended a WIM Resource luncheon at the Field Days on 6 March 2024.

Citizenship Ceremony: Council welcomed 6 new citizens at a Citizenship Ceremony on 19 March 2024. Countries of origin included South Africa, Thailand, India and Vietnam.

International Women's Day: The Horsham Town Hall held an International Women's Day event on Thursday 7 March, exploring the theme "Count her in: Invest in Women. Accelerate Progress. The Horsham Regional Art Gallery held a gallery tour and talk from the curator and artists of Wotjobaluk exhibition 'Don't Define Me' on Friday 8 March.

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 2024.

10. COUNCILLOR REPORTS AND ACKNOWLEDGEMENTS

Cr Robyn Gulline (Mayor)

Committee Representation	
14/03/24	MAV Regional Forum (virtual)
21/03/24	Audit and Risk Committee Meeting
Other Council Activities	
28/02/24	ABC Wimmera Radio interview (phone)
01/03/24	Triple H Radio Interview with Di Trotter (phone)
12/03/24	Chaired Wesley Fundraising Committee meeting
14/03/24	Attended the Grampians Tourism Industry Forum at Maydale Reserve
15/03/24	Attended the All Abilities Debutante/Presentation Ball
19/03/24	Met with Western Bulldogs Community Foundation representatives
19/03/24	Met with Daniel Moloney from Fed Uni
19/03/24	Welcomed 6 new Australians at Citizenship Ceremony
19/03/24	Attended the Wesley Fundraising Committee meeting
22/03/24	Attended Longerenong College Graduation
22/03/24	Received the Debs and their Partners at the Horsham College Deb Ball
24/03/24	Attended the Cultural Diversity Day at Horsham Town Hall

Cr Penny Flynn

Committee Representation	
Date	Description
21/03/24	HRCC Audit and Risk Committee – Council Chamber
Other Council Activities	
Date	Description
05/03/24	CEO Remuneration Committee – Online
07/03/24	International Women's Day Panel – Horsham Town Hall
14/03/24	Celebration: 40 Years of Anna Stewart Memorial Project – VTHC Melbourne
15/03/24	VLGA – Fast Track – Leading Under Pressure – Melbourne
19/03/24	Sexual Health in the West - March Forum – Online
22/03/24	VLGA & LGiU Global Executive Live Panel - Increasing Gender Equity in Local Government – Online

Cr David Bowe

Committee Representation	
Date	Description
14/03/24	Wimmera Southern Mallee Central Highlands Municipal Association of Victoria (MAV) Regional Meeting - online
22/04/24	Wimmera Southern Mallee Regional Transport Group Meeting - Council Chambers
Other Council Activities	
04/03/24	Council Briefing Meeting– Council Chambers
06/03/24	Wimmera Machinery Field Days – attended from 10.30am-12.30pm
06/03/24	VicHealth and The Behaviour Change Collaborative- National webinar on Gen Vape Report
12/03/24	Council Briefing Meeting– Council Chambers
14/03/24	Municipal Association of Victoria (MAV) and VicHealth presentation on Active Leadership in Active Travel - online
15/03/24	Victorian Local Governance Association (VLGA) – Fast track Leading Under Pressure apart of VLGA councillor professional development program – Melbourne Town Hall
18/03/24	Council Briefing Meeting– Council Chambers
19/03/24	Citizenship Ceremony – Council Reception
21/03/24	Victorian Local Governance Association (VLGA) & Local Government Information Unit (LGIU) Global Executive Panel - Increasing Gender Equity in Local Government - online

Cr Claudia Haenel

Committee Representation	
Date	Description
01/03/24	MAV Professional Development Reference Group Meeting
05/03/24	CEO Employment and Remuneration Committee meeting
Other Council Activities	
25/02/24	Horsham Lawn Tennis Club – Pat Cash Cup Junior State Championships
28/02/24	Coffee with Cr. Claudia
29/02/24	Friends of the Environment - zoom

Councillor Reports and Acknowledgements

04/03/24	Briefing meeting - HRCC Chambers
06/03/24	Coffee with Cr. Claudia
07/03/24	Wimmera Machinery Field Days - Longerenong Agricultural College
07/03/24	Opened Women’s Health Grampians International Women's Day Event - Horsham Town Hall
08/03/24	International Women's Day Event - The Horsham Regional Art Gallery 2024
08/03/24	Women’s Outdoor Wellness 2024 - Natimuk
12/03/24	Briefing meeting - HRCC Chambers
13/03/24	Coffee with Cr. Claudia
14/03/24	MAV Active Transport webinar
15/03/24	VLGA Leading Under Pressure – Melbourne Town Hall
18/03/24	Budget briefing meeting - HRCC Chambers
21/03/24	VLGA & LGiU Global Executive Panel- Increasing Gender Equity in Local Government
25/03/24	Council meeting - HRCC Chambers

11. URGENT BUSINESS

Nil

12. PETITIONS AND JOINT LETTERS

Nil

13. PROCEDURAL BUSINESS

13.1 INFORMAL MEETINGS OF COUNCILLORS – RECORD OF MEETINGS

- Council Briefing meeting held on 4 March 2024
- Council Briefing meeting held on 12 March 2024
- Council Briefing meeting held on 18 March 2024

Refer to **Appendix 13.1A**

13.2 SEALING OF DOCUMENTS

Nil

13.3 INWARD CORRESPONDENCE

Nil

13.4 COUNCIL COMMITTEE MINUTES

- Wimmera Intermodal Freight Terminal Advisory Committee meeting held on 29 November 2023 at 10:30am.
- Older Persons Advisory Committee meeting held on 6 March 2024 at 10:00am.
- Disability Advisory Committee meeting held on 14 March 2024 at 2:00pm.

Refer to **Appendix 13.4A**

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

AGE FRIENDLY PLAN

2024-2027



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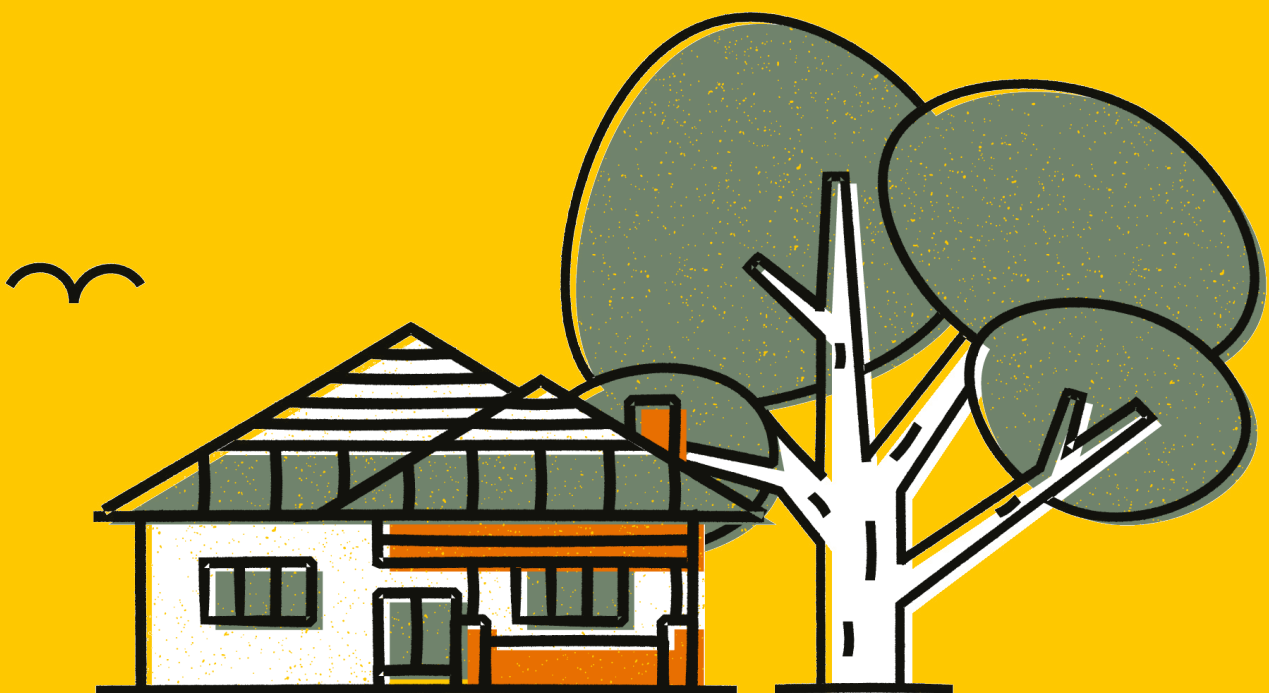
Acknowledgment of Country	1	Action Plan	7
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ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the five traditional owner groups of this land; the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia, and the Jupagulk, people. We recognise the important and ongoing place that all Indigenous people hold in our community. We pay our respects to 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.





MESSAGE FROM THE MAYOR

The Horsham Rural City Council Age Friendly Plan 2024-2027 demonstrates Council's commitment to building a community that improves the liveability and access for the Seniors in our community.

This Plan aligns with Horsham Rural City Council's vision for the community to be a vibrant, liveable hub that thrives on strong economic growth and social connectedness. We want everyone to feel valued and able to participate within the community.

A detailed action plan covering the six themes of accessible outdoor spaces and buildings, transport, housing, respect and social inclusion, civic participation and communication and information, aims to deliver tangible benefits and connectedness for our Seniors.

The Council Executive has overall responsibility for the delivery of the Plan. However, we see access and inclusion as an area all members of our community can contribute to. We appreciate the valuable input and insight of the Older Persons Advisory Committee and thank everyone who participated in the engagement and development of this plan.



Cr Robyn Gulline
Mayor
Horsham Rural City Council

EXECUTIVE SUMMARY

Introduction

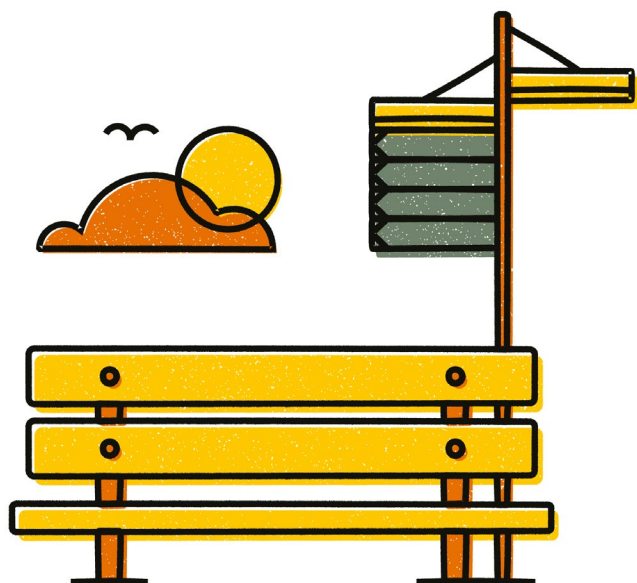
Development of the Age Friendly Plan (the Plan) took place between August 2023 and February 2024.

Horsham Council staff managed the project and developed the plan.

The Older Persons Advisory Committee provided support and advice at various stages of planning and development.

The Plan identifies:

- the priorities for older people living in Horsham Rural City
- how Council will plan and develop a municipality that is age friendly
- what Council can do to improve access, provide social opportunities and provide civic opportunities for older people
- how Council will communicate and engage with older people and promote them as integral members of our community.



Why develop a plan?

The Plan has been developed to improve livability and access for older people in our community. The goal of this plan is to highlight how Horsham Council can continue developing a community that is age friendly.

People may have changing needs and preferences for the way they access the community, and how they socially and economically participate as they age. It is important that Horsham Council understands these diverse needs of older people in our community.

The Plan will help to keep track of priorities and actions that can develop and support an age friendly community.

Context

Horsham Rural City has a total population of approximately 20,500 people. A total of 5,746 people are over the age of 60, which is 28% of the overall population.

Since 2016 there are 180 more residents between the ages of 60 and 69, there are 297 more residents between the ages of 70 and 84 and there are 43 more residents over the age of 85.

Since 2016 there have been 229 people over the age of 65 move to Horsham Rural City, and 300 people over the age of 65 move away from Horsham Rural City. This indicates a net migration loss of 71 people over the age of 65.

These statistics indicate that we have an aging population, highlighted by the 520 more residents over the age of 60, even with a net migration loss of 71 of people over the age of 65.

This data indicates the importance of developing an age friendly community with resources and facilities that improve access and livability for older people.

profile.id.com.au/horsham

PLAN DEVELOPMENT

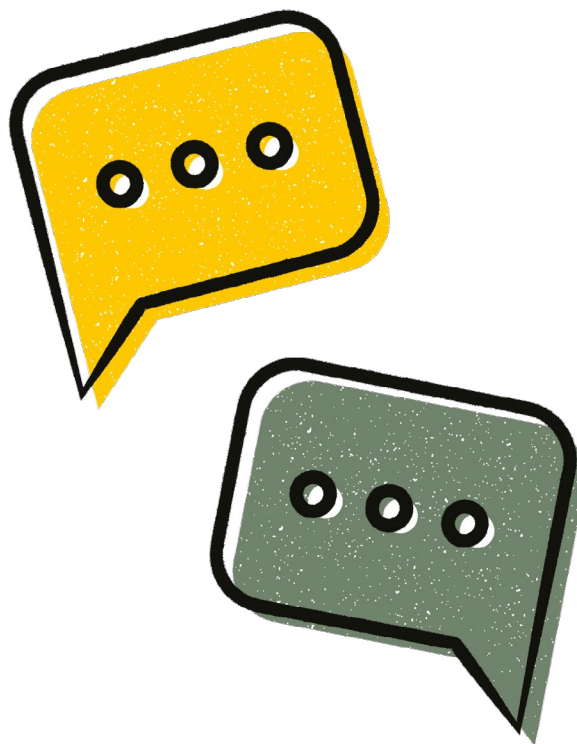
Plan development and engagement was facilitated by Horsham Rural City staff between August 2023 and February 2024.

197 people participated in engagement activities including online surveys, workshops with community groups, discussions with the Older Persons Advisory Committee (OPAC) and staff focus groups.

The OPAC provides expert advice to Horsham Council, and represent needs and priorities of all older people in the municipality.

Throughout the process of developing the Plan, the OPAC helped to identify appropriate engagement activities and community groups to engage with. The OPAC also analysed feedback from the broader community and shared their priorities for what could be included in the Plan.

To gain feedback on the draft plan that was presented to Council, a community consultation period was held after the March Council meeting.



COMMUNITY ENGAGEMENT

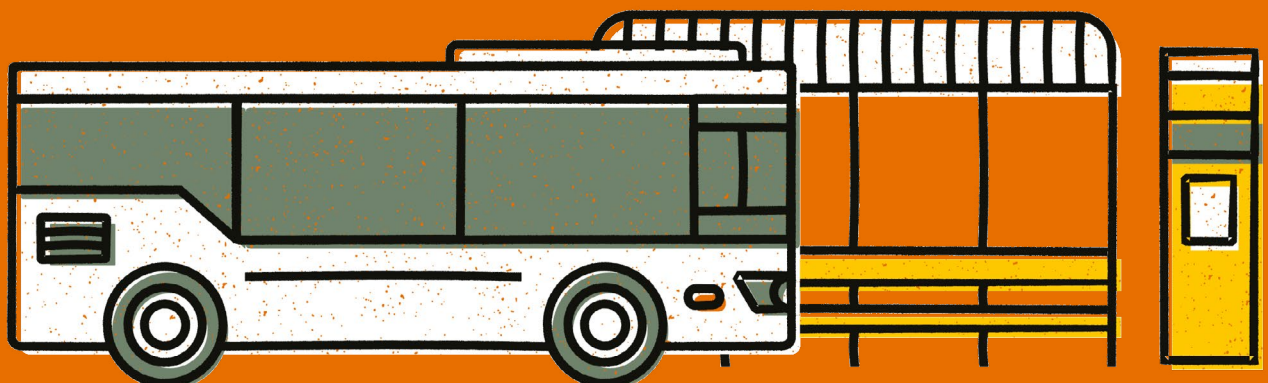
Engagement activities that informed the Plan occurred between August and November 2023.

Questions included in the engagement activities were based on the World Health Organization Age Friendly Checklist (WHO Checklist).

The aim of the engagement activities was to get feedback from community members to better understand how Horsham Rural City Council can develop an Age Friendly Community.

SUMMARY OF ACTIVITIES

Activity	Date	Participants
An online survey that community members could complete, asking agree / disagree questions and open-ended questions. Some surveys were completed in person at the Horsham Talks Expo.	21 August – 4 November, 2023	62
Horsham Probus workshop - included group discussion prompted by WHO Checklist.	26 September, 2023	52
Upper Class Horsham workshop - included group discussion prompted by WHO Checklist.	28 September, 2023	33
Horsham and District U3A workshop, included group discussion prompted by WHO Checklist.	6 October, 2023	28
Older Persons Advisory Committee (OPAC) meeting – considered engagement feedback and discussed possible priorities to be included in the Age Friendly Plan.	6 December, 2023	12
HRCC Staff Focus Group – Consideration of suggestions made by OPAC, and additional suggestions for priorities. Some individual meetings with staff that didn't attend the focus group session.	7 December, 2023	10
Total		197





VISION

Horsham Rural City is an age friendly community where older people are respected and included, and their diverse and changing needs and interests are catered for.

THEMES

- Outdoor Spaces and Buildings
- Transport
- Housing
- Respect and Social Inclusion
- Civic Participation
- Communications and Information



AGE FRIENDLY ACTION PLAN

Outdoor spaces and buildings

Priorities	Actions	Link to other strategies	Responsible
Older people can confidently and safely access outdoor spaces and buildings.	Staff involved in planning public places attend at least one training each year that enhances their capacity to understand the diverse access needs of community members.		→ People and Culture
	Provide input into the development of Landscape Design Guidelines to support planning and design of accessible outdoor spaces and buildings.	Landscape Design Guidelines will be developed and will provide standards for new developments, accessibility will be one of the considerations.	→ Arts Culture and Recreation → Assets and Engineering
	Develop new crossings and implement other strategies within the Horsham CAD Revitalisation Streetscape Plan to enhance pedestrian safety.	There are a range of improvement strategies within the Horsham CAD Revitalisation Streetscape Plan that will enhance pedestrian safety.	→ Assets and Engineering
	Improve the accessibility of Council owned facilities to ensure user groups can participate in their chosen activities.		→ Assets and Engineering
	Continue to maintain existing outdoor spaces to ensure continued opportunities for meeting, gathering and socialising.		→ Waste and Environment

<p>Older people can confidently and safely move between places, spaces and facilities.</p>	<p>Improve connecting infrastructure between places, spaces and facilities by completing the Bicycle and Shared Path Plan.</p>	<p>The Draft Horsham Bicycle and Shared Path Plan advocates for a network of priority paths for both cyclists and pedestrians which links key public infrastructure.</p>	<ul style="list-style-type: none"> → Arts Culture and Recreation → Assets and Engineering
	<p>Upgrade all accessible car parking spaces to ensure they comply with Australian Access Standards.</p>		<ul style="list-style-type: none"> → Assets and Engineering → Roads and Facilities
	<p>Continue to upgrade and develop new footpaths around the municipality, as guided by community feedback and access standards.</p>	<p>Whilst upgrades are occurring across the municipality, many of the footpath upgrades are identified in the Horsham North Local Area Plan.</p>	<ul style="list-style-type: none"> → Assets and Engineering
<p>Business owners understand the barriers people experience when visiting businesses.</p>	<p>Support four businesses to participate in the Inclusive Business Horsham Project each year.</p>		<ul style="list-style-type: none"> → Investment Attraction and Growth → Governance and Information
	<p>Continue to support businesses to understand their responsibilities around the use of displays, signs and outdoor dining.</p>		<ul style="list-style-type: none"> → Investment Attraction and Growth → Community Services and Safety

Transport

Priorities	Actions	Link to other strategies	Responsible
Improved transport options to support access to services and community life.	Advocate for the return of passenger rail.	Council has committed to advocate for the return of the passenger rail through the adoption of the Rail Corridor Landscape Plan.	→ Executive Management Team
			→ Investment Attraction and Growth
	Advocate for more regular bus service between Horsham and surrounding towns.		→ Executive Management Team
Older people can choose active transport as a safe mode of transport.	Progress the development of the alternate truck route to reduce heavy vehicles traffic in central Horsham and improve safety for other road users.	Council has committed to advocate for an alternative truck route around Horsham through the adoption of Advocacy Priorities	→ Executive Management Team
			→ Investment Attraction and Growth
	Provide suitable locations to safely park and/or charge mobility devices as part of future works to upgrade the CAD and other public spaces.		→ Arts Culture and Recreation
			→ Assets and Engineering
	Establish riding and walking pathways that are safe and provide connectivity.	Relevant actions within the Horsham Bicycle and Shared Paths Infrastructure Plan.	→ Arts Culture and Recreation
		→ Assets and Engineering	
	Complete a feasibility study on the Wimmera Discover Trail Stage Two between Horsham and Dimboola.		→ Investment Attraction and Growth
Public transport is easy and safe to use.	Ensure all public bus stops have suitable footpath connection, parking, lighting and seating.		→ Assets and Engineering
	Consider an alternate location for the V-line bus stop that includes improved parking options and a ticket office.		→ Assets and Engineering

Housing

Priorities	Actions	Link to other strategies	Responsible
Develop suitable housing options for people with changing lifestyle needs, in locations that provide easy access to services and transport.	Ensure the housing needs of Senior residents are identified in the Horsham and Natimuk Housing Diversity and Affordability Strategy.	Development of the Horsham and Natimuk Housing Diversity and Affordability Strategy will be developed in 2024.	→ Investment Attraction and Growth

Respect and Social Inclusion

Priorities	Actions	Link to other strategies	Responsible
Events and activities that encourage social participation and celebrate the contribution seniors make to our community.	Deliver the annual Seniors Festival across the municipality.		→ Governance and Information → Investment Attraction and Growth
	Support event organisers to deliver a diverse range of community events by offering the Community Events Grants Program.	The new Community Events Grants Program is beginning in 2024 and will be offered twice a year.	→ Investment Attraction and Growth → Governance and Information
The diversity of our ageing community is acknowledged and barriers to social participation are addressed.	Encourage the delivery of events and activities in locations that can be attended via public transport.	The HRCC Accessible Events Guide identifies changes that event organisers can make to improve the accessibility of their event.	→ Investment Attraction and Growth
	Deliver Council events at locations that are accessible for attendees.		→ Investment Attraction and Growth
	Promote accessible features of all Council events.		→ Investment Attraction and Growth → Governance and Information
	Encourage the diverse promotion of activities and events that accommodates for the different ways in which Seniors access information.		→ Investment Attraction and Growth → Governance and Information

<p>Planning for the specific needs people may have as they age is a focus.</p>	<p>Community emergency planning considers the needs of older people, and the capabilities of some people as they age</p>	<p>→ Community Services and Safety</p>
<p>Refer to the World Health Organisation Age Friendly Checklist to support inclusive project planning.</p>	<p>The World Health Organisation Age Friendly Checklist is an external document, but can assist with planning well for an aging community.</p>	

Civic Participation

Priorities	Actions	Link to other strategies	Responsible
<p>Volunteering opportunities that align with interests and provide adequate training for volunteering roles.</p>	<p>Introduce a 'Friends of the Library' program and promote associated volunteering opportunities.</p>		<p>→ Community Services and Safety</p>
	<p>Continue to offer existing volunteering opportunities and regularly seek feedback from volunteers to understand if programs can be enhanced.</p>		<p>→ Arts Culture and Recreation → Community Services and Safety</p>
	<p>Recognise and acknowledge the efforts of volunteers via recognition events such as National Volunteers Week.</p>		<p>→ Governance and Information</p>
	<p>Develop partnerships with external agencies such as Centre for Participation to support the further development of Council's volunteering program and volunteer training.</p>		<p>→ Arts Culture and Recreation → Community Services and Safety</p>
<p>There are diverse opportunities for community members to engage with Council.</p>	<p>Continue to deliver the annual engagement Expo / or other appropriate forms of direct engagement for people to provide feedback on Council projects.</p>		<p>→ Governance and Information</p>

	Ensure there is an ongoing staff presence at community group meetings to share information and build relationships.		→ Governance and Information
	Facilitate four community conversations each year between community members, Councillors and staff.		→ Governance and Information
	Facilitate four Older Persons Advisory Committee meetings each year.		→ Governance and Information
Seniors can participate in lifelong learning and employment opportunities.	Promote learning programs at the Horsham Neighbourhood House and Centre for Participation.		→ Governance and Information
	Continue to develop our understanding of the barriers older adults experience when seeking employment and promote the benefits of a diverse workforce.	The HRCC Workforce Plan 2021 outlines a commitment to workforce diversity and inclusive employment.	→ People and Culture

Communication and Information

Priorities	Actions	Link to other strategies	Responsible
People can access information and communicate with Council in their preferred way.	Continue to promote Council information via the public notices in the Weekly Advertiser and the weekly e-newsletter.		→ Governance and Information
	Promote the weekly e-newsletter when conducting engagement or communicating with the community to increase subscription.		→ Governance and Information
	Continue to develop our understanding of the different and preferred ways in which older people communicate and access information.	Actions within the Disability Access and Inclusion Plan highlight alternate ways of providing information.	→ Governance and Information
	Staff involved in planning events, promotion of services or communications participate in at least one professional development activity each year to enhance their understanding of how people access information in different ways.		→ Governance and Information
Seniors can easily access information about the local community that is easy to find and understand.	Ensure the Seniors webpage on the Council website remains up to date and has relevant information.		→ Governance and Information

Council Offices

Horsham

Civic Centre, 18 Roberts Avenue,
Horsham 3400

P: (03) 5382 9777

F: (03) 5382 1111

E: council@hrcc.vic.gov.au

W: www.hrcc.vic.gov.au

Monday to Friday
8.30am to 5pm

Postal Address:

PO Box 511, Horsham 3402

Depot

Selkirk Drive,
Horsham 3400

P: (03) 5382 9600

F: (03) 5382 5358

Monday to Friday
7.30am to 4.30pm

Kalkee Road Children's and Community HuB

28 Kalkee Road,
Horsham 3400

P: (03) 5382 9531



INSTRUMENT OF DELEGATION

S6 INSTRUMENT OF DELEGATION - 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
CFO	Chief Financial 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

Abbreviation	Position
HR Lead	Human Resources Lead
Mgr Com Serv	Manager Community Services & Safety
Mgr Engr	Manager Engineering & Capital Projects
Mgr Inv Attrct	Manager Investment Attraction & Growth
Mgr Ops	Manager Operations
Mgr Strat Asst Mgt	Manager Strategic Asset Management
Mgr A&E	Manager Assets & Engineering
Mgr W&E	Manager Waste & Environment
Mgr R&F	Manager Road & Facilities
MBS	Municipal Building Surveyor
N/A	Not Applicable
N/D	Not Delegated
Snr Rates	Senior Rates Officer
Snr Stat Plnr	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 25 March 2024; and

3.2 the delegation:

- 3.2.1 remains in force until varied or revoked;
- 3.2.2 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
- 3.2.3 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:

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)

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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	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	HR Lead	
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

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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
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

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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 of 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

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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
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

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 70(2)	Duty to make plans of existing place of interment available to the public	HR Lead	
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	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84(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)
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

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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
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

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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
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,	Coord Envir Health	If s 19(1) applies

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	or for any other specified purpose, or for the use of any specified equipment or a specified process		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
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

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	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
s 19CB(4)(b)	Power to request copy of records	Coord Envir Health, EHO	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19E(1)(d)	Power to request a copy of the food safety program	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
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))

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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.

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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
	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))

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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
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

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38A(4)	Power to request a copy of a completed food safety program template	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
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

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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)
s 38E(4)	Duty to register the food premises when conditions are satisfied	Coord Envir Health, EHO	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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
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	

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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
s 43	Duty to maintain records of registration	Coord Envir Health, EHO	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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 charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	Coord Envir Health, EHO	Where Council is the registration authority

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	CEO	

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 Plnr, Coord Strat PL, Coord PL Bldg	
s 4I(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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	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	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	Dir Com Plc	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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 Plnrr, Coord Strat PL, Coord PL Bldg	Until the proposed amendment is approved or lapsed
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	Dir Com Plc, Mgr Inv Attrct, Coord	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		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
s 21(2)	Duty to make submissions available in accordance with public availability requirements	Snr Stat Plnrr, Coord Strat PL, Coord PL Bldg	Until the end of 2 months after the amendment comes into operation or lapses

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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)	Snr Stat Plnr, Dir Com Plc, 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 Plnr, Coord Strat PL, Coord PL Bldg	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	Snr Stat Plnr, Coord Strat PL, Coord PL Bldg	During the inspection period

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
s 30(4)(b)	Duty to provide information in writing upon request	Dir Com Plc, Coord Strat PL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
s 40(1)	Function of lodging copy of approved amendment	Dir Com Plc, Coord Strat PL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			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
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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	Snr Stat Plnrr, Dir Com Plc, Coord PL Bldg	Where Council is a responsible public entity
s 46G1(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	
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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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
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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	Snr Stat Plnr, Dir Com Plc, 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)	Snr Stat Plnr, Dir Com Plc, 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 Plnr, 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 Plnr, Coord PL Bldg	Where Council is the collecting agency
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	Dir Infra	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	CFO	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	CFO	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	CFO	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	CFO	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	CFO	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
s 46GZ(2)(b)	Function of receiving the monetary component	CFO	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
			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)	CFO	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	Mgr Inv Attrct, CFO	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	Mgr Inv Attrct, CFO	Where Council is the development agency specified in the 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 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	CFO	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	Dir Com Plc, Mgr Inv Attrct	<p>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)</p> <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>

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(9)	Function of receiving the fee simple in the land	Dir Com Plc, 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 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
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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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
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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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 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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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 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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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
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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	CFO	
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	CFO	
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	CFO	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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 by the Council of works, services or facilities in an area under s 46Q(4)(a)	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
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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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
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	N/A	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	with it available in accordance with s 197B of the Act and on payment of the prescribe fee, after the inspection period		
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	
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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	Snr Stat Plnr, Dir Com Plc, Mgr Inv Attrct, Coord PL Bldg	
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	

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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Snr Stat Plnr, Coord PL Bldg	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	Snr Stat Plnr, Coord PL Bldg	
s 57(5)	Duty to make a copy of all objections available 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 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	Snr Stat Plnr, Coord PL Bldg	
s 57A(5)	Power to refuse to amend application	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 57A(6)	Duty to note amendments to application in register	Snr Stat Plnr, Coord PL Bldg	
s 57B(1)	Duty to determine whether and to whom notice should be given	Snr Stat Plnr, Coord PL Bldg	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	Snr Stat Plnr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	Snr Stat Plnr, Dir Com Plc, Mgr Inv Attrct, Coord PL Bldg	
s 60(1A)	Duty to consider certain matters	Snr Stat Plnr, Dir Com Plc, Mgr Inv Attrct, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	Snr Stat Plnr, Dir Com Plc, 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	Snr Stat Plnr, Dir Com Plc, Mgr Inv Attrct, Coord PL Bldg	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006 <hr/> If there are two or more objectors to a permit application, the matter must be referred to Council for determination
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	Snr Stat Plnr, Dir Com Plc, 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	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 62(2)	Power to include other conditions	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	Snr Stat Plnr, Dir Com Plc, 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	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
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	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	Snr Stat Plnrr, Dir Com Plc, 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)	Snr Stat Plnrr, Dir Com Plc, 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)	Snr Stat Plnrr, Dir Com Plc, Coord PL Bldg	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	Snr Stat Plnrr, Dir Com Plc, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	Snr Stat Plnrr, Dir Com Plc, 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	Snr Stat Plnrr, Dir Com Plc, Coord PL Bldg	This provision applies also to a decision to grant an amendment to a permit - see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	Snr Stat Plnrr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	Snr Stat Plnrr, Coord PL Bldg	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	Snr Stat Plnrr, 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 Plnrr, 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
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 Plnrr, Coord PL Bldg	If the recommending referral authority did not object to the grant of the permit or the recommending

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			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	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 69(2)	Power to extend time	Snr Stat Plnr, Dir Com Plc, 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	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 71(2)	Duty to note corrections in register	Snr Stat Plnr, Coord PL Bldg	
s 73	Power to decide to grant amendment subject to conditions	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 74	Duty to issue amended permit to applicant if no objectors	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Snr Stat Plnr, 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	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 83	Function of being respondent to an appeal	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 83B	Duty to give or publish notice of application for review	Snr Stat Plnr, 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	Snr Stat Plnr, Dir Com Plc, 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	Snr Stat Plnr, Dir Com Plc, 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	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 84AB	Power to agree to confining a review by the Tribunal	Snr Stat Plnr, Coord PL Bldg	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	Snr Stat Plnr, Dir Com Plc, 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	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 91(2)	Duty to comply with the directions of VCAT	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	Snr Stat Plnr, Dir Com Plc, 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 Plnr, Coord PL Bldg	
s 93(2)	Duty to give notice of VCAT order to stop development	Snr Stat Plnr, Dir Com Plc, 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	Snr Stat Plnr, Dir Com Plc, 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 Plnr, 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	Snr Stat Plnr, Dir Com Plc, 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 Plnr, 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 Plnr, 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	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	Snr Stat Plnr, Dir Com Plc, 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	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	Snr Stat Plnr, 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	Snr Stat Plnr, Dir Com Plc, 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	Snr Stat Plnrr, Dir Com Plc, Coord PL Bldg	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	Snr Stat Plnrr, Dir Com Plc, Coord PL Bldg	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	Snr Stat Plnrr, Dir Com Plc, Coord PL Bldg	
s 123(1)	Power to carry out work required by enforcement order and recover costs	Snr Stat Plnrr, Dir Com Plc, 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 125(1)	Power to apply to any court of competent jurisdiction or to the tribunal for an injunction restraining any person from contravening an enforcement order or an interim enforcement order.	CEO	Section 123 of the Victorian Civil and Administrative Tribunal Act 1998 applies on an application to the Tribunal.
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 148B	Power to apply to the Tribunal for a declaration.	CEO	
s 149A(1)	Power to refer a matter to the VCAT for determination	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	Snr Stat Plnr, Dir Com Plc, 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 contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	Dir Com Plc	Where Council is the relevant planning authority
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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	CEO	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority		
	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	
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	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 178A(5)	Power to propose to amend or end an agreement	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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 Plnr, Coord PL Bldg	
s 178C(4)	Function of determining how to give notice under s 178C(2)	Snr Stat Plnr, Coord PL Bldg	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Must consider matters in s 178B 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
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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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)	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	Snr Stat Plnr, Dir Com Plc, 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	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 179(2)	Duty to make copy of each agreement available in accordance with the public availability requirements	Snr Stat Plnr, Coord PL Bldg	
s 181	Duty to apply to the Registrar of Titles to record the agreement	Snr Stat Plnr, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	Snr Stat Plnr, Coord PL Bldg	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	Snr Stat Plnr, Coord PL Bldg	
s 182	Power to enforce an agreement	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	Snr Stat Plnr, Dir Com Plc, 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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
s 184G(2)	Duty to comply with a direction of the Tribunal	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 184G(3)	Duty to give notice as directed by the Tribunal	Snr Stat Plnr, Dir Com Plc, 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 Plnr, Mgr Inv Attrct, Coord Strat PL, Coord PL Bldg	
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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	
	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	Snr Stat Plnr, Dir Com Plc, 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	Snr Stat Plnr, Dir Com Plc, Coord PL Bldg	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Power to give written authorisation in accordance with a provision of a planning scheme	Snr Stat Plnr, Dir Com Plc, 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	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	Snr Stat Plnr, Dir Com Plc, 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	
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	

Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(9)(b)	Duty to advise Registrar	Mgr A&E, Coord Assets	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	Mgr A&E, Coord Assets	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
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

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

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

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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 A&E	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	Dir Infra, Mgr A&E	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
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

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

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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 A&E, Mgr R&F	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	Mgr A&E, Dir Infra, Mgr R&F	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	Dir Infra	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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 If road is a municipal road or part thereof and where road is to be specified a freight road

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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 R&F	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 A&E, Dir Infra, Mgr R&F	
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	
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 A&E	

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

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 A&E, Dir Infra, Mgr R&F	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 R&F	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	Mgr A&E, Dir Infra, Mgr R&F	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	Mgr A&E, Dir Infra, Mgr R&F	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 A&E, Dir Infra, Mgr R&F	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 A&E, Dir Infra, Mgr R&F	Where Council is the coordinating road authority
s 68(2)	Power to request information	Mgr A&E, Dir Infra, Mgr R&F	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	Mgr A&E, Bus Prtnr Risk HR, Dir Infra, Mgr R&F, Mgr W&E	
s 119(2)	Function of consulting with the Head, Transport for Victoria	Mgr A&E, Dir Infra	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
s 123(1)	Power to charge for any service	Dir Infra	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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 A&E, Dir Infra, Mgr R&F, Mgr W&E	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
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 A&E, Dir Infra, Mgr R&F, Mgr W&E	Where Council is the infrastructure manager or works manager

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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 A&E, Dir Infra, Mgr R&F, Mgr W&E	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 A&E, Dir Infra, Mgr R&F, Mgr W&E	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	Mgr A&E, Dir Infra, Mgr R&F, Mgr W&E	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	Mgr A&E, Dir Infra, Mgr R&F, Mgr W&E	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	Mgr A&E, Dir Infra, Mgr R&F, Mgr W&E	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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 A&E, Dir Infra, Mgr R&F	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	Mgr A&E, Dir Infra, Mgr R&F, Mgr W&E	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	Mgr A&E, Dir Infra, Mgr R&F, Mgr W&E	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	Mgr A&E, Dir Infra, Mgr R&F, Mgr W&E	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	Mgr A&E, Dir Infra, Mgr R&F, Mgr W&E	Where Council is the coordinating road authority, responsible authority or infrastructure manager

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 16(5)	Power to consent to proposed works	Mgr A&E, Dir Infra, Mgr R&F, Mgr W&E	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	Mgr A&E, Dir Infra, Mgr R&F, Mgr W&E	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	Mgr A&E, Dir Infra, Mgr R&F, Mgr W&E	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 A&E, Dir Infra, Mgr R&F, Mgr W&E	Where Council is the coordinating road authority
sch 7 cl18(1)	Power to enter into an agreement	Mgr A&E, Dir Infra, Mgr R&F, Mgr W&E	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 A&E, Dir Infra, Mgr R&F, Mgr W&E	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 A&E, Dir Infra, Mgr R&F, Mgr W&E	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 A&E, Dir Infra, Mgr R&F, Mgr W&E	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
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

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

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	HR Lead	

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
r 40	Power to approve a person to play sport within a public cemetery	HR Lead	

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	Snr Stat Plnrr, Dir Com Plc, 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	Snr Stat Plnrr, Dir Com Plc, 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	Snr Stat Plnrr, Dir Com Plc, 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 15(3)	Power to determine where certificate of transfer of registration is displayed	Coord Envir Health, EHO	
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	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 22(2)	Duty to consult with relevant emergency services agencies	Coord Envir Health, EHO	
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	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	Coord Envir Health, EHO	
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 A&E	
r 9(2)	Duty to produce written report of review of road management plan and make report available	Dir Infra, Mgr A&E	
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 A&E	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 A&E	
r 13(1)	Duty to publish notice of amendments to road management plan	Dir Infra, Mgr A&E	where Council is the coordinating road authority

Road Management (General) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	Dir Infra, Mgr A&E	
r 16(3)	Power to issue permit	Mgr A&E, Dir Infra, Mgr R&F	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	Mgr A&E, Dir Infra, Mgr R&F, Mgr W&E	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 A&E, Mgr R&F, Mgr W&E	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

Road Management (Works and Infrastructure) Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 22(2)	Power to waive whole or part of fee in certain circumstances	Dir Infra	Where Council is the coordinating road authority

Delegate Report

Application Details

Application is for:	Use and development of the land for a service station, sign and to create or alter access to a road in a Transport 2 Zone
Applicant's/Owner's Name:	Lorenzo Business Park C/- Human Habitats
Date Received:	14 October 2022
Application Number:	PLANNING PERMIT APPLICATION PA2200515
Planner:	Joel Hastings
Land/Address:	1 Western Highway Riverside 3401
Zoning:	FARMING ZONE (FZ)
Overlays:	No
Vic Smart Application	No
Under what clause(s) is a permit required?	35.07-1 Use of the Land for a Service Station 35.07-4 -Building and Works 52.29-2 Create or Alter access to a Transport 2 Zone
Restrictive covenants on the title?	No
Current use and development:	Agriculture
Cultural Heritage	No
Planning Scheme Amendment	No

Proposal

The application seeks a planning permit for the use and development of the land for a service station, construction and display of business identification signage and to create access to a road in a Transport 2 Zone.

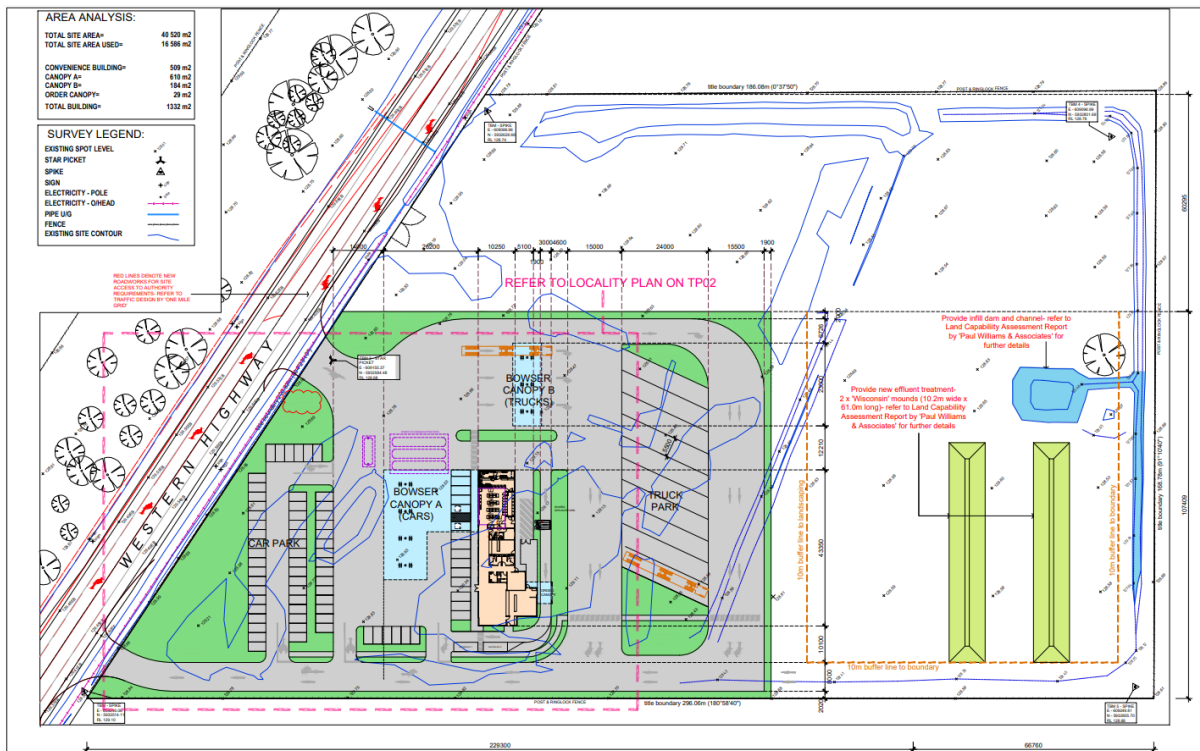
The proposal involves:

- A site layout which includes an entry/exit driveways from/to the Western Highway. The northern crossover is entry only while the southern crossover is exit only.
- Two bowser canopies with a total of fourteen fuel bowsers.
 - Bowser canopy A will be used by cars and has eight (8) fuel bowsers. It comprises an area of 610m² and a height of 6.2m.
 - Bowser Canopy B will be used by trucks and has six (6) fuel bowsers. It comprises an area of 184m² and a height of 6.5m.
- Construction of a single storey convenience building comprising a floor area of 509m² to be used as a convenience store along with a lounge, toilets, kitchens and seating area. The design of the building includes flat roofing with a building height of 4.55m.

- Alongside the building is a proposed 3m wide drive thru that wraps around the western/southern side of the building along with a 29m² order canopy and two waiting bays.
- Provision of seventy-six car parking spaces, incorporating two spaces for disabled persons and two waiting bays for the drive thru. Fourteen spaces, including disabled spaces, are provided alongside the frontage of the convenience building. Other spaces have been located in a dedicated parking area on the western side of the site.
- Ten truck parking spaces have been provided along the eastern side of the site.
- In addition to the service station, a wastewater treatment area is proposed in the northern part of the property. Two effluent treatment mounds (10.2m wide x 61m long) will be provided and an infill dam and channel. The effluent treatment will have 10m setbacks from boundaries.

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

- Waste management plan
- Land capability Assessment
- Town planning report
- Landscape concept plan
- Traffic impact assessment



Subject site & locality

The site is located at Lot 1, 1 Western Highway Riverside Vic 3400.

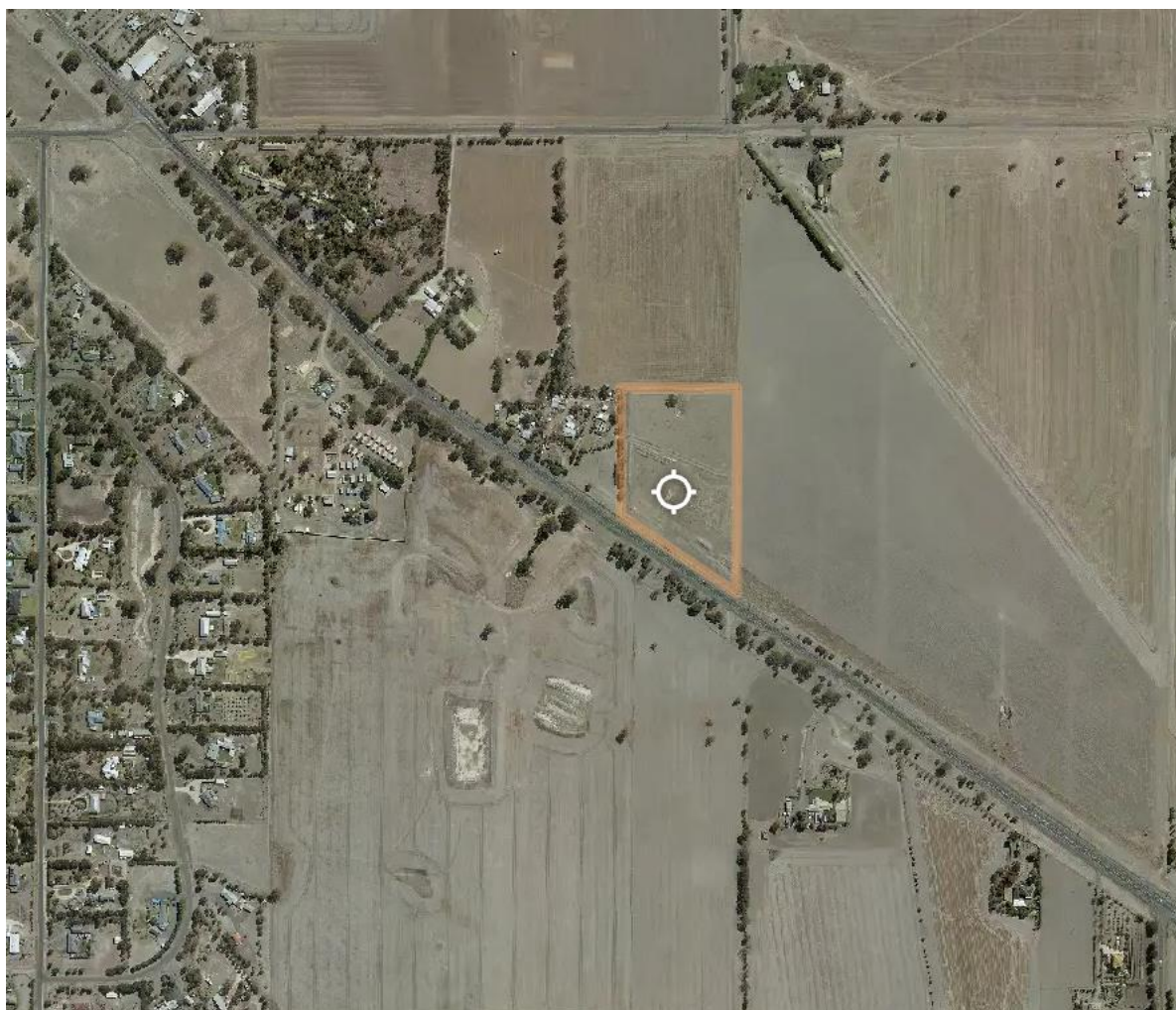
The subject site has an area of approximately 40,520m² and is irregular in shape with a 200.83m frontage to the Western Highway which acts as a major transport route connecting Melbourne to Adelaide.

There is no existing vehicular access to the western highway. The land is vacant and clear of vegetation with the exception of a tree located in the north of the property.

Surrounds

The site adjoins the Western Highway to the south and rural residential properties to the west. To the north and east is agricultural use and the surrounding land is agricultural land in the Farming Zone.

To the North-west the vehicle speed limit along the Western Highway decreases to 80km as it enters the urban area of Horsham through the Stawell Road commercial precinct. Further south is agricultural land zoned Low Density Residential.



Planning Process

The history of application:

Lodged - 14 October 2022

Request for information - An RFI request was made on 26 October 2022

Amendment of Application - 5th July 2023 to change description to Service Station, remove application for signage, provide LCA and amended plans.

Notification and Referral - 14th July 2023

Objections/Mediation – 15 Submission received, ongoing liaison and individual meetings held with objectors. No mediation meeting held due to availability.

Conditions – February 2024 DOTP conditions and length of acceleration lane modified.

Planning assessment – 12th March 2024

Public Notification

The application has been advertised pursuant to Section 52 of the Planning and Environment Act 1987, by:

- x Sending notices to the owners and occupiers of adjoining land.
- x Sign on the land.

On 14/07/2023

Following the public notification, 15 submissions were received by neighbouring property owners and Horsham residents.

Issues raised by objectors included concerns about high amounts of traffic, vehicle speeds, appropriateness of land use, and potential amenity impacts and will be discussed further in the report.

Referrals

Referrals/Notice	Referral Section	Advice/Response/Conditions
Environmental Health	Section 52 Notices	No Objection with Conditions - regarding onsite wastewater detention in accordance with LCA submitted
Department of Transport	Section 55 Referrals	No Objection with Conditions – Road Safety Audit submitted and turning and acceleration lane requirements required by condition.
Infrastructure	Others	No Objection with Conditions – standard conditions regarding drainage and access provided.

EPA	Others	No Objection – EPA acknowledge the onsite waster water detetntion site below the 5000litre per day threshold for EPA development licence.
Environmental Health	Internal	No Objection with Conditions – standard conditions regarding Septic tank installation and connection to onsite wastewater system.

Department of Transport and Planning required the following further information from the applicant:

1. A Road Safety Audit. The Audit must be undertaken by a suitably qualified road safety auditor and comply with the Austroads Road Safety Audit Guidelines. The Audit must include the following:
 - a. Day and nighttime inspection of the site.
 - b. Audit to be conducted within the limit of proposed works and in consideration of any risk assessments or restrictions developed for the proposed works.
 - c. Appropriate and specific recommendations to address any safety deficiency findings.
 - d. Findings and recommendations must be reported in the format outlined in the Austroads Guidelines.
2. A Lighting Plan demonstrating an adequate level of illumination to ensure road safety. The Lighting Plan should consider local amenity.
3. Inclusion of an acceleration lane for exiting vehicles.
4. Updated plans as necessary, to reflect any changes to the proposed development because of this request.

Once information was received, DTP responded with no objection and relevant conditions.

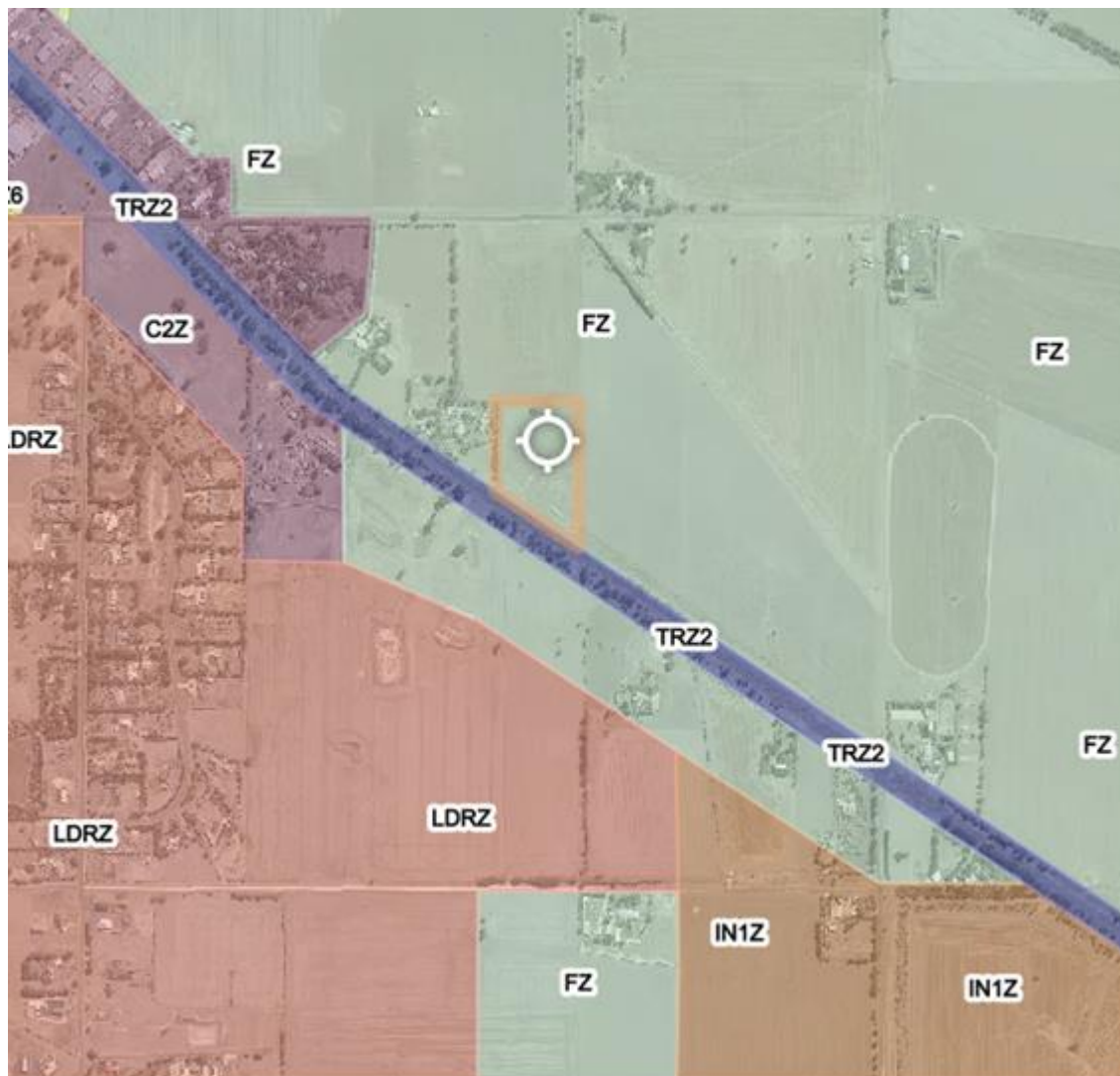
Assessment

The Permit Trigger(s)

The planning permit trigger(s) is:

- 35.07-1 Use of the Land for a Service Station
- 35.07-4 -Building and Works
- 52.06 Car Parking – permit is required to reduce the number of car parking spaces required.
- 52.29-2 Create or Alter access to a Transport 2 Zone

The applicant withdrew the proposed signage from the application, and it is noted that Amendment VC241 that now allows Electronic and Promotion Signs to be permitted for a service station in a Category 4 area (Farming Zone) and a separate planning application for signage will be made.



The Planning Policy Framework

The relevant Planning Policy includes the following:

- ***Clause 18.01: Land Use and Transport***

The provision of a service station responds to the need for a fuel and rest stop for community members and travellers entering or exiting Horsham along the Western Highway. The transport planning policy support *an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure* and provides essential services for road users.

The Western Highway carries more than 8000 vehicles each day, including 1200 trucks, making it one of the busiest rural highways in Australia and it is predicted by the Department of Transport and Planning to increase significantly by 2040. Essential services and facilities are required to encourage drivers to stop and take an effective break at appropriate intervals in the interests of driver safety and the proposed service station will achieve this.

- ***Clause 11: Settlement***

Planning seeks to anticipate and respond to the needs of existing and future communities through the provision of zoned and serviced land for a range of uses.

The policy also acknowledges the role of the Horsham Central Activity District (CAD) in providing a compact services centre and encouraging retail and restricted retail uses along Dimboola and Stawell Road.

The service station is proposed on eastern entrance to Horsham in a location with good access to Stawell Road/ Western Highway outside of the urban areas described above. It should be recognised that whilst the services offered including fuel, food, convenience and truck parking may be provided in the urban area, the traffic and amenity impacts are incompatible with existing settlement patterns.

- ***Clause 13.05-1S: Noise***

- ***Clause 13.06-1S: Air quality management***

The existing traffic volumes and associated noise is not expected to increase significantly and is not expected to significantly contribute to further loss of amenity in the area. The site is well clear of residential areas and no change in air quality is anticipated. However, the issue of brake noise has been raised by a number of objectors.

- ***Clause 13.07-1S: Land use compatibility***

The policy seeks to safeguard community amenity and ensuring commercial and industrial development is directed to appropriated locations. A service station is a use that is not identified as a use with potential adverse amenity impacts under Clause 53:10 of the planning scheme. The planning scheme does not direct the location of services stations to commercial and industrial locations,

allowing the flexibility of these services to be provided in a range of locations, particularly where they have good access to the transport network and any off-site amenity impacts can be managed.

- ***Clause 17.01: Employment***

The policy seeks to facilitate growth in employment in a range of sectors and diversify the economy. It is noted the proposed service station results in employment growth and the provision of specific highway services for some diversification. It should be acknowledged that some of these services are already provided in Horsham by range of existing services stations and food outlets and the economic impact can be subjective matter that is not best evaluated by planning policy.

Zone Assessment

Clause 35.07: Farming Zone

Purpose

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General issues

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *Any Regional Catchment Strategy and associated plan applying to the land.*
- *The capability of the land to accommodate the proposed use or development, including the disposal of effluent.*
- *How the use or development relates to sustainable land management.*
- *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.*
- *How the use and development makes use of existing infrastructure and services.*

Agricultural issues and the impacts from non-agricultural uses

- *Whether the use or development will support and enhance agricultural production.*
- *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.*
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*
- *The capacity of the site to sustain the agricultural use.*

- *The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.*
- *Any integrated land management plan prepared for the site.*
- *Whether Rural worker accommodation is necessary having regard to:*
- *The nature and scale of the agricultural use.*
- *The accessibility to residential areas and existing accommodation, and the remoteness of the location.*
- *The duration of the use of the land for Rural worker accommodation.*

Accommodation issues

- *Whether the dwelling will result in the loss or fragmentation of productive agricultural land.*
- *Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.*
- *Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.*
- *The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.*
- *The potential for accommodation to be adversely affected by noise and shadow flicker impacts if it is located within one kilometre from the nearest title boundary of land subject to:*
 - o *A permit for a wind energy facility; or*
 - o *An application for a permit for a wind energy facility; or*
 - o *An incorporated document approving a wind energy facility; or*
 - o *A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the Environment Effects Act 1978.*
- *The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.*

Environmental issues

- *The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.*
- *The impact of the use or development on the flora and fauna on the site and its surrounds.*
- *The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.*
- *The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.*

Design and siting issues

- *The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.*
- *The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.*
- *The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.*
- *The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.*
- *Whether the use and development will require traffic management measures.*

- *The need to locate and design buildings used for accommodation to avoid or reduce noise and shadow flicker impacts from the operation of a wind energy facility if it is located within one kilometre from the nearest title boundary of land subject to:*
 - o *A permit for a wind energy facility; or*
 - o *An application for a permit for a wind energy facility; or*
 - o *An incorporated document approving a wind energy facility; or*
 - o *A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the Environment Effects Act 1978.*
- *The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.*

The land is located in an agricultural area within the Farming Zone.

The site itself is not currently under agricultural use and appears to have been subject to previous non-agricultural land uses and earthworks. Whilst the proposed service station will reduce the availability of this agricultural land, there will be no major impact on the ability of surrounding agriculture to continue production.

There is a risk of the development promoting further non-agricultural development within the surrounding area, although there has already been development with scattered rural dwellings and a caravan park already existing in proximity to the site. The proposed use and development as a service station is compatible with the area as it will support the high levels of traffic that travel along the western highway.

The development is not expected to have an impact with onsite or existing flora and fauna. The site is limited in existing biodiversity due to agricultural history and lack of vegetation. Onsite effluent disposal has been proposed and relevant report has identified the land as suitable for on-site effluent disposal.

The design of the site is appropriate. The site will be highly accessible from the Western Highway but will require forms of traffic management due to the high traffic present and the expected traffic entering and exiting the site. Proposed buildings and structures contain significant setbacks that distances the adjoining dwelling to the west and the agricultural land to the north. Landscaping plans have been provided that show screening throughout the site as well as along the Western Highway interface.

Overlay Assessment

The subject site is not affected by any overlays.

Clause 52.06: Car Parking

Decision guidelines

Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

- *The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.*
- *The ease and safety with which vehicles access and circulate within the parking area.*
- *The provision for pedestrian movement within and around the parking area.*
- *The provision of parking facilities for cyclists and disabled people.*
- *The protection and enhancement of the streetscape.*
- *The provisions of landscaping for screening and shade.*
- *The measures proposed to enhance the security of people using the parking area particularly at night.*
- *The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.*
- *The workability and allocation of spaces of any mechanical parking arrangement.*
- *The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.*
- *The type and size of vehicle likely to use the parking area.*
- *Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.*
- *The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.*
- *Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).*
- *The relevant standards of Clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.*
- *Any other matter specified in a schedule to the Parking Overlay.*

There is a significant amount of car parking proposed for the development. Clause 52.06 does not specify number car parking requirements for a service station. The application has been accompanied by a Traffic Impact Assessment that demonstrates there is 76 spaces and 16 spaces at the bowlers with a total of 92 spaces which is considered adequate.

The layout and design allow for vehicles to navigate within the parking area with paved paths and pedestrian crossings provided throughout the site to allow for the safe movement of people and vehicles.

Landscaping is being utilised to screen the proposed car parking from the western highway to protect visual amenity. This will also provide shade for the car parks. The car parking and building area are reserved for small to moderate sized vehicles, while large vehicles such as trucks are expected to utilise the dedicated truck bowlers and parking.

Clause 52.29: Land Adjacent to the Principal Road Network

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider:

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The views of the relevant road authority.*
- *The effect of the proposal on the operation of the road and on public safety.*
- *Any policy made by the relevant road authority pursuant to schedule 2, clause 3 of the Road Management Act 2004 regarding access between a controlled access road and adjacent land.*

The proposed development was referred to DTP who responded requesting further information. Once received, they provided no objection with conditions to the proposal. The conditions require amended plans and construction requirements with left and right turn treatments, exiting acceleration lane, line markings, and illumination of entry/exit points. With these conditions in place, the proposed development will provide a safer environment for travellers along the western highway and for those using the site.

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:

Decision Guideline	Response
<i>The matters set out in section 60 of the Act.</i>	Considered in this report
<i>Any significant effects the environment, including the contamination of land, may have on the use or development.</i>	The site history is unknown; however, the proposed use is not a sensitive use and earthworks will need to comply standard EPA requirements.
<i>The Municipal Planning Strategy and the Planning Policy Framework.</i>	The proposal adheres to the municipal planning strategy and the planning policy framework supporting a safe and efficient transport system and employment.
<i>The purpose of the zone, overlay or other provision.</i>	The purpose of the FZ and relevant provisions has been discussed in this report, a service station is a permissible use.
<i>Any matter required to be considered in the zone, overlay or other provision.</i>	The required matters of the FZ and relevant provisions have been discussed in this report
<i>The orderly planning of the area.</i>	The planning is considered orderly planning and will provide for highway service centre outside the urban area of Horsham avoiding the amenity and traffic impacts associated with such facilities

<i>The effect on the environment, human health and amenity of the area.</i>	The proposal will have some impact on environment, human health and amenity as has been discussed in this report
<i>The proximity of the land to any public land.</i>	The land is not in close proximity to public land
<i>Factors likely to cause or contribute to land degradation, salinity or reduce water quality.</i>	The development may require land degradation
<i>Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.</i>	Stormwater is to be managed and maintained on site
<i>The extent and character of native vegetation and the likelihood of its destruction.</i>	No native vegetation is to be removed
<i>Whether native vegetation is to be or can be protected, planted or allowed to regenerate.</i>	No native vegetation is to be removed
<i>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.</i>	There is some degree of fire hazard due to the nature of the development
<i>The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.</i>	The loading and unloading on site is expected to have an impact on traffic and amenity. Conditions are to be placed on permit in relation to traffic.
<i>The impact the use or development will have on the current and future development and operation of the transport system.</i>	The service station is expected to somewhat alter traffic flow along Western Highway and the DTP have provided conditions to manage this.

Key Issues

Objections

Up to the point of preparing this report 15 objections have been received in relation to the proposal. The objection raises a number of matters which can be categorised into the following themes:

- Road Safety
- 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.

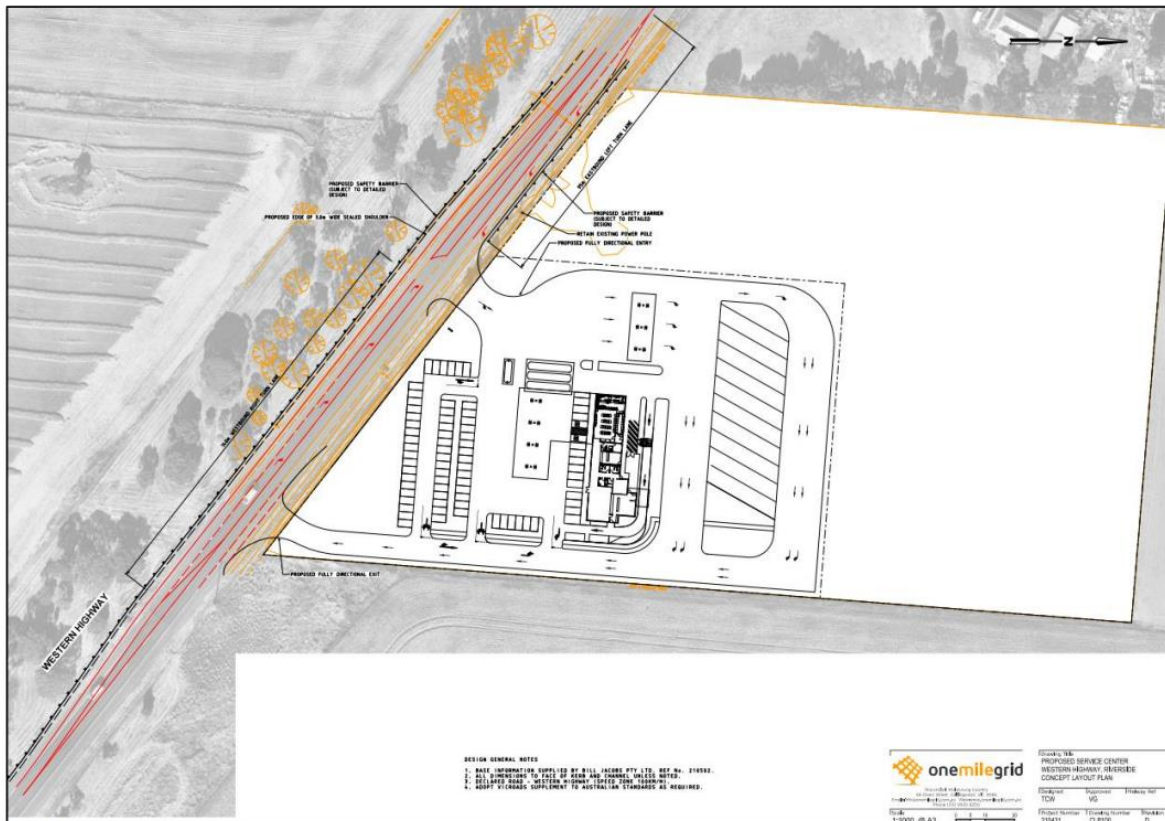
Road Safety

A number of objectors have raised issue of access to property and the danger associated with entering and exiting their properties from the Western Hwy.

It is recognised there are a number of properties that have direct access on to the highway in the 100km zone that would make turning difficult given 8000 vehicles daily that travel this road.



The applicant has provided a Traffic Impact Assessment and Road Safety Audit that acknowledges the existing traffic volumes and provides the crash history in the vicinity of the site and proposed left and right turning land to meet the DTP and relevant road safety standards.



Site Layout

Further to the above, DTP have provided conditions requiring an acceleration lane and noted the of any turning lanes will need to take into account the location of the driveway, i.e. we would not give consent for any design that prevents or restricts access to the objector’s property.

It is noted that the road works are unlikely to interfere with current access to properties along this section of the road and the existing issues may not be resolved. Other options for the landowners are to request a speed reduction to 80km/hr to DTP which would be considered on its merits.

Amenity

It is inevitable a change of land use will have amenity impacts, particularly where it is in close proximity to sensitive land uses.

Objectors have raised concerns about a range of amenity issues associated with the use as a service station including noise, traffic movements and light emissions.

Noise from a commercial use where it adjoins a residential use of land is a valid consideration, however it is important to recognise the current background noise as the applicant’s proposal will not increase the traffic volumes along the Western Hwy. Given the buffer to the five existing dwellings of between 150 to 900m, the additional noise from the service station is considered minimal.

The issue of noise associated with truck braking has also been raised and it should be noted that the current reduction to 80km zone is located just 50m west and this type of traffic noise could be considered as part of the existing conditions along the Western Highway.

Light Emissions

Objections have been raised regarding light overspill and its amenity impacts on surrounding properties including vehicle movements to and from the site.

It is considered that adequate baffling of lighting can occur, and the applicant has submitted a lighting plan to this effect in addition to proposed landscaping that will adequately address any light overspill.

With regard to traffic movements and lighting, the only property affected would be 9073 Western Highway, which is 340m from the proposed entrances and has the benefit of a well treed road reserve along the frontage of the property.

Conclusion

The proposed Service Station will provide essential services for the travellers and the local community using the Western Hwy and allow for the safe and efficient operation of the transport system. The location outside the urban area of Horsham will avoid the amenity impacts associated with servicing large volumes of light and heavy vehicles in the city.

The proposal is consistent with policies of the Horsham Planning Scheme and a permit should be issued subject to conditions regarding road safety, lighting, wastewater management and landscaping to ensure any amenity or environmental impacts can be managed.

Recommendation

Planning Permit

That Council having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Grant a Permit under the provisions of the Horsham Planning Scheme in respect of the land known and described as **Lot 1 1 Western Highway Riverside Vic 3401** for the **Use and development of the land for a service station, sign and to create or alter access to a road in a Transport 2 Zone** in accordance with the endorsed plans, subject to the following conditions:

1. **Before the development starts, plans must be approved and endorsed by the Responsible Authority. The plans must:**
 - a. **be prepared to the satisfaction of the Responsible Authority**
 - b. **be drawn to scale with dimensions**
 - c. **submitted in electronic form**
 - d. **be generally in accordance with the plans forming part of the application, but amended to show the following details:**
 - i. **Drainage plan in accordance with Condition 15.**

Layout not altered

2. **The layout of the use and development must not be altered on the approved and endorsed plans without the written consent of the Responsible Authority.**

Amenity

3. **During construction of the development approved by this permit, the permit holder must undertake necessary measures to ensure the amenity of the surrounding area is not adversely affected, to the satisfaction of the Responsible Authority.**
4. **The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:**
 - a. **processes carried out on the land**
 - b. **transport of materials, goods or commodities to or from the land**
 - c. **appearance of any building, works or materials**
 - d. **emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil**
 - e. **presence of vermin**

to the satisfaction of the Responsible Authority.

Control of light spill

5. **Lighting must be carried out in accordance with the requirements of the approved and endorsed lighting plan to the satisfaction of the Responsible Authority.**
6. **All external lighting must be designed, baffled and located so as to prevent adverse effect on adjoining land, to the satisfaction of the Responsible Authority.**

7. **Low reflectivity glass is to be used for the glazing of the service station building to minimise glare to the satisfaction of the Responsible Authority.**

Landscaping

8. **Before the use starts, the landscaping works shown on the endorsed landscaping plans must be carried out to the satisfaction of the Responsible Authority.**
9. **The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority. Any dead, diseased or damaged trees must be replaced with same species to the satisfaction of the Responsible Authority.**

Waste Disposal

10. **Waste management and collection must be carried out in accordance with the requirements of the approved and endorsed waste management plan to the satisfaction of the Responsible Authority.**
11. **All waste and recyclables must be stored in and collected from an area set aside for this purpose. This area must be graded, drained and screened from public view to the satisfaction of the Responsible Authority.**
12. **All waste material not required for further on-site processing must be regularly removed from the site to the satisfaction of the Responsible Authority. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust or odour is created, to the satisfaction of the Responsible Authority.**

Loading and unloading

13. **The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bay(s) and must not disrupt the circulation and parking of vehicles on the land, to the satisfaction of the Responsible Authority.**

Disturbed surfaces

14. **Before the use starts, all disturbed surfaces on the land resulting from the works must be revegetated and stabilised to the satisfaction of the Responsible Authority.**

INFRASTRUCTURE DEPARTMENT CONDITIONS

Discharge

- 15. Before the use starts, the discharge from the site shall be retarded on site, then discharged to the table drain at the edge of the property to the satisfaction of the Responsible Authority.**

Drainage Plan

- 16. Before the development starts, a stormwater management plan must be submitted to and approved and endorsed by the Responsible Authority. The stormwater management plan must:**
 - a. be prepared to the satisfaction of the Responsible Authority**
 - b. be submitted in electronic form**
 - c. include details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system**
 - d. set out how the stormwater management system will be managed on an ongoing basis**
 - e. demonstrate how all relevant standards set out in the planning scheme relating to stormwater management will meet the objectives in the planning scheme, including modelling and calculations**
 - f. be generally in accordance with the plan forming part of the application, but amended to show the following details:**
 - i. All necessary computations and supporting design documentation for drainage infrastructure**
 - ii. How the land will be drained**
 - iii. Flow paths of a 1% AEP storm need to be determined and the development designed such that no private property is inundated by this storm.**
 - iv. How stormwater is to be captured and retained on site**
 - v. Measures to enhance stormwater discharge quality from the site and protect downstream waterways. All light hydrocarbon storage or potential spillage areas must be bunded or independently drained via an impermeable surface, ensuring no effluent or polluted water of any type enters the storm water system in accordance with EPA standards**

- vi. **Stormwater from paved areas must be intercepted and drained through the site drainage network.**
- vii. **A maximum discharge rate from the site must be equivalent to predevelopment rate of discharged or capacity of downstream system**
- viii. **An oil and silt interceptor trap shall be installed to receive all drainage from paved areas on the site to the satisfaction of the Responsible Authority.**

Drainage works completed

- 17. **Before the use starts, all drainage works required by the approved drainage plan must be completed to the satisfaction of the Responsible Authority.**

Car park construction

- 18. **Before the use starts, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must:**
 - a. **be constructed**
 - b. **be properly formed to such levels that they can be used in accordance with the plans**
 - c. **be surfaced with concrete**
 - d. **be drained and maintained**
 - e. **be line marked and/or signed to indicate each car space, all access/egress routes and driveways.**
 - f. **include measures to manage traffic and pedestrian flows to and from car parking areas**
 - g. **include detail of all loading/unloading and filling areas or 'potential spillage areas'.**

to the satisfaction of the Responsible Authority.

At all times car spaces, access lanes and driveways must be kept available for these purposes, to the satisfaction of the Responsible Authority.

Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority.

Vehicle manoeuvring

- 19. **All car parking spaces must be designed to allow all vehicles to drive forwards when entering and leaving the property.**

Parking signs

20. **Before the use starts, signs must be provided directing drivers to the area(s) set aside for car parking to the satisfaction of the Responsible Authority. The area of each sign must not exceed 0.3 square metres. At all times, the sign/signs must be located and maintained to the satisfaction of the Responsible Authority.**

Controlled access points

21. **Access to the site shall only be at the nominated crossings shown on the endorsed plan. The crossings and road pavement works are to be constructed to the satisfaction of the Head, Transport for Victoria and the Responsible Authority.**

Lighting of Car Park Area

22. **Accessway and car parking lighting shall be provided to the satisfaction of the Responsible Authority in accordance with AS/NZS 1158.**

Sediment discharges

23. **The applicant/owner must restrict sediment discharges from any construction sites within the property in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991).**

HEALTH DEPARTMENT CONDITIONS

24. **All sanitary facilities must be connected to an onsite wastewater management system in accordance with the EPA Publication 891.4 Code of Practise – Onsite Wastewater Management 2016, Australian and New Zealand Standards 1546.1, 1546.2, 1546.3 (2008), 1546.3(2017) & 1547.4 and to the satisfaction of the Responsible Authority.**
25. **The installation of the Onsite Wastewater Management System must be in accordance with the EPA Publication 891.4 Code of Practise & Onsite Wastewater Management 2016, Australian and New Zealand Standards 1546.1, 1546.2, 1546.3 (2008), 1546.3(2017) & 1547.4 and to the satisfaction of the Responsible Authority. A Septic Tank Permit to Install must be obtained from Horsham Rural City Council prior to any works commencing.**

DEPARTMENT OF TRANSPORT AND PLANNING CONDITIONS

26. Prior to commencement of the buildings and/or works, amended plans must be submitted to and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plans must be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans date stamped 17 November 2023 but modified to show:
- a. An auxiliary left (AUL) turn treatment for entry to the western access, of no less than 95 metres in length.
 - b. A channelised right (CHR) turn treatment for entry to the western access, of no less than 185 metres in length.
 - c. An acceleration lane on Western Highway upon exit from the eastern access, to facilitate acceleration of a passenger vehicle to no less than 20 km/h below the posted speed limit.
 - d. Signs and line markings indicating that the western access is entry only, and that the eastern access is exit only.
27. Prior to commencement of the buildings and/or works, the following roadworks on Western Highway must be completed at no cost to and to the satisfaction of the Head, Transport for Victoria:
- a. An auxiliary left (AUL) turn treatment for entry to the western access, of no less than 95 metres in length.
 - b. A channelised right (CHR) turn treatment for entry to the western access, of no less than 185 metres in length.
 - c. An acceleration lane on Western Highway upon exit from the eastern access, to facilitate acceleration of a passenger vehicle to no less than 20 km/h below the posted speed limit.
28. Prior to commencement of the buildings and/or works, a Functional Layout Plan must be submitted to and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plans must be endorsed by the responsible authority and will then form part of the permit. The plans must be generally in accordance with the plans date stamped 17 November 2023 but modified to show:
- a. An auxiliary left (AUL) turn treatment for entry to the western access, of no less than 95 metres in length.
 - b. A channelised right (CHR) turn treatment for entry to the western access, of no less than 185 metres in length.

- c. An acceleration lane on Western Highway upon exit from the eastern access, to facilitate acceleration of a passenger vehicle to no less than 20 km/h below the posted speed limit.
29. Prior to the commencement of the buildings and/or works, the crossovers and driveways are to be constructed to the satisfaction of the Head, Transport for Victoria in accordance with VicRoads guideline drawing GD4010A Typical Access to Rural Properties (attached).
30. At night time during the operation of the use, the entry and exit points must be sufficiently illuminated to the satisfaction of the Head, Transport for Victoria, in accordance with the Lighting Plan dated 24 November 2023.
31. Retro-reflective material or high glossy surfaces must not be used on any signs.

EXPIRY

32. This permit will expire if one of the following circumstances applies:
 - a. The development is not started within 2 years of the issued date of this permit.
 - b. The development is not completed within 4 years of the issued date of this permit.
 - c. The use does not start within 2 years of completion of the development.

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Permit notes:

Responsible Authority

- a) *All building works associated with this development must be in accordance with the Building Act 1993, Building Regulations 2018 and the Building Code of Australia.*
- b) *A building permit will be required for the building work associated with this development.*
- c) *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*
- d) *The premises is required to be registered with Council's Public Health Services Department under the Food Act 1984.*

- e) *The premises must comply with the Tobacco Act 1987, if any tobacco products are sold.*

Department of Transport

- f) *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 prior to commencing any works.*
- g) *Prior to the works commencing, the applicant must contact the Head, Transport for Victoria to confirm design plans and works approvals processes, including the determination of fees and the level of Head, Transport for Victoria's service obligations.*

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 2024:

- Resident Local Spend was \$22.1M. This is a -0.54% decrease from the same time last year.
- Visitor Local Spend was \$12.9M. This is a -1.72% decrease from the same time last year.
- Total Local Spend was \$35.0M. This is a -0.97% decrease from the same time last year.
- Resident Escape Spend was \$12.4M. This is a 5.35% increase from the same time last year.
- Resident Online Spend was \$12.3M. This is a 4.71% increase from the same time last year.

The 5.35 % increase in Resident Escape Spend means local goods and service providers are losing market share to non-local businesses.

Expenditure by Expenditure Type

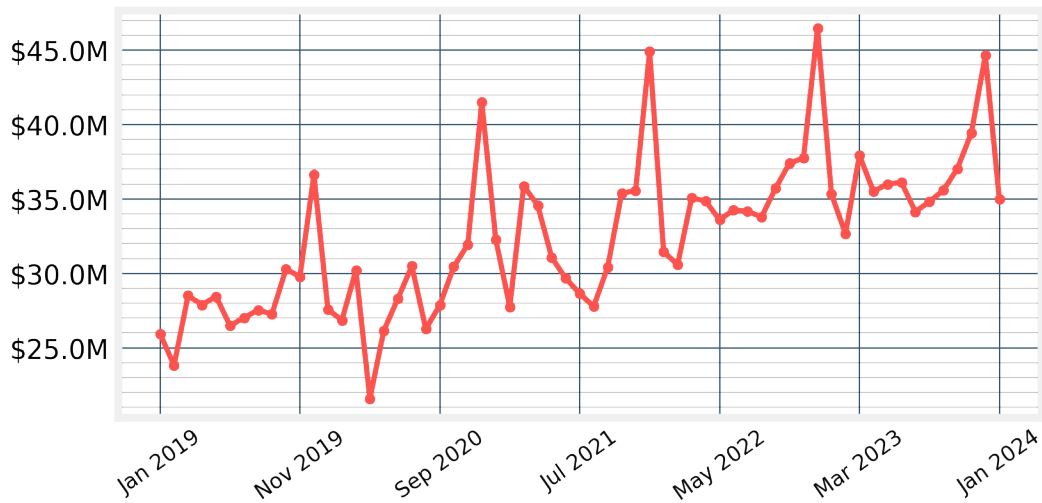
These expenditure charts show the long-term pattern of expenditure activity by Expenditure Type across the Horsham Rural City Council LGA. Typically, we see spending spikes at Easter and Christmas; dips in the post-Christmas period; and a steady climb through winter.

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

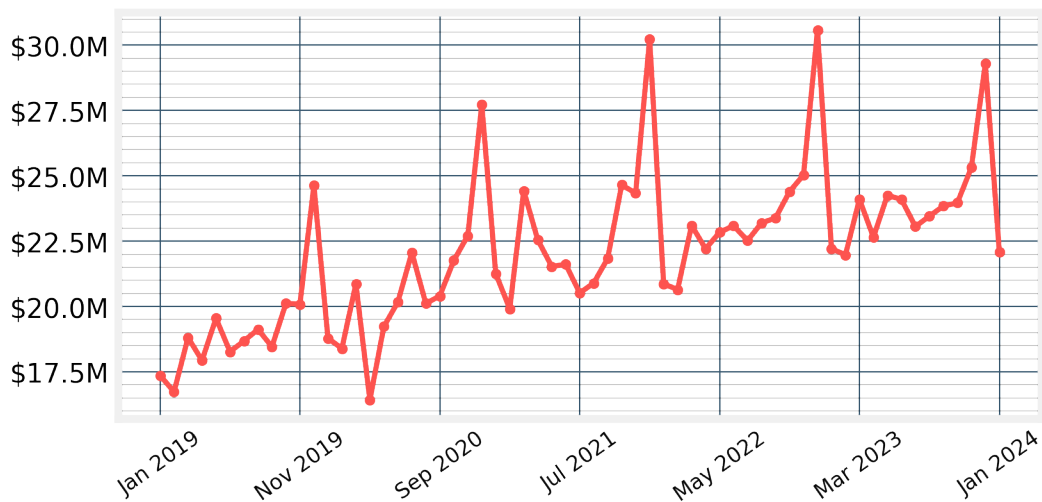
The total amount spent with merchants within the Horsham Rural City Council LGA.



Over the last 61 months, the spending trend (as shown by the trendline in the Spendmapp app) for Total Local Spend has been upwards.

Resident Local Spend

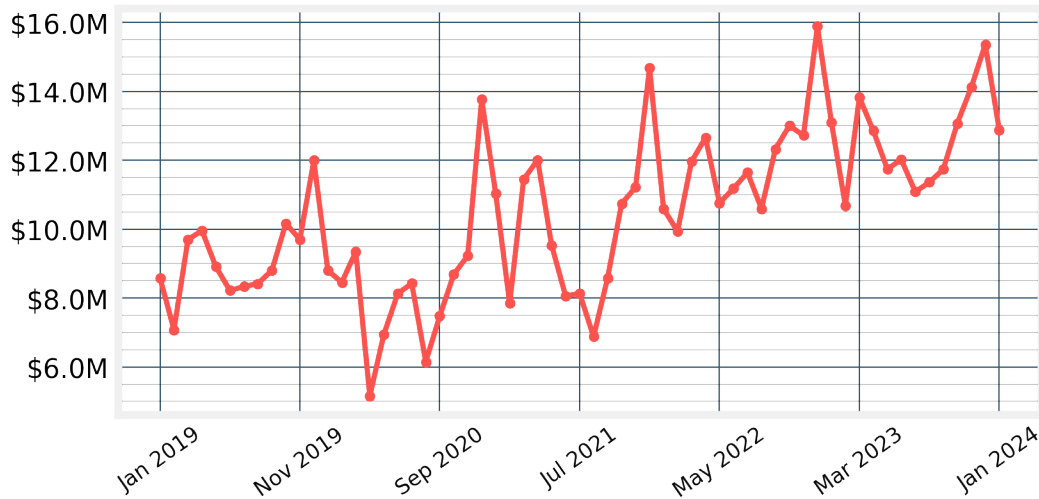
The amount spent by residents and local businesses with merchants inside the Horsham Rural City Council LGA.



Over the last 61 months, the spending trend (as shown by the trendline in the Spendmapp app) for Resident Local Spend has been upwards.

Visitor Local Spend

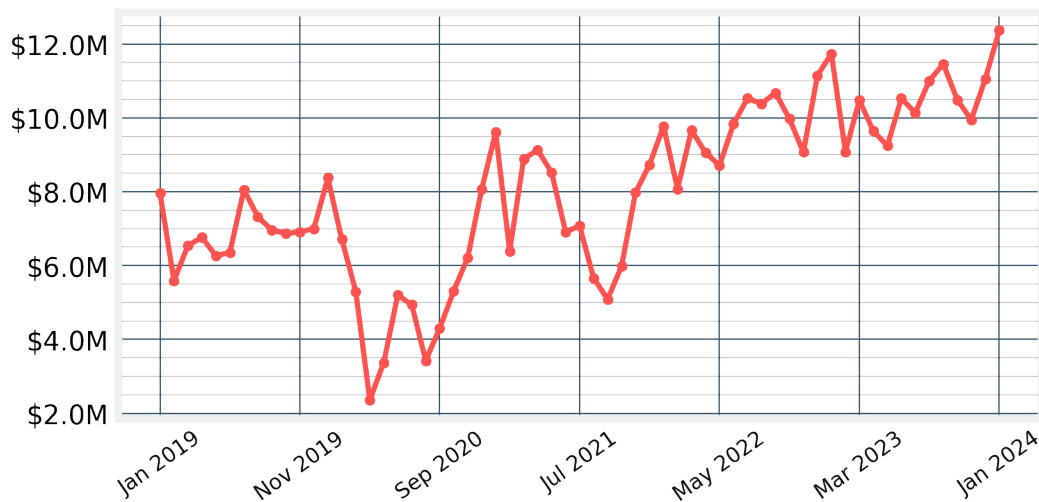
The amount spent by non-residents and non-local businesses with merchants inside the Horsham Rural City Council LGA.



Over the last 61 months, the spending trend (as shown by the trendline in the Spendmapp app) for Visitor Local Spend has been upwards.

Resident Escape Spend

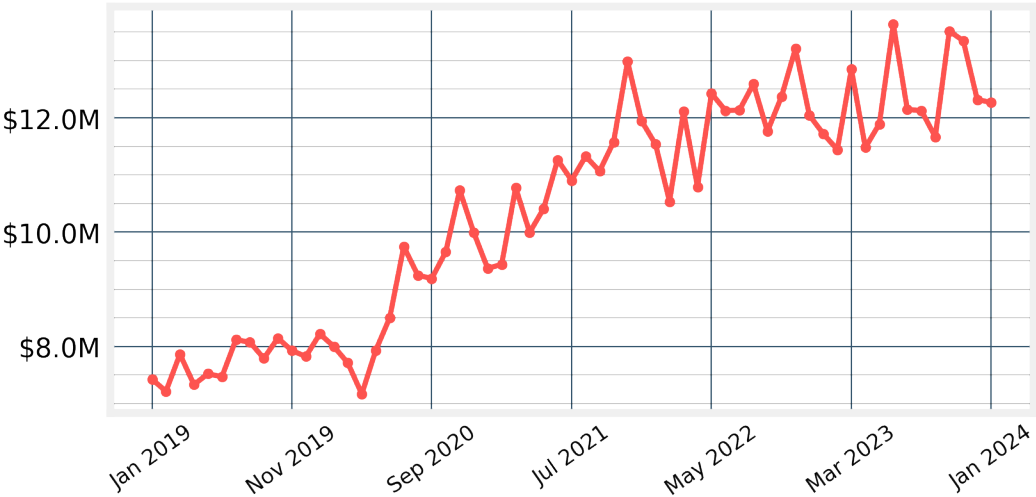
The amount spent by residents and local businesses outside the Horsham Rural City Council LGA.



Over the last 61 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.

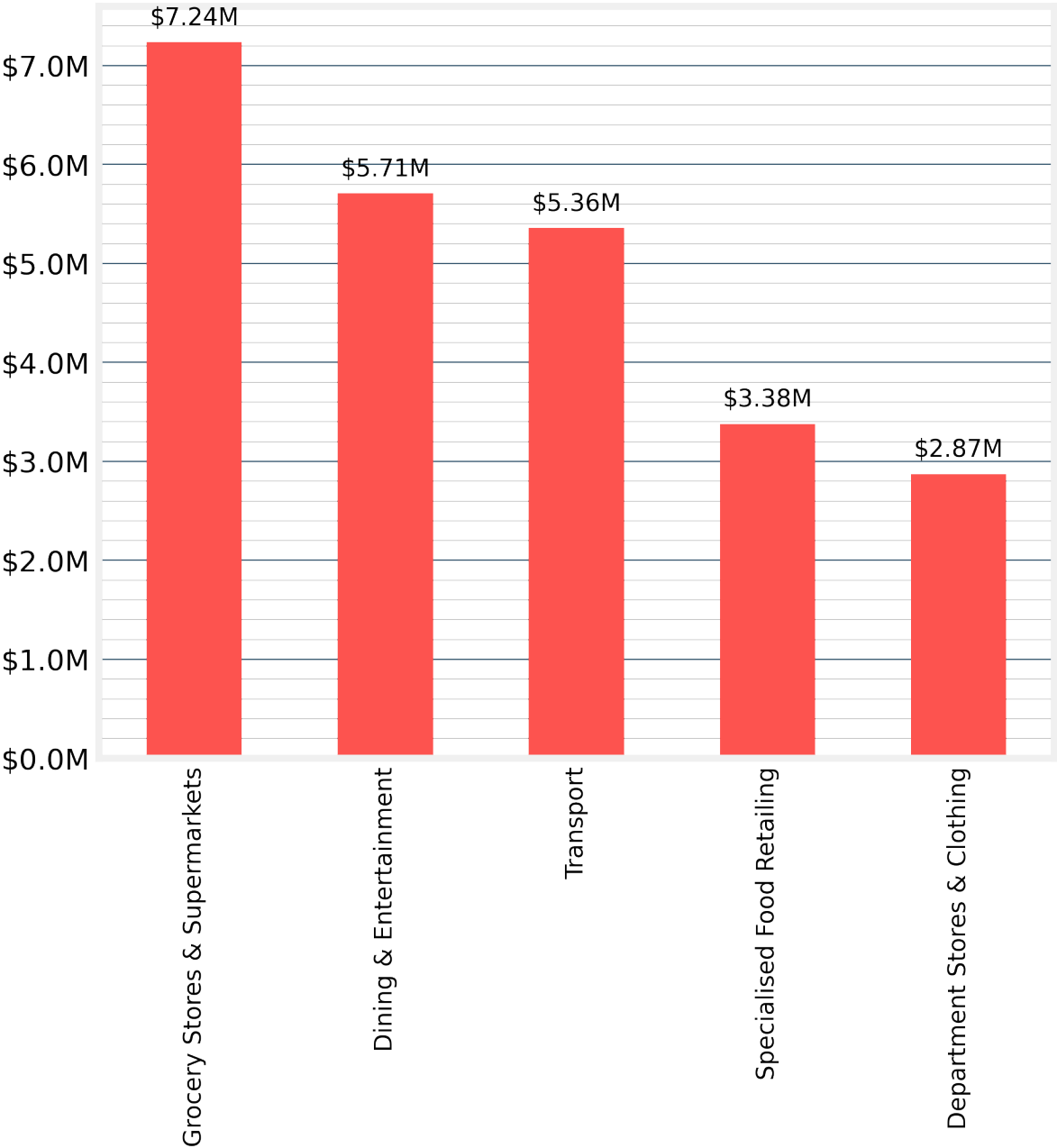


Over the last 61 months, the spending trend (as shown by the trendline in the Spendmapp app) for Resident Online Spend has been upwards.

Expenditure by Expenditure Category

The Top 5 Spending Categories for January 2024

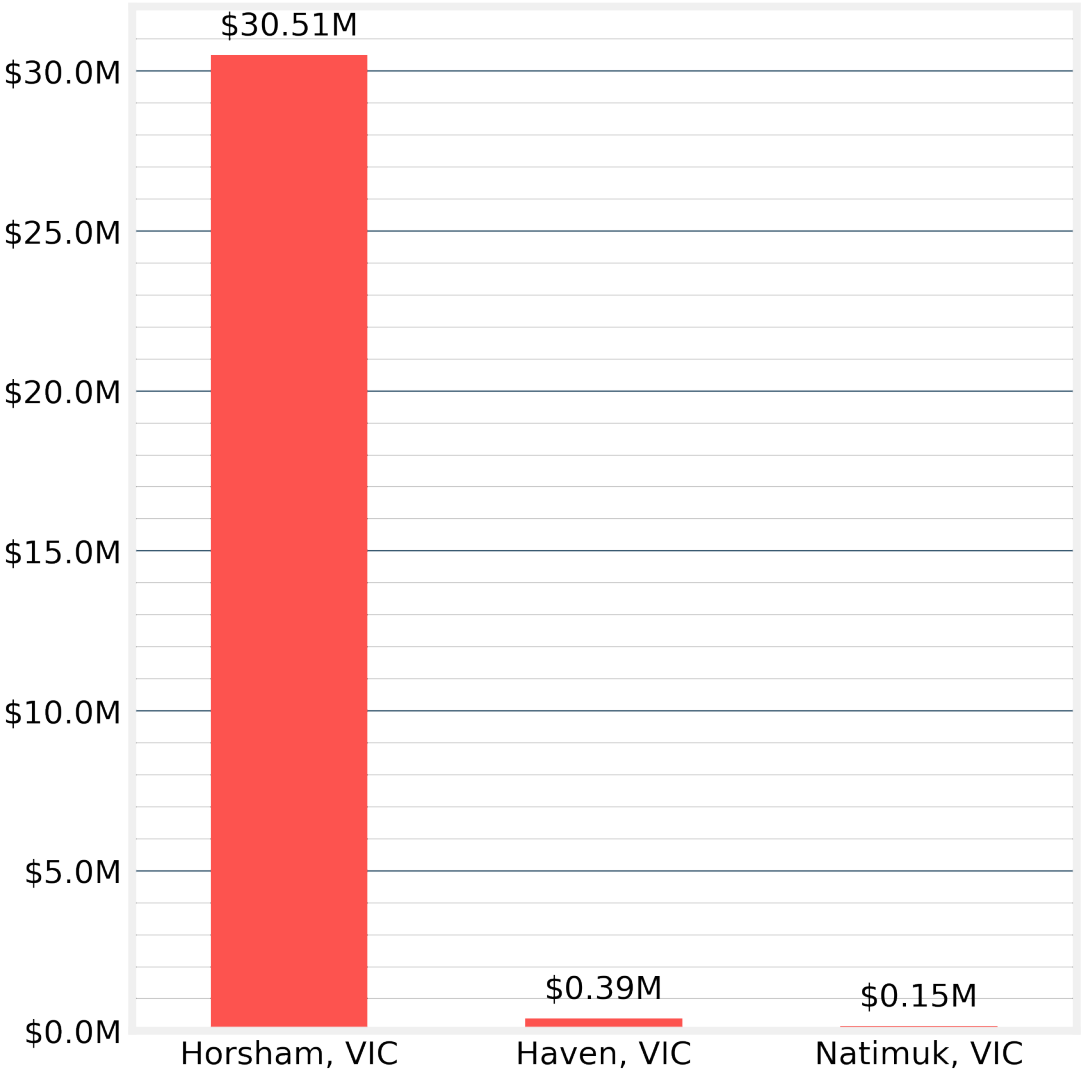
Total Local Spend split by the top 5 Expenditure Categories.



Spend by Origin and Destination

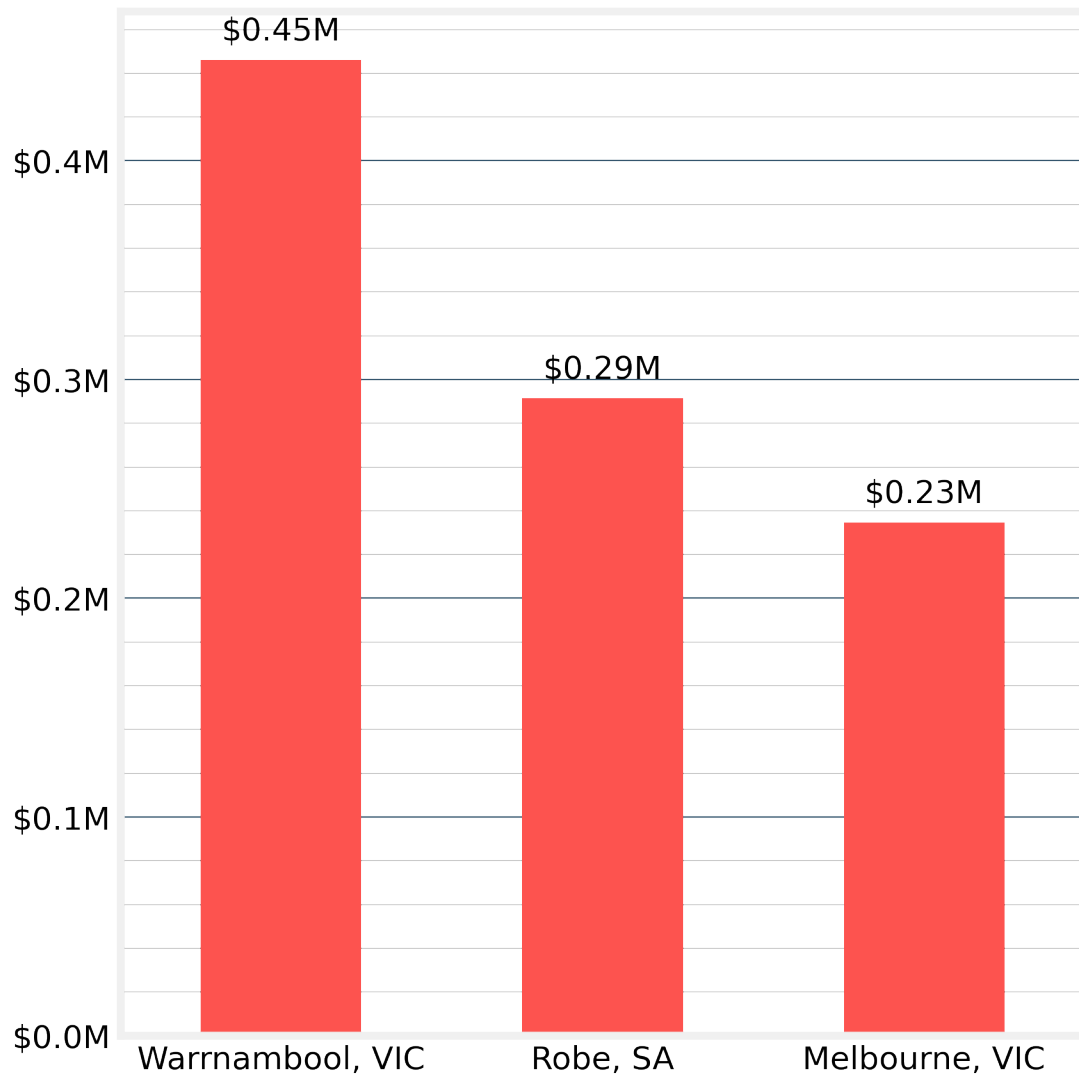
The Top 3 Suburbs by Total Local Spend for January 2024

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



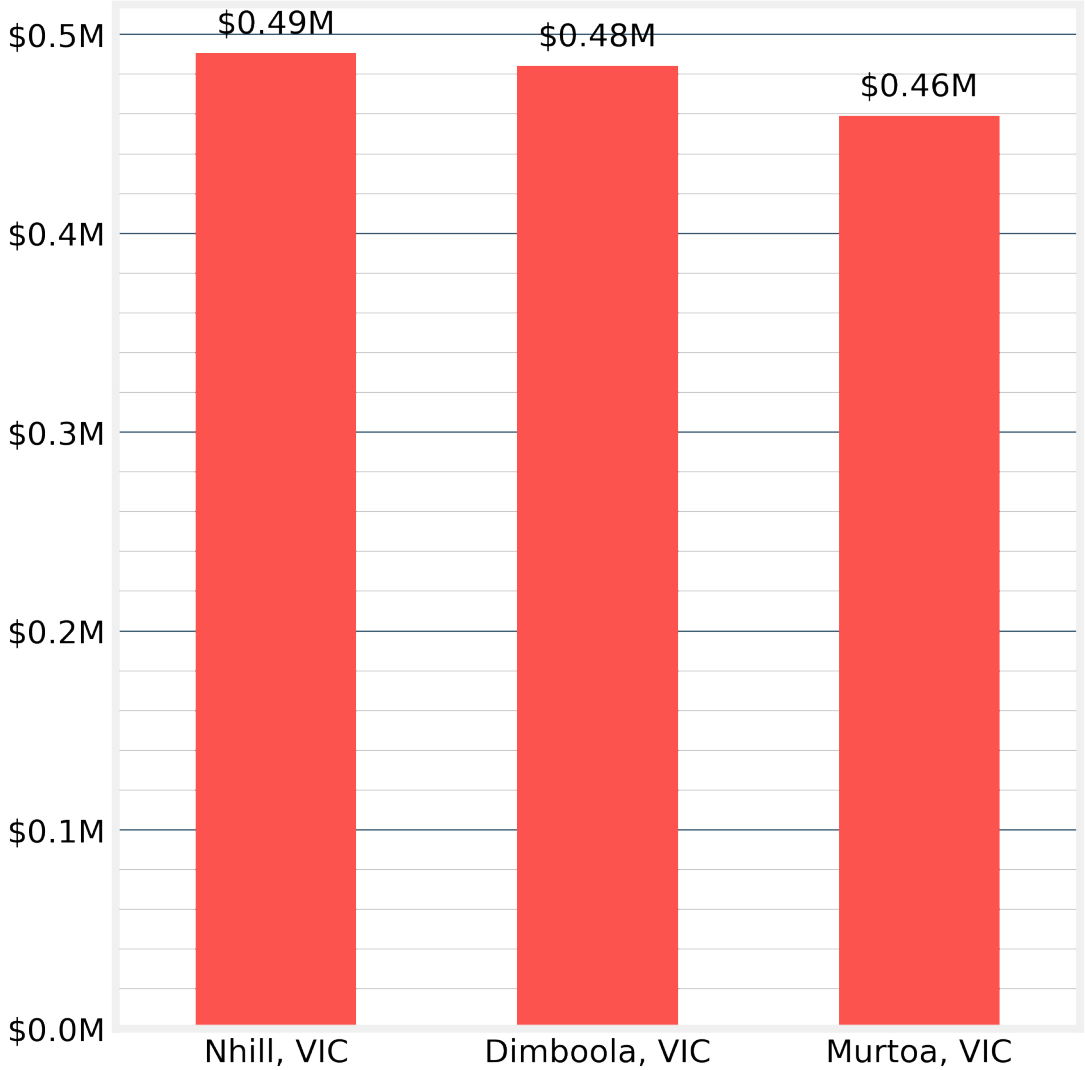
The Top 3 Suburbs by Resident Escape Spend for January 2024

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



The Top 3 Suburbs by Visitor Local Spend for January 2024

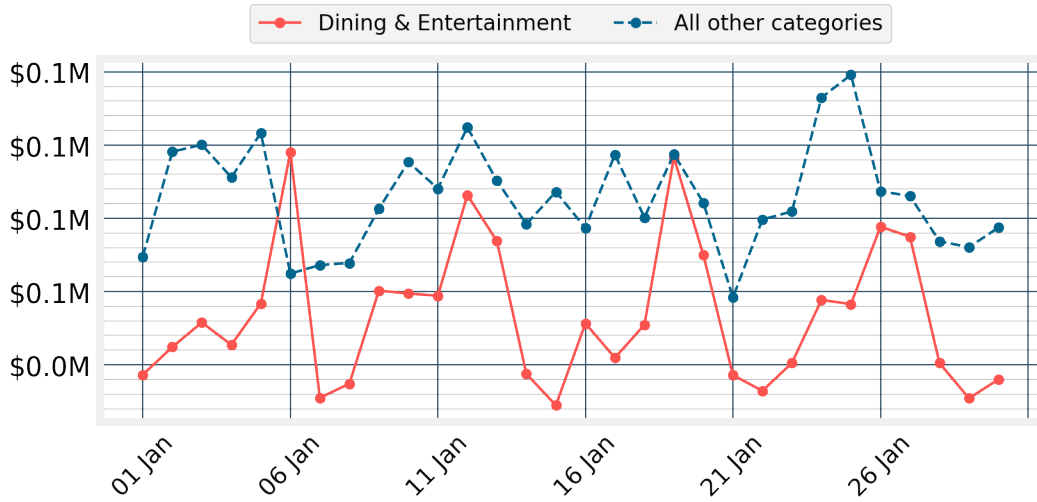
Visitor Local Spend by Suburbs of origin (i.e. where the visitors originate).



Night Time Economy

Night Time Economy for January 2024

The biggest spending night of the month of January 2024 was Friday 19 January with Total Local Spend of \$0.2M. This was made up of \$0.1M in Dining and Entertainment spending and \$0.1M spending in all other categories.



Disclaimer

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**MINUTES OF INFORMAL MEETINGS OF COUNCILLORS
COUNCIL BRIEFING HELD IN THE COUNCIL CHAMBERS
MONDAY 4 MARCH 2024 AT 5:00PM**

TO ATTEND: Cr Robyn Gulline, Mayor (*virtual*); Cr David Bowe, Cr Penny Flynn, Cr Claudia Haenel, Cr Les Power, Cr Bob Redden, Cr Ian Ross, Sunil Bhalla, Chief Executive Officer; Kim Hargreaves, Director Corporate Services; John Martin, Director Infrastructure; Kevin O'Brien, Director Communities and Place.

ATTENDED BY: Cr Robyn Gulline, Mayor (*virtual*); Cr David Bowe, Cr Penny Flynn, Cr Claudia Haenel, Cr Les Power(*virtual*), Cr Bob Redden, Sunil Bhalla, Chief Executive Officer; Kim Hargreaves, Director Corporate Services; John Martin, Director Infrastructure; Kevin O'Brien, Director Communities and Place.

APOLOGIES: Cr Ian Ross

1. WELCOME AND INTRODUCTION

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

Nil

Item 3.1 - Cr Robyn Gulline has been chairing the Wesley fundraising committee but does not have any conflict, Section 126 of LG Act 2020

3. PRESENTATIONS

3.1 Wesley Redevelopment Fundraising Update **Appendix 3.1** **5:00pm – 5:45pm**

Attending: Mary Starr (Wesley), Simon Dandy (Wesley),
Mary Lou Spehr (Wesley) & Carolynne Hamdorf (HRCC) (*All attending in person*)

3.2 Play Spaces Engagement and Progress Report (Kevin) **Appendix 3.2 5:45pm – 6:15pm**

Attending: Mandy Kirsopp (HRCC) & Carolynne Hamdorf (HRCC) (*Attending in person*)

4. COUNCIL MEETING REPORTS FOR DISCUSSION

4.1 Finance Report - January (Kim) **Appendix 4.1** **6:15pm – 6:30pm**

4.2 Age Friendly Plan 2024 – 2027 (Kim) **Appendix 4.2** **6:30pm – 6:45pm**

5. GENERAL DISCUSSION (Sunil Bhalla) **6:45pm - 7:00pm**

6. CLOSE

The meeting closed at 7:04 pm

DINNER

SUNIL BHALLA
Chief Executive Officer

**MINUTES OF INFORMAL MEETINGS OF COUNCILLORS
COUNCIL BRIEFING HELD IN THE COUNCIL CHAMBERS
TUESDAY 12 MARCH 2024 AT 5:00PM**

TO ATTEND: Cr Robyn Gulline, Mayor; Cr David Bowe, Cr Penny Flynn, Cr Claudia Haenel, Cr Les Power, Cr Bob Redden, Cr Ian Ross, Sunil Bhalla, Chief Executive Officer; Kim Hargreaves, Director Corporate Services; Kevin O'Brien, Director Communities and Place; John Martin, Director Infrastructure

ATTENDED BY: Cr Robyn Gulline, Mayor; Cr David Bowe, Cr Penny Flynn, Cr Claudia Haenel, Cr Les Power, Cr Bob Redden, Sunil Bhalla, Chief Executive Officer; Kim Hargreaves, Director Corporate Services; Kevin O'Brien, Director Communities and Place; John Martin, Director Infrastructure

APOLOGIES: Cr Ian Ross

1. WELCOME AND INTRODUCTION

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 Older Person's Reference Group (Advisory Committee) **5:00pm – 5:30pm**
Attending: Kola Kennedy & Shayne Keenan (*in person*)

4. CONFIDENTIAL REPORTS

4.1 Long Day Care Lease Kalkee Road Hub (Kevin) **Appendix 4.1** **5:30pm – 5:45pm**

5. COUNCIL MEETING REPORTS FOR DISCUSSION

5.1 Delegations Report (Kim) **Appendix 5.1** **5:45pm – 6:00pm**

5.2 Horsham Regional Museum Review (Stage 2) (Kevin) **Appendix 5.2** **6:00pm – 6:15pm**
Attending: Fiona Gormann (*in person*)

6. REPORTS FOR INFORMATION ONLY

6.1 Investment Attraction & Growth Report (Kevin) **Appendix 6.1** **6:15pm – 6:25pm**
Attending: Fiona Gormann

6.2 VCAT/Planning/Building Update (Kevin) **Appendix 6.2** **6:25pm – 6:30pm**
Attending: Fiona Gormann

7. GENERAL DISCUSSION (Sunil Bhalla)

6:30pm – 6:45pm

Community Leadership Program

8. CLOSE

The meeting closed at 7:10pm

DINNER

SUNIL BHALLA
Chief Executive Officer

**MINUTES OF INFORMAL MEETINGS OF COUNCILLORS
COUNCIL BRIEFING HELD IN THE COUNCIL CHAMBERS
MONDAY 18 MARCH 2024 AT 5:00PM**

TO ATTEND: Cr Robyn Gulline, Mayor; Cr David Bowe, Cr Penny Flynn, Cr Claudia Haenel, Cr Les Power, Cr Bob Redden, Cr Ian Ross, Sunil Bhalla, Chief Executive Officer; Kim Hargreaves, Director Corporate Services; Kevin O'Brien, Director Communities and Place; John Martin, Director Infrastructure

ATTENDED BY: Cr Robyn Gulline, Mayor; Cr David Bowe, Cr Penny Flynn, Cr Claudia Haenel, Cr Les Power, Cr Ian Ross, Sunil Bhalla, Chief Executive Officer; Kim Hargreaves, Director Corporate Services; Kevin O'Brien, Director Communities and Place; John Martin, Director Infrastructure

APOLOGIES: Cr Bob Redden

1. WELCOME AND INTRODUCTION

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 PA2200515 - Service Station on Western Highway **Appendix 3.1**

Attending: Joel Hastings

Objector – Barrie Lanyon (*in person*)

5:00pm

Applicant – Michael Korfiatis, Human Habitats (*online*)

5:05pm

Applicant – Robert Williams, Human Habitats (*online*)

3.2 Budget Development Presentation (Kim)

5:30pm – 6:10pm

Attending: Belinda Johnson

4. COUNCIL MEETING REPORTS FOR DISCUSSION

4.1 Recycling Tender (John)

6:10pm – 6:30pm

5. GENERAL DISCUSSION (Sunil Bhalla)

6:30pm – 6:45pm

6. CLOSE

The meeting closed at 6:52pm

DINNER

SUNIL BHALLA
Chief Executive Officer



WIMMERA INTERMODAL FREIGHT TERMINAL ADVISORY COMMITTEE

MINUTES

10:30 am, Wednesday, 29 November 2023

TEAMs

Meeting No. 2023/7*

Attendees

John Martin	Director Infrastructure Services HRCC
Fiona Gormann	Manager Investment Attraction and Growth HRCC
Matt Eryurek	GM Head of Ports Development SCT
David Pratt	Operations SCT
Lauren Scully	RDV
Darren Saunders	Department Transport and Planning
David Hill	Transport
Annie Mintern	Minute taker

Apologies

Bryce Spittle	Department Transport and Planning (Roads)
Lyn Barnes	Department Transport and Planning
Richard Bales	DJPR
Simon Grant	Roads
Ian Mond	Roads
Mark McKenzie	RDV
Sarah Henderson	RDV
Glen Richmond	ARTC

Confirmation of previous Minutes (7 September 2023)

Moved: Darren Saunders

Seconded: Fiona Gormann

Actions arising from Meeting held 7 September 2023

Action	Responsible Member	Date Completed
Maintenance report to be shared with advisory committee when received. - Will send as soon as received. - Should be this afternoon	Matt	Prior to each meeting
Throughput figures report to be shared for next quarter with advisory committee	Matt	Prior to each meeting



<ul style="list-style-type: none"> - Attached to calendar invite - 20ft and 40ft container stats separate reports previously - David to look into and send through to the group - Not a huge volume of 40ft 		
Federal money announced for precinct planning	Sarah	To forward to Fiona (completed)
WIFT Site Plan Master Plan to be shared with advisory Group <ul style="list-style-type: none"> - Council master plan sent through to Fiona - Will send to group with the minutes 	Matt	
Wodonga meeting being held in November – information to be shared with Fiona	Matt	completed
Road Safety Forum information to be shared with Advisory Committee <ul style="list-style-type: none"> - Rescheduled Feb 2024 date tbc 	John	

1. Operational Update – SCT

1.1. Maintenance

- 1.1.1. Issues with HRCC electrical contractor
- 1.1.2. Lights should be installed this week and electrical pits being assessed
- 1.1.3. Replacing lights this week as well
- 1.1.4. Road starting to break up needs some maintenance David to email John details

1.2. Throughput Figures

- 1.2.1. Report to be circulated

1.3. General

1.3.1. Staffing

- 17 trucks increased staffing to 28 drivers
- Operating 6 days a week
- 2 new office staff
- FTE has increased to provide full time employees

1.3.2. Volumes

- More than doubled volumes coming into peak period
- Forecast increase 20-40% volume
- Availability of equipment has caused an uplift however could be short lived due to weights being increased.
- Scaling up but staying measured as there's no guarantee of continued increase.



- 1.3.3. Trucks
 - Picking up around the region
 - Occasionally to Melbourne but very rarely
 - Majority within 100km
 - Opportunities coming up in Mount Gambier
 - 95% of pick ups are through SCT
- 1.3.4. Decarbonisation Summit
 - High productivity vehicles improve decarbonisation outputs however this would affect use of rail
 - Council plays a role as there is an effect on the roads
 - John to send Decarbonisation presentation to Annie to share with the minutes
- 1.3.5. Other
 - Infrastructure levy has doubled
 - Effects the market and impacts SCT
 - Modeshift incentive being removed from July 24
 - Bridge constraints on Western hwy also causing issues
 - DTP currently investigating solutions to these issues
 - Freight plan identifies that trucks shouldn't compete with rail
 - Held an event in Wodonga
 - Port of Melbourne would like to hold a similar event in Horsham on 18 April bringing Wimmera regional port logistics event
2. WAL HUB Development (Fiona)
 - 2.1. Sold 3 lots, additional 3 lots under offer
 - 2.2. All interested in rail use
 - 2.3. Proceeding with subdividing lot 10 4 lots of 5 hectares
 - 2.4. All developments need to meet the special use zone requirements
 - 2.5. Plantings along Freight Terminal Road
 - 2.6. Working through development of signage with Lot 8 owners to use their land for installation. Will then work with Viterra with signage on other side of the road
3. Regional Development Advocacy (Lauren and Mark)
 - 3.1. Western Highway junction review findings released.
 - 3.2. Maintenance funding available less focus for resealing – needs to be addressed. National shortage of maintenance funding
 - 3.3. SCT spending \$5-7k a week on truck repairs due to damage from roads
 - 3.4. Beaufort bypass has just been through EES process. Approved subject to implementation of recommendations. Route has been identified however no funding available yet
 - 3.5. Horsham alt truck route – going through lengthy planning process, issues with cultural heritage sites. Should have more info in early 2024
4. General Business
 - 4.1. WIM Resources status?
 - 4.1.1. Any updates on rail use?



- 4.1.2. Donald mineral sands want a rail solution
- 4.1.3. SCT put in solution using Geelong ports however they said their decision has been postponed another 12 months. Not related to SCT's proposal.
- 4.1.4. SCT been talking to all mining companies, however only submission has been to Astron with regard to Donald.
- 4.1.5. WIM Resource committed to road solution as they want to use Portland port
- 4.1.6. Donald trucking to Doon the rail to Geelong
- 4.1.7. Maroona Portland rail link needs to be upgraded in order to allow for rail to Portland
- 4.1.8. EES recommendations should be released prior to Christmas. Council advocated for line upgrades and a commitment from WIM that they would transfer to rail
- 4.1.9. SCT going to approach WIM with advice for rail option in future
- 4.1.10. Donald traffic management plan hasn't been confirmed yet upgrades required as part of the proposal.

5. Next Meeting: 21 February 2024 via Teams

6. Future Meetings (TBA)
17 April prior to forum

Wimmera Intermodal Freight Terminal Advisory Committee meetings are held quarterly on the third Wednesday of the month.

* Please note the meeting numbers have been reset to reflect year and the meeting number. (This is post Council's review undertaken of committees)



MINUTES

Older Persons Advisory Committee
Held on Wednesday 6 March 2024 at 10am
Kalkee Rd HUB

Present: Cherie Ladlow, Beryl Moloney, Elaine Cooper, Janet Hall, June Liddy, Kola Kennedy, Laureen Sherriff, Pamela Baker, Rick Walker, Shayne Keenan, Wes Hazelden.

Apologies: Faye Smith.

Council Staff at meeting: Daniel Rees

Action list:

Action	Responsible	Status
Include a future agenda item to discuss seating developments in recent projects that are inappropriate for older people.	Daniel Rees	
Make amendments to Age Friendly Plan as per guidance at 6 March OPAC.	Daniel Rees	Complete. All requested changes made, except for burial sites action. This is because it is not HRCC's responsibility. The responsibility lies with a trust of volunteers that is overseen by the Health Department.
Promotion of gopher rules in public notices and e-news.	Daniel Rees	
Invite Community Safety Committee Rep to an OPAC meeting, or a members attend one of their meetings.	Daniel Rees	
Promote gopher rules on the Seniors webpage.	Daniel Rees	

Share gopher rules with Community Safety Unit.	Daniel Rees	
Invite CAD project officer to OPAC to discuss footpaths, seating, gutters and surfaces.	Daniel Rees	
Explore the possibility of flashing lights at pedestrian crossings on Roberts Ave.	Daniel Rees	
Promote activities taking place at the Horsham Neighbourhood House.	Daniel Rees	
Ask Councillors if they would like to attend a future OPAC meeting.	Shayne Keenan, June Liddy and Kola Kennedy	

1. Welcome

The chairperson welcomed members to the meeting and acknowledged the traditional owner groups.

2. Age Friendly Plan update

An update on the progress of the Age Friendly Plan was provided.

The committee recommended the following priorities should be included in the action plan.

- An action around the needs of older people in emergencies.
- An action around HRCC providing sufficient and accessible burial sites.
- An action referencing the WHO Age Friendly Checklist.

The committee recommended to slightly change the wording in the vision.

The committee requested that the front cover image include a picture of a female and a male.

Action: Make amendments to Age Friendly Plan as per guidance from OPAC.

3. Gopher safety and access

The committee discussed issues associated with the use of gophers and other mobility devices.

Action: Promotion of gopher rules in Public Notices and e-Newsletter.

Action: Invite a Community Safety Committee rep to a meeting, or have a member attend one of their meetings.

Action: Promote gopher rules on Seniors Webpage.

Action: Share gopher rules with Community Safety Unit.

Action: Invite CAD project officer to OPAC to discuss footpaths, gutters and surfaces.

Action: Explore the possibility of flashing lights at the pedestrian crossing on Roberts Avenue.

Action: Promote activities taking place at the Horsham Neighbourhood House.

4. Business arising

Council Briefing

- June Liddy, Kola Kennedy and Shayne Keenan will attend the Council Briefing on Tuesday 12 March at 5pm.

Action: Members attending the Council Briefing will ask Councillors if they would like to attend a future OPAC meeting.

Kola Kennedy shared information about Justice of the Peace attending the Library.

Action: Promote that Justice of the Peace attend the Horsham Library between 10am and 1pm every Wednesday.

5. Next Meeting

The next meeting will be held on **Wednesday 12 June, 2024 at 10am.**

6. Meeting Close

Appendix 1. Accessible Car Parking Spaces - Disability Advisory Committee Feedback

Some parallel car parking spaces should be prioritised for upgrades because if they are not wide enough, they can be dangerous for users.

The reason the committee suggested that parallel car parking spaces are dangerous is because if driving, users would transfer out of the vehicle onto the road. If the car parking space is not wide enough, they could be in close proximity to passing traffic. The committee used the upgrades to accessible parking spaces on Baillie Street (Lister House) as a great example of a safe parallel parking space.

Opinions amongst members differed regarding the type of parking that people with disability parking permits prefer to use (angle or parallel).

An issue raised by some members regarding angle parking is the lack of transfer room next to the spaces due to the small size of spaces or lack of adjacent shared spaces.

All accessible car parking spaces need to have safe access to the footpath.

The committee raised issues around poor access to the footpath. In many cases it is dangerous for users to move from the car parking space to the footpath due to a lack of, or poorly located laybacks, or trip hazards. They used some of the car parking spaces on the South side of McLachlan Street as an example of those that need upgrading for this reason.

Further engagement would be needed to identify other locations that have unsafe access to the footpath.

Accessible car parking spaces in Firebrace Street should be prioritised for upgrades, as well as spaces near chemists, doctors, the post office, toilets and Centrelink.

The committee acknowledged that users of disability parking permits want to access a range of different services and places around the municipality, however they identified the above services as common places that most people want to or need to visit.

The members are unaware of timelines around Council implementing the CAD revitalisation priorities. Further engagement would be required to communicate these timelines with the committee and listen to any subsequent feedback.

Correct line-marking and sign marking should be completed and maintained for all accessible car parking spaces.

The committee suggested that many of the car parking spaces are not clear or are in the wrong colour. In a lot of cases the lines are in white where they should be in yellow, in some other cases the disability symbol in the space is not clear. The committee suggested that this is particularly important for people with vision impairments.

Some accessible car parking spaces are in an inappropriate location and should be relocated.

The committee suggested that the accessible car parking space on Darlot Street should be moved further south to be closer to Priceline.

More engagement is required to identify more car parking spaces that are in inappropriate locations, and where they could be relocated to.

More accessible car parking spaces are needed in the CBD, around the hospital and close to public spaces and amenities along the river front.

This was a broad comment and further engagement would be needed to identify more specific locations.



DRAFT MINUTES
Disability Advisory Committee
Held on Thursday 14 March 2024 at 2pm
Council Reception, 18 Roberts Ave, Horsham

Present: Bernie O’Shannessy (Chairperson), Andrea Cartwright, Fiona Sanderson, Jeremy Miles Buerfeind, Karl Mitton, Kirsten Ridgeway, Matthew De Gruchy (online attendance), Peter Bermingham, Tiffany Warren.

Apologies: Alma McKenzie.

Council Staff at meeting: Daniel Rees & Louise Kelly

1. Welcome

The chairperson welcomed members to the meeting and acknowledged the traditional owner groups.

2. June Meeting Date

The Committee agreed to hold the next meeting on Thursday 20 June.

3. Accessible Car Parking

Daniel presented the findings of the Accessible Car Parking Audit.

The Committee discussed issues around accessible car parking spaces in Horsham and provided a list of priorities and recommendations below. Further details of the discussion, including why each of the recommendations were made are provided in **Appendix 1**.

- Some parallel car parking spaces should be prioritised for upgrades because if they are not wide enough, they can be dangerous for users.
- All accessible car parking spaces need to have safe access to the footpath.
- Accessible car parking spaces in Firebrace Street should be prioritised for upgrades. In particular, spaces near chemists, doctors, the post office, toilets and Centrelink.

- Correct line-marking and sign marking should be completed and maintained for all accessible car parking spaces.
- Some accessible car parking spaces are in an inappropriate location and could be relocated.
- More accessible car parking spaces are needed in the CBD, around the hospital and close to public spaces and amenities along the river front.

4. Business arising

Jeremy suggested that there is a lack of networking amongst disability services locally.

Mark suggested that Australian Disability Enterprises (ADE's) may not be funded in the future, which would change the landscape of supported disability employment. A future agenda item may be included if relevant to Council.

Jeremy suggested that there are a lack of disability participation, recreation and employment programs in Horsham.

Kirsten suggested that Council could include image description on their social media posts as a way of making content more accessible.

5. Next Meeting

The next meeting will be held on **Thursday 20 June, 2024 at 2pm.**

6. Meeting Close