



LATROBE CITY COUNCIL

**AGENDA FOR THE
ORDINARY COUNCIL MEETING**

**TO BE HELD IN NAMBUR WARIGA MEETING ROOM
CORPORATE HEADQUARTERS, MORWELL**

**AT 6.00 PM ON
22 AUGUST 2016**

CM488

MISSION

TO PROVIDE
THE BEST POSSIBLE
FACILITIES, SERVICES,
ADVOCACY AND LEADERSHIP
FOR LATROBE CITY, ONE OF
VICTORIA'S FOUR MAJOR
REGIONAL CITIES.

VALUES

- » Providing affordable people focused community services
- » Planning strategically and acting responsibly, in the best interests of the whole community
- » Accountability, transparency and honesty
- » Listening to and working with the community
- » Respect, fairness and equity
- » Open to and embracing new opportunities

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Our Father who art in Heaven, hallowed be thy name. Thy kingdom come, thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us, and lead us not into temptation but deliver us from evil. For the kingdom, the power, and the glory are yours now and forever. Amen.

2. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND

I would like to acknowledge the traditional owners upon whose land we are meeting on today, the Gunaikurnai people and pay my respects to their Elders past and present.

If there are other Aboriginal people/Elders present I would also acknowledge them.

3. APOLOGIES AND LEAVE OF ABSENCE**4. DECLARATION OF CONFLICT OF INTEREST****5. ADOPTION OF MINUTES****RECOMMENDATION**

That the minutes of the Ordinary Council Meeting held on 1 August 2016 be confirmed.

6. ACKNOWLEDGEMENTS

Councillors may raise any formal acknowledgements that need to be made at this time, including congratulatory or condolences.

7. PUBLIC QUESTION TIME

Members of the public who have registered before 12.00 Noon on the day of the Council meeting are invited to speak to an item on the agenda or to ask a question of the Council.

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**8. ITEMS HELD OVER FOR REPORT AND/OR
CONSIDERATION/QUESTIONS ON NOTICE**

Council Meeting Date	Item	Resolution	Status Update
City Development			
06 July 2015 City Development	Latrobe Performing Arts and Convention Centre Review (continued below)	<p>That Council:</p> <ol style="list-style-type: none"> 1. Adopt the Review of the Latrobe Performing Arts and Convention Centre Feasibility Study and Business Case June 2015. 2. Consider the Latrobe Performing Arts and Convention Centre as two separate projects – Latrobe Performing Arts Centre and Latrobe City Convention Centre. 3. In relation to the Latrobe Performing Arts Centre: <ol style="list-style-type: none"> a) Confirms the site of the existing Latrobe Performing Arts Centre in Traralgon as the site for the new Latrobe Performing Arts Centre. b) Undertake a detailed business case for the Latrobe Performing Arts Centre including a strong evidence base for the new facility and confirmation of key design elements. 	<p>Complete 05 February 2016</p> <p>In relation to the Latrobe City Convention Centre, a project brief will be prepared in the first half of 2015/16 to engage a consultant to undertake investigation to confirm potential demand for a dedicated convention centre. It is envisaged that this will be completed in the 2015/16 financial year, subject to budget approval by Council.</p> <p>A further report will be presented to Council at this time and depending on the outcome of the demand analysis, a business case including establishment of a working group will be progressed.</p> <p>A consulting team has been appointed and work is underway on the full business case, concept designs and applications for the National Stronger Regions Fund and Victorian Regional Jobs and Infrastructure Fund.</p>

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Council Meeting Date	Item	Resolution	Status Update
06 July 2015 City Development	Latrobe Performing Arts and Convention Centre Review (continued)	<p>c) Engage a specialised theatre design consultant to confirm key design elements and complete a functional design brief to detail costs of the Latrobe Performing Arts Centre.</p> <p>d) Allocate \$200,000 from the 2015/16 Financial Year surplus to develop the Latrobe performing arts business case and functional concept design.</p> <p>e) Establish a representative community working group to steer the business case and design for the Latrobe Performing Arts Centre.</p>	<p>A Project Reference Group has been established, with key community stakeholders, representatives of Regional Development Australia and Creative Victoria, Councillors and Council Officers to review and provide feedback on the submission elements through the development process.</p> <p>Following the Councillor Briefing on Wednesday 27 January, a report will be presented to Council on Monday 08 February ahead of the submission being lodged with the State Government.</p> <p>10 March 2016 Following the appointment of Williams Boag Pty Ltd Architects in December 2015, a Business Case and Functional Concept Design has been prepared in relation to what is now called the Latrobe Creative Precinct. The Precinct incorporates a new Latrobe Performing Arts Centre, outdoor event spaces, educational and vocational training facilities and a digital learning hub; in addition to the existing Library and Service Centre and Maternal and Child Health Centre.</p>

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06 July 2015 City Development	Latrobe Performing Arts and Convention Centre Review (continued)	<p>f) Receive a report pending the outcome of the funding submission to the National Stronger Regions Fund – Round 2.</p> <p>g) Continue to liaise with the Victorian and Commonwealth governments in relation to potential funding opportunities.</p>	<p>Applications for funding have been prepared and lodged with the State Government and Federal Governments, following Council's resolution to provide \$10 million towards the project.</p> <p>If successful, Council will move to the preparation of detailed planning for the new Precinct in coming months.</p>

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06 July 2015 City Development	Latrobe Performing Arts and Convention Centre Review (continued)	<p>4. In relation to the Latrobe City Convention Centre:</p> <p>a) Confirms Morwell as the location of the Latrobe City Convention Centre.</p> <p>b) Undertakes further detailed analysis and investigation to confirm potential demand for a dedicated convention centre in Latrobe City.</p> <p>c) Establish a representative community working group, to steer the business case and design for the Latrobe City Convention Centre.</p> <p>d) Allocate funding in future budgets to assist with the development of a business case and functional concept design for the Latrobe City Convention Centre.</p> <p>e) Investigate funding options for the Latrobe City Convention Centre.</p>	<p>In relation to the Latrobe City Convention Centre, a project brief will be prepared late in the first half of 2015/16 to engage a consultant to undertake investigation to confirm potential demand for a dedicated convention centre. It is envisaged that this will be completed in the 2015/16 financial year, subject to budget approval by Council.</p> <p>A further report will be presented to Council at this time and depending on the outcome of the demand analysis, a business case including establishment of a working group will be progressed.</p> <p>20 April 2016 On Wednesday 20 April Minister for Regional Development Jaala Pulford announced State Funding of \$10 million towards the Latrobe Creative Precinct. A decision is now awaited on Council's submission for a further \$10 million from the Federal Government's National Stronger Regions Fund.</p>

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Council Meeting Date	Item	Resolution	Status Update
06 July 2015 City Development	Latrobe Performing Arts and Convention Centre Review (continued)	27 July 2015 That Council: 1. Receives a report outlining State Government funding opportunities and recommendations on applying for funding through National Stronger Regions Fund Round 3.	09 May 2016 With the calling of the Federal election for 2 July 2016, an announcement of successful National Stronger Regions grants is not now anticipated until after that date. 27 May 2016 On 20 April 2016, Member for Gippsland and Federal Minister for Infrastructure Darren Chester issued a Media Statement which confirms his strong support for the LCP project. 15 July 2016 Following the return of the Coalition Government, Council is awaiting formal confirmation of Federal Government funding and conditions of grant. 09 August 2016 Further updates are provided against the 27 July 2015 resolution.
27 July 2015 City Development	Latrobe Performing Arts and Convention Centre Review	27 July 2015 That Council: 1. Receives a report outlining State Government funding opportunities and recommendations on applying for funding through National Stronger Regions Fund Round 3.	15 July 2016 Following the return of the Coalition Government, Council is awaiting formal confirmation of Federal Government funding and conditions of grant.

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Council Meeting Date	Item	Resolution	Status Update
<p>26 October 2015</p> <p>City Development</p>	<p>2015/20 - Traralgon Court House Status Update</p>	<p>That a report be brought back to Council on the status of the plans for the Traralgon Court House.</p> <p>That the report includes:</p> <p>(a) the options on how Council proposes to fund the plans; and</p> <p>(b) the actions for 2015/16 and any actions proposed for 2016/17</p>	<p>Officers will prepare a report for Council meeting in May</p> <p>05 February 2016 Preparation of report is on schedule.</p> <p>28 Apr 2016 A report will be presented to the Briefing Meeting on 9 May 2016.</p> <p>11 May 2016 Accurate costings will now be obtained from a Quantity Surveyor regarding the construction of a new toilet block, deck and doorway to the existing building. When final costings are known, a report will be brought back to a Councillor Briefing.</p> <p>15 July 2016 A report will be prepared for the Councillor Briefing (1) on 8 August 2016.</p> <p>09 August 2016 The report has been rescheduled to the Councillor Briefing (2) on 15 August 2016</p>

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Council Meeting Date	Item	Resolution	Status Update
<p>26 October 2015</p> <p>City Development</p>	<p>Economic Development Engagement Plan</p>	<p>That Council:</p> <ol style="list-style-type: none"> 1. Approves the 2015/16 Economic Development Engagement Plan to improve information sharing and active communication with Council staff, investors, government, business and industry leaders. 2. Receives quarterly reports during the 2015/16 financial year on the activities of the Economic Development Engagement Plan, and 3. Receives a report in September 2016 detailing the annual results of the Economic Development Engagement Plan. 	<p>05 February 2016 The Economic Development Engagement Plan Quarterly report was presented to Council in February 2016. Report to be presented to the Ordinary Council Meeting on 29 February 2016.</p> <p>10 March 2016 The next quarterly report will be presented to Council in May 2016.</p> <p>The annual report will go to Council for consideration in September 2016.</p> <p>28 April 2016 The Economic Development Engagement Plan was presented to Council on 29 February 2016.</p>

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Council Meeting Date	Item	Resolution	Status Update
07 December 2015 City Development	Federation University Australia Gippsland Campus Initiatives with Taizhou, China (continued below)	That Council: 1. Supports the consideration of an allocation of Council resources to complement the Gippsland Campus of Federation University Australia proposed initiatives with Latrobe City's Sister City, Taizhou China. 2. Requests a further report be brought back in 2016, in accordance with the Sister Cities Policy.	Email correspondence has recently taken place with the Taizhou Foreign Affairs Officer in relation to a proposed Educational Marketing Campaign in Taizhou and also a possible Taizhou Foreign Affairs Officer secondment for 8 weeks in February/March 2016. However, due to time constraints it is unlikely that the secondment will come to fruition. Initial feedback on the marketing campaign was positive; we are waiting to hear more information in coming weeks. Positive feedback from the Taizhou Foreign Affairs office indicates that the Federation University marketing campaign in Taizhou is a real possibility. Further conversation will be held once Dr Harry Ballis returns from overseas in late January. 05 February 2016 Contact will be made this month with Dr Ballis. 09 March 2016 Correspondence has been sent to the Taizhou Government. Further information will be provided once a response is received.

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Council Meeting Date	Item	Resolution	Status Update
07 December 2015 City Development	Federation University Australia Gippsland Campus Initiatives with Taizhou, China (continued)	That Council: 3. Supports the consideration of an allocation of Council resources to complement the Gippsland Campus of Federation University Australia proposed initiatives with Latrobe City's Sister City, Taizhou China. 4. Requests a further report be brought back in 2016, in accordance with the Sister Cities Policy.	<p>10 March 2016 During April 2016, Federation University Australia, Gippsland Campus is embarking on another marketing campaign to Taizhou, China. The purpose of the visit will be to further progress the collaborative partnerships with Taizhou Polytechnic, Taizhou University and Taizhou High Schools with the aim of establishing programs and exchanges for mutual benefits.</p> <p>The delegation is planned for 18th to 22 April 2016, will focus on finalising collaborative partnership initiatives, showcase Federation University Australia Gippsland and Latrobe City as a destination of choice for Taizhou students and their families.</p> <p>08 June 2016 The delegation occurred from 18 to 22 April 2016, which focused on finalising collaborative partnership initiatives, showcasing Federation University Australia Gippsland and Latrobe City as a destination of choice for Taizhou students and their families. It is anticipated that a delegation of high level education representatives will visit Latrobe City late in the 2016 calendar year and Federation University are planning for students in 2017.</p>

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Council Meeting Date	Item	Resolution	Status Update
<p>07 December 2015</p> <p>City Development</p>	<p>Planning Scheme Amendment C85 - Crinigan Road, Morwell</p> <p>(continued below)</p>	<p>That Council:</p> <ol style="list-style-type: none"> 1. Defer the consideration of Amendment C85 until advice has been received from the landowner on how they wish to proceed with the amendment. 2. That a report outlining the next steps be presented to Council no later than 30 October 2016. 3. Advises those persons who made written submissions to Amendment C85 of Council's decision 	<p>The land owner has been advised of Council's decision, and are now considering their options. No further action will be undertaken until further advice from the landowner has been received.</p> <p>05 February 2016 The landowner (Hancock Victorian Plantations) has been contacted recently and has advised they are yet to make a decision pending a future HVP Board meeting. Further advice from the landowner is expected by the end of March.</p> <p>30 March 2016 The landowner (Hancock Victorian Plantations) have advised that they require more time to consider their options. The HVP Board have requested further information be sought prior to a decision being made. Further advice from HVP is expected in the coming months.</p> <p>08 April 2016 Submitters to Amendment C85 were notified of Council's resolution on 11 December 2015.</p> <p>08 and 29 June 2016 No further update to provide. Advice from HVP is still pending.</p>

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Council Meeting Date	Item	Resolution	Status Update
07 December 2015 City Development	Planning Scheme Amendment C85 - Crinigan Road, Morwell (continued)	That Council: 1. Defer the consideration of Amendment C85 until advice has been received from the landowner on how they wish to proceed with the amendment. 2. That a report outlining the next steps be presented to Council no later than 30 October 2016. 3. Advises those persons who made written submissions to Amendment C85 of Council's decision	04 August 2016 Advice from HVP is still pending. A letter to HVP Plantations requesting a formal response be provided by 12 August 2016 was sent on 2 August 2016. A report providing an update on the progress of Amendment C85 will be tabled at the 12 September 2016 Ordinary Council Meeting.
02 May 2016 City Development	Proposed Livestock Selling Facility	That Council: 1. Complete a pre-feasibility study into the establishment of a Livestock Sales Facility within the municipality. 2. That a further report outlining the results of the pre-feasibility study be presented to Council.	11 May 2016 Officers are currently in the process of drafting a brief in order to go to market for a pre-feasibility study. 10 August 2016 A report will be presented to the 22 August 2016 Ordinary Council Meeting.

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Council Meeting Date	Item	Resolution	Status Update
23 May 2016 City Development	2016/10 - Impact Of Proposed Great Forest National Park	That Council: 1. Requests that the Chief Executive Officer prepares a report on the Assessment of the Economic and Social Impacts of the Proposed Great Forest National Park to the Latrobe City Municipality; 2. Requests that the Mayor writes to the Premier and the Minister for Energy, Environment and Climate Change and to express our disappointment that there is no local government voice on the taskforce looking at the Great Forest National Park. That the Mayor request that either MAV or Timber Towns Victoria are given a position on this taskforce.	08 June 2016 A report is being prepared that includes the economic value of the timber industry in Gippsland and Latrobe City LGA. The report will be included in a Council report providing the information and the option to undertake detailed economic and social research at additional cost and timeframe. Letter will be drafted at conclusion of report preparation. 30 June 2016 Report being drafted for a future Council Meeting. 10 August 2016 A report is being presented to the 22 August 2016 Council Meeting.
23 May 2016 City Development	Consideration of the Recommendations of the Panel Report for Amendment C87	That Council defers Amendment C87 Part B (Urban Amenity Buffer), in accordance with Section 29 of the Planning & Environment Act, 1987 until a report on further options relating to C87 Part B (Urban Amenity Buffer) be presented to Council and if necessary, seeks an extension of time from the Minister of Planning.	20 July 2016 Council adopted C87 Part A and C on 23 May 2016. Council deferred C87 Part B until a report on further options can be presented to Council. 21 July 2016 Letters to relevant Ministers regarding coal issues are pending current discussions with DEDJTR as these discussions may inform the drafting of these letters.

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Council Meeting Date	Item	Resolution	Status Update
20 June 2016 City Development	2016/12 - Future Economic Development of Latrobe City (continued below)	That Council, as a result of the increasing community concern around media speculation on the future of the Latrobe Valley based brown coal electricity generation industry; 1. Convenes a meeting within one month of all government, semi-government, union, community and business organisations who have been identified as preparing proposals for the future economic development of Latrobe City; and 2. Invites each organisation to give a brief presentation of their proposals, in order to avoid duplication of efforts around economic development in Latrobe City; and 3. Invites the Premier to open the meeting and outline the State position on this issue; and 4. Invites observers from relevant organisations to the meeting; and	30 June 2016 Forum has been organised for 27 July 2016. State Government Ministers will attend. Community groups invited to present and participate in workshop.

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Council Meeting Date	Item	Resolution	Status Update
20 June 2016 City Development	2016/12 - Future Economic Development of Latrobe City (continued)	<p>5. Requests a Positioning Paper be produced incorporating the direction and issues identified, and that this paper to be used as the basis of further meetings to coordinate and accelerate economic development in Latrobe City; and</p> <p>6. Requests a report be presented to Council to consider adoption of the Positioning Paper as soon as practicable.</p>	As above
20 June 2016 City Development	2016/13 - Remembrance Day And Anzac Day Road Closures	<p>That Council:</p> <p>1. Covers the cost associated with the Latrobe City RSL's road closures for Remembrance Day 2016;</p> <p>2. Continues to lobby the State and Federal Governments to cover the ongoing costs associated with ANZAC and Remembrance Day; and</p> <p>3. Seek a further report regarding options to support these events in future years.</p>	<p>29 June 2016</p> <p>Following the Notice of Motion at the Council Meeting on 20 June 2016, Council will cover the cost of RSL road closures for Remembrance Day 2016. Accordingly, the Events Team is in the process of engaging a contractor to undertake the Morwell Remembrance Day Road Closure and has submitted notification to LV Bus Lines and PTV, and will be taking a copy of the 2016 Remembrance Day Public Transport Traffic Management Plan to the Morwell RSL for sign off today.</p>

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Council Meeting Date	Item	Resolution	Status Update
20 June 2016 City Development	Proposed - Community Amenity Local Law No.2 2016 (continued below)	That Council: 1. Gives notice of its intention to make the Community Amenity Local Law No.2 2016, replacing Community Amenity Local Law No. 2 2009, as outlined in the Local Law Community Impact Statement. 2. Gives notice in the Victorian Government Gazette and by public notice in the local newspapers of its intention to make Local Law No. 2 2016, stating the purpose and general support of the draft Community Amenity Local Law No. 2 2016 and advising that any person affected by the proposed Local Law may make a submission relating to the proposed Local Law under Section 223 of the <i>Local Government Act 1989</i> ;	19 July 2016 A report to consider submissions from the community during the consultation process at the Ordinary Council Meeting 22 August 2016. To date, one submission has been received seeking clarification and one submission has been received suggesting a minor change to one clause.

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Council Meeting Date	Item	Resolution	Status Update
20 June 2016 City Development	Proposed - Community Amenity Local Law No.2 2016 (continued)	<p>3. In accordance with Section 223 of the <i>Local Government Act 1989</i>, considers and hears submissions received regarding the proposed Community Amenity Local Law No. 2 2016, at an Ordinary Meeting of Council to be held on 22 August 2016, at 6.00 pm, in the Nambur Wariga Meeting Room, Council Headquarters, 141 Commercial Road, Morwell; and</p> <p>4. That a copy of the proposed draft Community Amenity Local Law No. 2 2016 be made available at Latrobe City's Customer Service Centres and Libraries, during their respective hours of operation, and on Council's website from 23 June 2016.</p>	As above
01 August 2016 City Development	Considering Planning Panel Report for Planning Scheme Amendment C93 - Ashworth Drive	<p>That Council:</p> <p>1. Defers consideration of the Planning Panel report for Planning Scheme Amendment C93 – Ashworth Drive until the next Council meeting to be held on 22 August 2016; and</p> <p>2. Organises a meeting with the residents of Ashworth Drive, Councillors and Council Officers in the next week.</p>	03 August 2016 Report to be presented to Council on 22 August 2016

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Council Meeting Date	Item	Resolution	Status Update
11 July 2016 City Development	Installation Of CCTV Head Street Traralgon - Dumped Rubbish	<p>That Council:</p> <ol style="list-style-type: none"> 1. Make a resolution approving the installation of CCTV at 135 Argyle Street Traralgon to allow Latrobe City Local Laws Officers to conduct an investigation in accordance with the Environment Protection Act 1970. 2. A sign be installed in the area informing the community of the installation of the CCTV units. 3. A further report be presented to Council at the conclusion of the trial period to report on the effectiveness of this action and any subsequent prosecution in progress. 	<p>19 July 2016</p> <p>Arrangements are currently being discussed with staff from the depot to install the CCTV hardware. Signage has been ordered to clearly advise the community about the cameras.</p>

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Council Meeting Date	Item	Resolution	Status Update
Infrastructure & Recreation			
06 November 2013 Infrastructure & Recreation	Latrobe Regional Motorsport Complex (continued below)	<ol style="list-style-type: none"> 1. That Council requests the members of the Latrobe Regional Motorsports Complex Advisory Committee to investigate potential sites for the motorsports complex and to advise Council of any sites identified so that further investigation can be undertaken by Council officers. 2. That Council officers meet with Energy Australia to discuss other possible sites for a motorsports complex on their land. 3. That a further report be presented to Council at such time that site options have been investigated 	<p>2015 Initial advice from Energy Australia and HVP is that land is not currently available for this use. Officers continuing to work with both parties to identify potential sites for further investigation.</p> <p>An on-site meeting with Cr Middlemiss occurred in December 2014 to investigate further site options.</p> <p>Further evaluation will be undertaken of sites identified during on-site meeting.</p> <p>A briefing report and Council report will be presented in April 2016.</p> <p>30 March 2016 Further evaluation will be undertaken of 10 sites identified during on-site meeting. A briefing report will be presented in May 2016.</p> <p>08 April 2016 Officers have recently met with Cr. Middlemiss in relation to investigating a number of possible options for the development of a motorsports complex. These ten sites are currently being assessed for their suitability. When this assessment is complete a further report will be presented to Council detailing and findings.</p>

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Council Meeting Date	Item	Resolution	Status Update
06 November 2013 Infrastructure & Recreation	Latrobe Regional Motorsport Complex (continued)	As above	<p>26 May 2016 A briefing report will be presented to Councillors at the 30 May 2016 Councillor Briefing.</p> <p>30 May 2016 A report was presented to the Councillor Briefing on 30 May 2016, and a further report will follow in September.</p> <p>10 June 2016 A briefing report was presented to Council on 3 May 2016. A tour of possible sites is to be organised for the Latrobe Motorsport Advisory Committee and a letter to be sent to CAMS regarding the possibility of hosting significant motorsport events is to be sent. A report to be provided to Council at a later date when these actions have been completed.</p>

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Council Meeting Date	Item	Resolution	Status Update
25 May 2015 Infrastructure & Recreation	Request to Air Condition Latrobe Leisure Stadium Facilities (continued below)	That Council: 1. Considers allocating funding in the 2016/17 financial year for the installation of air handling systems at the following Latrobe Leisure facilities, Traralgon Sports Stadium, Latrobe Leisure Morwell, Latrobe Leisure Moe Newborough and Latrobe Leisure Churchill; 2. Instructs Council Officers to undertake further investigation in relation to energy efficiency improvements, heat load reduction and air conditioning systems for the facilities; 3. Identifies and allocates the funding for the investigations detailed in point 2 from savings from the 2014/15 budget; 4. Request a report be presented to Council prior to the development of the 2016/17 budget detailing the results of the investigations detailed in point 3;	2015 Quotes are currently being requested for investigation in relation to energy efficiency improvements, heat load reduction and air conditioning systems for the facilities. Quotes are currently being requested for the provision of temporary air handling units for the BVC Event in 2016. A report is planned to be presented to the April Council Meeting. 30 March 2016 A report is planned to be presented to the June Council Meeting. 08 June 2016 The report to Council has been rescheduled to 01 August 2016. 18 July 2016 A report is to be presented to the 8 August 2016 Councillor Briefing. 10 August 2016 A report was presented to the Councillor Briefing on 08 August 2016. Officers are working on a further report.

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Council Meeting Date	Item	Resolution	Status Update
25 May 2015 Infrastructure & Recreation	Request to Air Condition Latrobe Leisure Stadium Facilities (continued)	5. Instructs Council Officers to investigate the ability to hire, and the costs associated with, temporary air handling units for the BVC event in 2016; 6. Consider the costs of item 5 is as part of the mid year budget review; and 7. Advise Basketball Victoria Country of Councils' decision.	As above

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Council Meeting Date	Item	Resolution	Status Update
27 July 2015 Infrastructure & Recreation	2015/15 - Request for Investigation into Traralgon Netball Court Resurfacing (continued below)	That Council engage an Independent investigator to investigate the Traralgon Netball Court resurfacing tender process including; 1. The materials used 2. The written Tender brief 3. The overseeing process utilised and reporting details 4. The report with all of these details be brought back to Open Council as soon as practical.	<p>2015 Officers have not as yet engaged an independent investigator to investigate the Traralgon Netball Court resurfacing tender process. Council Officers are currently focused on finalising the remediation process with the Contractors who undertook the works.</p> <p>A project brief is currently being developed and quotes will be sought for the investigation during March. The investigation report will be provided to the Council Meeting in May 2016.</p> <p>We are currently negotiating with the Contractor who undertook the works for them to accept responsibility for the resurfacing. Once we have clarified the contractors position the review will commence.</p> <p>08 April 2016 The company have acknowledged that the repairs are their responsibility and the work is underway.</p> <p>An independent review will be arranged by end of financial year.</p> <p>04 May 2016 The remedial works were completed however minor defects have arisen that are being attended to.</p> <p>21 May 2016 The tender brief is prepared and will be sent 24 May 2016.</p>

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)**

Council Meeting Date	Item	Resolution	Status Update
27 July 2015 Infrastructure & Recreation	2015/15 - Request for Investigation into Traralgon Netball Court Resurfacing	<p>That Council engage an Independent investigator to investigate the Traralgon Netball Court resurfacing tender process including;</p> <ol style="list-style-type: none"> 1. The materials used 2. The written Tender brief 3. The overseeing process utilised and reporting details 4. The report with all of these details be brought back to Open Council as soon as practical. 	<p>08 June 2016 Tenders closing mid-June, with a report to Officers by 14 July, and a report prepared for the next available meeting in August</p> <p>20 July 2016 Tender process recommenced due to the prices received. A new tenderer has provided a quote to undertake the works and this will be awarded by the end of July.</p> <p>10 August 2016 The tenders received were very expensive and a third tender sought (approx \$2500) and their report is due the week of 15 August. A report will be presented to Council as soon as possible thereafter.</p>

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)**

Council Meeting Date	Item	Resolution	Status Update
02 May 2016 Infrastructure & Recreation	Agnes Brereton Park Traralgon - Preparation of Work Plan for Repairs (continued below)	That Council: 1. Takes immediate action to inspect, stabilise and prepare a work plan to ensure the surface of the netball courts at Agnes Brereton Park Traralgon are safe and appropriately repaired; and 2. Advises the Traralgon Netball Club of the timeframe for this work; and 3. Requests a report to be provided to the next Ordinary Council meeting regarding the outcomes.	10 May 2016 An on-site meeting was held on 6 May 2016 with the following actions outlined, that will be carried out by Council over the coming weeks, addressing the concerns raised at the meeting by the Traralgon Netball Association. 1. Weekly Inspections An inspection will be undertaken of the courts on a weekly basis to determine if any additional repair works are required. Should any additional works be required these will be organised by Council as soon as practically possible. 2. Independent Consultant We will appoint an independent consultant to undertake an assessment of the Courts. The consultant will provide advice to Council in relation to any additional works that may be required, over both the short and long term, to ensure the courts are in the best condition possible for use by the community.

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)**

Council Meeting Date	Item	Resolution	Status Update
02 May 2016 Infrastructure & Recreation	Agnes Brereton Park Traralgon - Preparation of Work Plan for Repairs (continued)	As above	<p>3. Car Park Repairs</p> <p>I will arrange for my staff to assess the condition of the car park. While on site today I identified a number of areas that will require immediate attention and some that may be undertaken at a later date. I will provide you with further detail in relation to when these works will be undertaken after the car park has been assessed by my staff.</p> <p>4. Additional Concreting Works</p> <p>Additional concreting works will be undertaken to provide pathway connections from the concrete roadway to the back courts.</p> <p>Our contractor has advised that there may be a sand like material on the surface during the first few weeks while the surface dries completely. It would be appropriate for the association to monitor the condition of the courts during play to ensure that the surface continues to be safe for play. Should the surface be determined to be unsafe play may need to be suspended for a short period in order for the courts to be swept clean.</p>

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)**

Council Meeting Date	Item	Resolution	Status Update
20 June 2016	Draft Drainage Asset Management Plan 2016	<p>That Council:</p> <ol style="list-style-type: none"> 1. Endorses the draft Drainage Asset Management Plan 2016 for public consultation for 7 weeks from 10 October 2016 to 28 November 2016. 2. Requests that a further report be brought to Council following the public consultation with a draft Drainage Asset Management Plan 2016 that considers the feedback from the community consultation. 	<p>05 July 2016</p> <p>Following adoption Officers are reviewing the improvement plan and will discuss Consultation with Communication Department to prepare a plan to consult immediately following the caretaker period.</p>
11 July 2016 Infrastructure and Recreation	Petition - Old Sale Road Newborough	<p>That Council:</p> <ol style="list-style-type: none"> 1. Agrees to lay the petition, regarding Old Sale Road Newborough, on the table until the next practical opportunity for Council Officers to present a report at an Ordinary Council Meeting. 2. Advises the head petitioner of Council's decision in relation to the petition. 	<p>10 August 2016</p> <p>A report will be presented to the 12 September 2016 Ordinary Council Meeting</p>

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)**

Council Meeting Date	Item	Resolution	Status Update
11 July 2016 Infrastructure and Recreation	Latrobe Leisure Moe Newborough Hydrotherapy Program	That Council: 1. Continue the hydrotherapy program at LLMN on Sundays until a report is presented to Council in early 2017, which will provide time to assess the impact of the opening of the newly redeveloped Warragul Leisure Centre. 2. Advise key stakeholders (Pre-schools, schools, LCC childcare centres, aged care facilities, and medical centres) of Councils decision to continue the hydrotherapy program at LLMN until a report is presented to Council in early 2017.	20 July 2016 A report will be presented to Council in 2017.
01 August 2016 Infrastructure and Recreation	Petition requesting the installation of traffic calming devices along Manning Drive, Churchill	That Council: 1. Agrees to lay the petition requesting traffic calming devices be installed along Manning Drive, Churchill, on the table until the Ordinary Council Meeting to be held on 12 September 2016. 2. Advises the head petitioner of Council's decision in relation to the petition requesting traffic calming devices be installed along Manning Drive, Churchill	03 August 2016 A report will be presented to Council on 12 September 2016

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)**

Council Meeting Date	Item	Resolution	Status Update
Community Services			
18 February 2013 Community Services	Affordable Housing Project – Our Future Our Place	<p>1. That Council proceeds to publically call for Expressions of Interest as a mechanism to assess the viability and interest in developing an affordable housing project on land known as the Kingsford Reserve in Moe.</p> <p>2. That a further report be presented to Council for consideration on the outcome of the Expression of Interest process for the development of an affordable housing project on land known as the Kingsford Reserve in Moe.</p>	<p>Project review underway, almost at completion.</p> <p>09 March 2016 A report will be presented to a Councillor Briefing in May 2016</p> <p>08 June 2016 The Briefing report has been rescheduled to 27 June 2016.</p> <p>20 July 2016 A briefing report was prepared for the Councillor briefing on 27 June. Feedback from the briefing was received and a further briefing report is being presented to the Councillor briefing on 25 July. The report outlines an option for gifting the land to a not for profit organisation for a social housing project.</p> <p>09 August 2016 A briefing report was presented to the Councillor briefing on 25 July. Feedback from the Councillors is currently being considered and a further briefing report will be presented at a future briefing.</p>

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)**

Council Meeting Date	Item	Resolution	Status Update
<p>01 August 2016</p> <p>Community Services</p>	<p>Tarwin Street Pop Up Park</p>	<p>That Council:</p> <ol style="list-style-type: none"> 1. Extends the duration of the Tarwin Street Pop Up Park until 31 March 2017. 2. Publish a Public Notice in the Latrobe Valley Express on 4 August 2016, advising the community that Council intends to exercise its powers under clause 10(1)(c) of Schedule 11 of the Local Government Act 1989 to maintain the closure of the northbound lane of Tarwin Street, Morwell, from Commercial Road for a distance of approximately 30 metres south of Commercial Road and of their rights to make a submission under section 223 of the Local Government Act 1989; 3. Consider any submissions received in relation to the proposed closure of Tarwin Street until 31 March 2017 as part of a final decision on the closure of Tarwin Street at the Ordinary Council Meeting to be held on Monday 12 September 2016. 	<p>03 August 2016</p> <p>Report to be presented to Council on 12 September 2016</p>

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)**

Council Meeting Date	Item	Resolution	Status Update
Corporate Services			
23 May 2016 Corporate Services	Report Into Grant Acquittal Practices	That Council: 1. Receives and notes this interim report into grant acquittal practices; 2. Notes the management actions contained within the Community Grants and Sponsorships internal audit report; and 3. Requests a further report to be presented by September 2016 detailing the progress of designing a new Grants and Sponsorship Framework.	A report is planned to be presented to Council at the 12 September 2016 meeting.

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)**

Council Meeting Date	Item	Resolution	Status Update
02 May 2016 Corporate Services	Traralgon Greyhound Racing Club - Long Term Lease (continued below)	That Council: 1. Endorses the in principle draft terms and special conditions prepared for the long term lease with the Traralgon Greyhound Racing Club for part of Glenview Park, Traralgon, and 2. Forwards a copy of the draft lease document to the Traralgon Greyhound Racing Club for consideration. 3. Requests the Chief Executive to revise and amend the draft terms and special conditions following comments from the Traralgon Greyhound Racing Club and subject to further advice from Council Officers that the outstanding issues have been resolved provide a report prior to the signing of the revised Lease with the Traralgon Greyhound Racing Club and sublease with Telstra for Glenview Park, McNairn Road, Traralgon.	12 May 2016 Follow up report will be provided advising Council of the status of the outstanding issues. 08 June 2016 A further report is planned to be presented to Council at the 01 August 2016 meeting, subject to receiving information from the Traralgon Greyhound Racing Club. 15 July 2016 Council officers met with the President and Manager of the Traralgon Greyhound Racing Club on 7 July 2016 to discuss the terms and conditions of the draft lease. The Greyhound Racing Club has provided its comments in response to the draft lease and requested to speak to Councillors which has been tentatively arranged for the Public Presentation session to be held on 15 August 2016.

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)**

Council Meeting Date	Item	Resolution	Status Update
02 May 2016 Corporate Services	Traralgon Greyhound Racing Club - Long Term Lease (continued)	As above	04 August 2016 The Traralgon Greyhound Racing Club has advised: 1/ road works from the horse crossing around to the end of the slipping runs has been completed. 2/ Further remedial and improvement works to the area below the landscaping area will be undertaken over the next few months, and as the weather improves. 3/ Agree to the terms and conditions of the draft lease. A further report to be submitted to 12 September 2016 Council meeting.

Comments provided 10 August 2016. Any further updates after this time will be provided in the next Council Meeting Agenda.

NOTICES OF MOTION

9. NOTICES OF MOTION

Nil reports

**ITEMS REFERRED BY
THE COUNCIL TO THIS
MEETING FOR
CONSIDERATION**

10. ITEMS REFERRED BY THE COUNCIL TO THIS MEETING FOR CONSIDERATION**10.1 ROAD DEVIATION AND PUBLIC HIGHWAY DECLARATION,
PART VILLAGE AVENUE MORWELL****General Manager****Corporate Services****For Decision****PURPOSE**

Council has given public notice of its intention to consider a request to undertake a road deviation and public highway declaration for the northern part of Village Avenue Morwell. This matter has undergone a public consultation process and as no submissions have been received in response, this report is to enable Council make a decision concerning the matter.

EXECUTIVE SUMMARY

It has come to Council's attention that the northern part of Village Avenue Morwell has been constructed outside of the road reserve. This occurred when Council constructed the road on a different alignment to achieve an improved development for the air park industrial/commercial land at the Latrobe Regional Airport.

The existing road reserve is located within the rental boundaries of 79 and 81 Village Avenue Morwell.

Council has given public notice and invited written submissions concerning this proposal to undertake a road deviation and public highway declaration for the northern part of Village Avenue. As no submissions have been received in response, it is recommended that Council now resolves to undertake the proposed road deviation and public highway declaration pursuant to Sections 204 and 206 and Schedule 10, Clause 2 of the *Local Government Act 1989*.

The completion of this statutory process will not have any impact on the physical road itself, it will merely formalise the existing constructed road alignment as a road reserve. This will result in closure of the current northern end of Village Avenue road reserve and deviation of the road reserve to reflect the constructed road. Refer to Attachment 1 for an aerial image of the affected land.

RECOMMENDATION

That Council:

1. Having given public notice and invited submissions, resolves to undertake a road deviation and declare a public highway for the Northern part of Village Avenue Morwell, in accordance with Sections 204(1) and 206 and Schedule 10, Clause 2 of the *Local Government Act 1989*.
2. Publishes a notice in the Victoria Government Gazette discontinuing part of the unconstructed Council road and formally creating the northern part of Village Avenue Morwell on the new alignment.

DECLARATION OF INTEREST

No officer declared a conflict of interest under the *Local Government Act 1989* in the preparation of this report.

STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

Latrobe 2026: The Community Vision for Latrobe Valley

Strategic Objectives - Governance

In 2026, Latrobe Valley has a reputation for conscientious leadership and governance, strengthened by an informed and engaged community, committed to enriching local decision making.

Latrobe City Council Plan 2013 - 2017

Theme and Objectives

Theme 3: Efficient, effective and accountable governance

Strategic Direction – To provide open, transparent and accountable governance.

Legislation

Local Government Act 1989

Section 204 of the *Local Government Act 1989* gives Council the power to declare a road to be a public highway or to be open to the public:

- (1) *A Council may, by notice published in the Government Gazette, declare a road in its municipal district to be a public highway for the purposes of this Act.*
- (2) *A Council may, by resolution, declare a road that is reasonably required for public use to be open to public traffic.*
- (3) *A road does not become a public highway by virtue of a Council resolution made under subsection (2).*

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Section 206 and Schedule 10 Clause 2 of the *Local Government Act 1989* gives Council the power to deviate roads:

- (1) *A Council may deviate a road through private land, Crown land, or land held by licensees under the Land Act 1958 (whether or not the land is subject to any rights of way).*
- (2) *However in the case of a proposed deviation –*
 - (a) *through Crown land; or*
 - (b) *which would result in the vesting of land in a Council under section 207B(2A)-*

this power may only be exercised after the Council has obtained the consent of the Minister administering the Land Act 1958.

- (3) *Before starting any work to give effect to a deviation, the Council must publish a notice in the Government Gazette describing the deviation.*

The power is subject to Sections 204, 226 and 223 of the *Local Government Act 1989* which requires Council to “publish a public notice stating that submissions in respect of the matter specified in the public notice will be considered in accordance with this section”.

Council must then consider any submissions that have been received. Any person who has made a submission and requested that they be heard is entitled to appear before a meeting of Council.

BACKGROUND

Village Avenue Morwell is a Council managed road reserve. The section of road reserve proposed to be discontinued is not required for Council’s road network. Council is the owner of all surrounding land which forms part of the Latrobe Regional Airport.

When processing a planning permit application for the Department of Environment, Land, Water and Planning for an extension to the existing firebase located at the Latrobe Regional Airport, it was discovered that Council had altered the Village Avenue road alignment as it intruded too close to the main runway extension. Accordingly, the road was diverted to make more land available for the Latrobe Regional Airport air park commercial/industrial sites at the airport.

The realigned and constructed northern end of Village Avenue provides access to the Department of Environment, Land, Water and Planning’s firebase, Helimed Air Ambulance base and other undeveloped land.

This request was previously considered at the Ordinary Council meeting held on Monday, 20 June 2016 and it was resolved that Council:

1. *In accordance with Section 206 and Schedule 10 Clause 2 and Section 223 of the Local Government Act 1989 (the Act), authorise the commencement of the statutory process relating to Council’s intention to undertake a road deviation and public highway declaration for the northern part of Village Avenue Morwell.*

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2. *Receives written submissions and hears submissions on the proposal to undertake a road deviation and public highway declaration for the northern part of Village Avenue Morwell. Persons who have made a written request to be heard in person or by a party representing them as specified in their submission in accordance with the Act, can present at the Ordinary Meeting of Council on Monday 22 August 2016.*

KEY POINTS/ISSUES

It has been identified that part of Village Avenue, Morwell, has been constructed outside the existing road reserve. It will be necessary for Council to undertake the proposed road deviation and public highway declaration to formalise the road.

To rectify this issue Council can undertake a road deviation whereby part of the paper road reserve located within the rental boundaries of 79 and 81 Village Avenue, Morwell, will be discontinued and the part of Village Avenue that has been constructed will be formally declared as a road.

Undertaking this statutory process will not have any impact on the physical road itself, it will merely formalise the existing alignment as a road reserve; and

1. Alter the road alignment at the northern end of Village Avenue which will result in the closure of the unconstructed part of the northern end of Village Avenue road reserve being the land shown hatched on Attachment 2 Plan of Road Deviation; and
2. Open the constructed road/court bowl being the land shown cross-hatched on Attachment 2 Plan of Road Deviation.

Sections 204, 206 and Section 10 Clause 3 of the *Local Government Act* 1989 allow Council to exercise its powers over roads including the discontinuance and realignment of a road as set out in Schedule 10 of the Act.

RISK IMPLICATIONS

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

If the road deviation does not occur this has the potential to impact on future development of the leased area at the Latrobe Regional Airport.

FINANCIAL AND RESOURCES IMPLICATIONS

Costs associated with this statutory process are:

1. Officers' time and resources in the preparation of Council reports;
2. Public notices in the Latrobe Valley Express inviting submissions;
3. A notice in the Victorian Government Gazette; and
4. Preparation of the Plan of Road Deviation.

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Given that Village Avenue is already recorded on Council's Public Road Register and is currently maintained by Council, no additional financial or resource implications will be incurred as a result of this statutory process.

INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

Public comment has been sought via:

- Public notices published in the Latrobe Valley Express on Monday, 27 June 2016 and Thursday, 30 June 2016.
- Notice displayed at the corporate headquarters, and
- Details placed on the Latrobe City Council website.

Details of Community Consultation / Results of Engagement:

A verbal enquiry for further information was received from a nearby resident in respect to the location. Following a discussion with Council officers and viewing of the Plan of Road Deviation, the resident advised he did not intend to make a submission.

No submissions were received in response to the above public notices.

OPTIONS

Council has the following options available:

1. Discontinue and declare the northern part of Village Avenue a public highway; or
2. Not discontinue and declare the northern part of Village Avenue. This course of action would have the potential to impact on future development of the leased area at the Latrobe Regional Airport.

CONCLUSION

Undertaking this statutory process will formalise the existing alignment of the northern part of Village Avenue as a road reserve.

If Council resolves not to undertake a road deviation this has the potential to impact on future development of the leased area at the Latrobe Regional Airport.

Having given public notice and invited submissions it is recommended that Council undertake a road deviation and public highway declaration for part Village Avenue Morwell in accordance with Sections 204, 206 and Schedule 10, Clause 2 of the *Local Government Act 1989*.

SUPPORTING DOCUMENTS

Nil

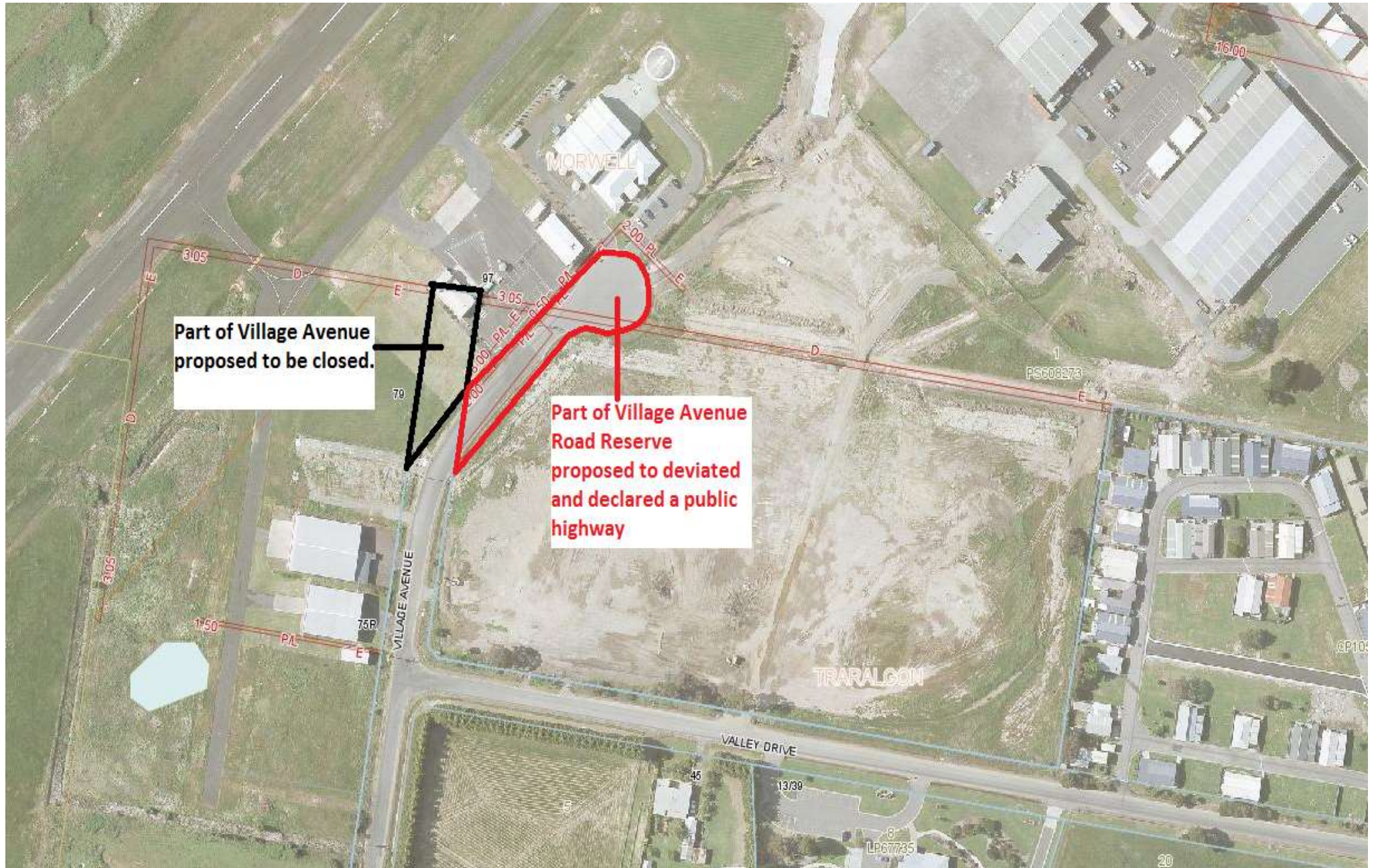
Attachments

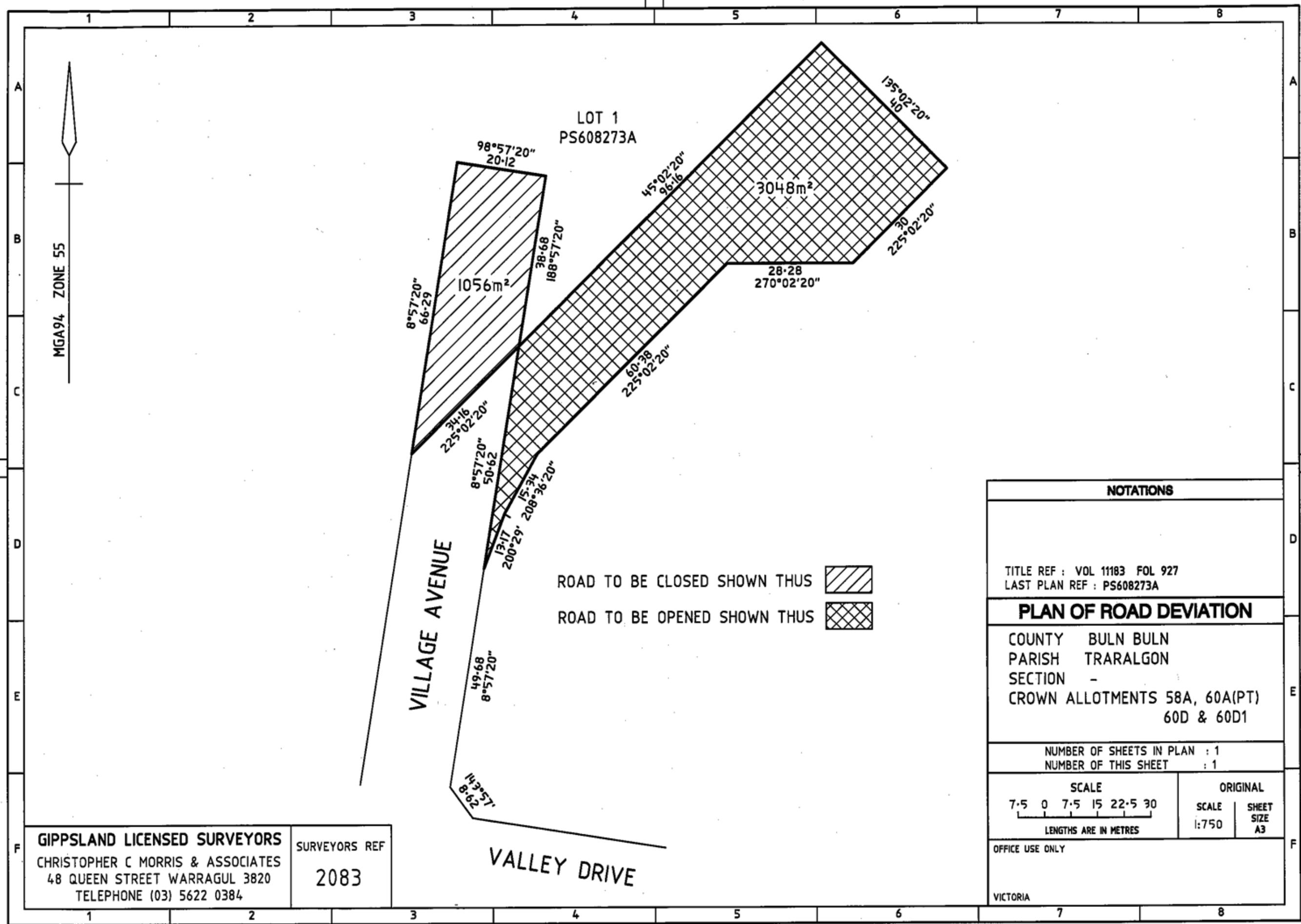
1. Aerial image of proposed Village Avenue road closure and public highway delaration
2. Plan of Road Deviation

10.1

Road Deviation and Public Highway Declaration, Part Village Avenue Morwell

- 1 Aerial image of proposed Village Avenue road closure
and public highway delaration 47**
- 2 Plan of Road Deviation..... 49**





**10.2 COMMUNITY AMENITY LOCAL LAW NO. 2 2016 -
CONSIDERATION OF SUBMISSIONS AND RECOMMENDED
ADOPTION**

General Manager

City Development

For Decision

PURPOSE

This report presents Council with the two submissions received for consideration following the second round of public consultation of the proposed '*Community Amenity Local Law No.2 2016*' in accordance with the formal process outlined in section 223 of the *Local Government Act 1989*.

Furthermore to recommend that Council make the proposed *Community Amenity Local Law No. 2 2016*, with Officers recommended amendments, as per the two submissions received in the second community consultation period.

EXECUTIVE SUMMARY

This report recommends that Council notes and considers the two submissions made in respect of the proposed '*Community Amenity Local Law No.2 2016*' as per resolution made at the Ordinary Council Meeting 21 March 2016;

That Council:

1. *Notes and considers all submissions received in relation to the proposed draft Community Amenity Local Law No.2 2015;*
2. *Requests a further report be presented no later than 20 June 2016 that identifies any changes to the proposed draft Community Amenity Local Law No.2 2015 through consideration of these submissions;*
3. *That an amended draft Community Amenity Local Law No.2 2015 be put out to the public for consultation for a period of four weeks; and*
4. *A meeting is arranged with the submitters to discuss any alternations to the draft Community Amenity Local Law No.2.*

The objectives of the draft Community Amenity Local Law No.2 2016 are to:

- enhance neighbourhood amenity;
- secure community safety;
- protect public assets; and
- provide for the peace, order and good government of the municipal district.

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The second round of community consultation commenced on 30 June 2016 and remained open for submissions by members of the community until 28 July 2016.

During this community consultation period Council received two submissions;

- *Clause 41 – Livestock on Roads – verbal submission; and*
- *Clause 111.3 – Keeping of Animals – written submission which complies with the section 223 process.*

Officers have considered each of these submissions and have incorporated recommended amendments into the proposed Local Law.

RECOMMENDATION

That Council after consideration of submissions in accordance with section 223 of the *Local Government Act 1989*:

- 1. Makes the Community Amenity Local Law No.2 2016 pursuant to Section 111 of the *Local Government Act 1989*, with amendments to the following clauses as per submissions received during the second round of community consultation:

 - a) **Removal of Clause 41 – *Livestock on Roads*, as the permit process is sufficiently detailed in Part 4 of the proposed law.**
 - b) **Removal of the commercial reference contained within Clause 111.3 – *Keeping of Animals*, to ensure consistency with State legislation and associated regulations and Codes of Practice.****
- 2. Gives notice in the Victorian Government Gazette and a public notice specifying the purpose of the Community Amenity Local Law No.2 2016 and that it is available for inspection at all Council Service Centres during ordinary business hours; and**
- 3. That a copy of the Community Amenity Local Law No.2 2016 be sent to the Minister for Local Government in accordance with the *Local Government Act 1989*.**

DECLARATION OF INTEREST

No officer declared a conflict of interest under the *Local Government Act 1989* in the preparation of this report.

STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

Latrobe 2026: The Community Vision for Latrobe Valley

Strategic Objectives – Our Community

In 2026, Latrobe Valley is one of the most liveable regions in Victoria, known for its high quality health, education and community services, supporting communities that are safe, connected and proud.

Strategic Objectives – Built Environment

In 2026, Latrobe Valley benefits from well-planned built environment that is complimentary to its surroundings and which provides for a connected and inclusive community.

*Latrobe City Council Plan 2013 - 2017**Theme and Objectives*

Theme 1: Job creation and economic sustainability

Theme 2: Affordable and sustainable facilities, services and recreation

Theme 3: Efficient, effective and accountable governance

Theme 4: Advocacy for and consultation with our community

Theme 5: Planning for the future

*Local Government Act 1989 – Section 111**Power to make local laws*

- (1) A Council may make local laws for or with respect to any Act, matter or thing in respect of which the Council has a function or power under this or any other Act.
- (2) A local law must not be inconsistent with any Act or regulation.
- (3) A local law is inoperative to the extent that it is inconsistent with any Act or regulation.
- (4) If a planning scheme is in force in the municipal district of a Council, the Council must not make a local law which duplicates or is inconsistent with the planning scheme.

BACKGROUND

At the Ordinary Council Meeting held on 7 December 2015 Latrobe City Council resolved to release the proposed draft Community Amenity Local Law No. 2 2015, for public consultation in accordance with sections 111 and 119 of the *Local Government Act 1989*. This consultation period presented a total of 414 submissions and a petition containing 478 signatories, and on 21 March 2016 Council noted and gave consideration to the submissions and resolved that an amended draft *Community Amenity Local Law No.2* be produced in accordance with submissions received.

The purposes of this Local Law are to:

- a) provide for the peace, order and good government of the municipality;
- b) prohibit, regulate and control activities, events, practices or behaviour on Council Land, public places and private property;
- c) protect Council's assets and regulate their use;
- d) enhance the quality of life for residents and visitors to the Municipality;
- e) provide for matters which require a Local Law under the *Local Government Act 1989* and any other Acts; and
- f) provide for the administration of Council powers and functions.

It was resolved by Council on Monday, 20 June 2016, that the proposed Community Amenity Local Law No.2 2016 be released for a second round of community consultation / engagement, public notice was given in the Victorian Government Gazette on 30 June 2016 to commence a four week consultation period.

KEY POINTS/ISSUES

Section 111 of the *Local Government Act 1989* provides Councils with the authority to make local laws. Local laws are designed to assist Councils to balance the needs of the individual against the needs of the broader community, but are limited to areas to which local Councils have jurisdiction (except those dealt with under the planning scheme) and cannot be inconsistent with any other laws (either State or Federal).

Summary of Submissions Received

Latrobe City Council received two submissions in relation to the proposed *Community Amenity Local Law No.2 2016*:

Submission One: The Yinnar branch of the Victorian Farmers Federation (VFF) & Farm Rate Payers Association made a verbal submission requesting a change to the proposed wording of *Division 4 – Livestock on Roads*. There was concern surrounding clause 41 which made it a requirement for applicants to provide 14 days' notice prior to a permit being issued in accordance with *Division 4*.

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Officers Response: Council Officers met with two representatives on 21 July 2016 to discuss this submission, Officers are of the belief that Part 4 of the proposed *Community Amenity Local Law No.2 2016* sufficiently provides process in respect of issuing permits; as such, Officers have removed Clause 41. The Local Laws team have since organised to attend the next Annual General Meeting of the local VFF branch on 21 September 2016, to form a closer working relationship between Latrobe City and the association's members.

Submission Two: Wildlife Victoria made a written submission which meets the requirements of the section 223 process, requesting that Council removes the reference to 'commercial licensing' contained within *Clause 111.3, Division 21 – Keeping of Animals*. Removing the 'commercial' reference the proposed *Community Amenity Local Law No.2 2016* will provide consistency and better represent the diverse range of wildlife licences issued by the State Government.

Officers Response: Officers are in agreeance with the submission made by Wildlife Australia and have removed the word 'commercial' from the licencing references contained within the clause; by doing so ensures that there is a level of consistency between State legislation, and Codes of Practice with regards to wildlife licences and the proposed *Community Amenity Local Law No.2 2016*. The representative from Wildlife Australia declined an invitation to speak at the Ordinary Council Meeting scheduled for 22 August 2016, as he was satisfied that the request to review this clause had been attended to appropriately.

RISK IMPLICATIONS

Risk has been considered as part of this report and it is therefore consistent with the Risk Management framework.

If Council choose not to make the proposed *Community Amenity Local Law No.2 2016*, Officers have determined that there is a risk associated in retaining the *Local Law No.2 2009* due to it containing a number of Clauses which are considered inoperative.

FINANCIAL AND RESOURCE IMPLICATIONS

Financial:

The cost of reviewing Local Law No. 2 has been absorbed as part of Council's approved operating budget.

Resources:

It is anticipated that this project will be managed effectively within current resource allocation.

INTERNAL/EXTERNAL CONSULTATION

Councillor Briefings & Meetings

- Councillor Briefing – 15 November 2013
- Councillor Briefing - 28 September 2015
- Council Meeting – 07 December 2015

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- Council Meeting – 21 March 2016
- Councillor Briefing – 06 June 2016
- Council Meeting – 20 June 2016

Details of Community Consultation / Results of Engagement:

On 30 June 2016 the second round of community consultation commenced allowing for members of the community to make their submissions in relation to the proposed *Community Amenity Local Law No.2 2016* – in accordance with section 223 of the *Local Government Act 1989*, the consultation period closed on 28 July 2016 at 5 PM after a 4 week period. Notice was published in the Government Gazette on 30 June 2016 – further advertisements were published via The Latrobe Valley Express, social media and Latrobe City Council's website. TV and radio interviews via various media channels by Senior Council staff were held prior to Christmas 2015.

Public Meeting

On 21 July 2016 Council Officers held a public meeting to which submitters to the proposed *Community Amenity Local Law No.2 2016* were invited to discuss any amendments to the proposed *Community Amenity Local Law No.2 2016*. This meeting raised two submissions.

OPTIONS

1. Council have the option to make the proposed *Community Amenity Local Law No.2 2016* with amendments as per submissions received from the community consultation period June / July 2016.
2. To make the proposed *Community Amenity Local Law No. 2 2016* without Officer's recommendations.
3. Choose not to make either version of the proposed *Community Amenity Local Law No.2 2016*.

CONCLUSION

The community consultation period between 30 June 2016 and 28 July 2016 had 2 submissions from members of the community, being minor wording changes and the removal of a duplicitous clause – to which Officers are in support of each of these submissions and have incorporated amendments into the proposed local law.

Officers believe that this version of the *Community Amenity Local Law No.2 2016* appropriately reflects the values of the community.

SUPPORTING DOCUMENTS

1. Guideline for Local Laws Manual – Ministers guidelines as per section 111A of the *Local Government Act 1989*.

Attachments

1. Community Amenity Local Law No.2 2016
2. Community Impact Statement
3. Table of Submissions
4. Written submission - Wildlife Victoria

10.2

Community Amenity Local Law No. 2 2016 - Consideration of Submissions and Recommended Adoption

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LATROBE CITY COUNCIL

**COMMUNITY AMENITY
LOCAL LAW NO. 2
2016**

Adopted – 22 August 2016
Commencement – 5 September 2016

For enquiries please contact
Coordinator Local Laws
Ph. 1300 367 700



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LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 7**PART 1 PRELIMINARY PROVISIONS****1. TITLE**

This Local Law is Latrobe City Council's Local Law No. 2 and referred to below as "this Local Law".

2. PURPOSES OF THIS LOCAL LAW

The purposes of this Local Law are to:

- (a) provide for the peace, order and good government of the municipal district;
- (b) prohibit, regulate and control activities, events, practices or behaviour in public places so that no detriment is caused to the amenity of the neighbourhood, nor nuisance to a Person nor detrimental effect to a Person's property;
- (c) protect the Council's assets and land and to regulate their use;
- (d) promote a physical and social environment free from hazards to health in which the residents of the municipal district can enjoy a quality of life that meets the general expectations of the community;
- (e) provide for those matters which require a Local Law under the Act and any other Act; and
- (f) provide for the administration of Council powers and functions.

3. THE POWER TO MAKE THIS LOCAL LAW

The Council's power to make this Local Law is contained in section 111 (1) of the Local Government Act 1989.

4. COMMENCEMENT DATE OF THIS LOCAL LAW

This Local Law commences on the day following the Local Law being gazetted in the Victoria Government Gazette.

5. REVOCATION DATE OF THIS LOCAL LAW

Unless sooner revoked, this Local Law ceases to operate 10 years after the date on which it is made.

6. REVOCATION OF OTHER LOCAL LAWS

Upon this Local Law commencing, the application of the former Local Law No 2 will cease.

7. SCOPE OF THIS LOCAL LAW

This Local Law applies to the whole of the Municipal District, except where it is apparent from its wording that a clause or schedule applies to specific area or areas. Its provisions apply to the extent that they are not inconsistent with any Act, Regulation or Planning

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Scheme applicable to the Council or to its Municipal District.

8. HOW TO READ THIS LOCAL LAW**8.1 INTERPRETATION OF THIS LOCAL LAW**

In this Local Law, unless the contrary intention appears:

- (a) a reference to a clause is a reference to a clause in this Local Law; and
- (b) a reference to a sub-clause is a reference to a sub-clause of the clause in which the reference is made; and
- (c) a reference to a paragraph is a reference to a paragraph of the sub-clause in which the reference is made; and
- (d) a reference to a Schedule or Part is a reference to a Schedule or Part of this Local Law; and
- (e) a reference to one gender includes a reference to each other gender; and
- (f) a reference to the singular is also a reference to the plural.

8.2 LOCAL LAW PROVISIONS AND EXERCISING DISCRETIONS

Parts 1 to 19 inclusive set out the provisions for meeting the objectives of this Local Law and the criteria to which the Council and its staff must have regard in exercising discretions under this Local Law.

9. WORDS USED IN THIS LOCAL LAW

WORDS	MEANING OR EXTENDED MEANING
Act:	Means the Local Government Act 1989.
Adult dog or cat:	Means an animal over the age of 3 months.
Advertising sign:	Means any temporary placard, notice board, sign, structure, banner, "A" frame or other similar device, whether portable or affixed to any structure, which is used for the purposes of: <ul style="list-style-type: none"> (a) soliciting sales; (b) notifying people of the presence of an adjacent property where goods or services may be obtained; or (c) advertising or promoting goods, services, an event, pastime or competition.
Alcoholic beverage:	Means a beverage intended for human consumption with an alcoholic content greater than 0.5 per centum by volume at a temperature of 20° Celsius.
Applicant:	Means a person who applies for a permit under this Local Law.

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Appropriate fee:	Means the appropriate fee determined by the Council in accordance with this Local Law.
Arterial road:	Means a road declared to be an arterial road under section 14 of the Road Management Act 2004.
Authorised officer:	Means an Authorised Officer appointed under Section 224 of the Act.
Authorised sign:	Means a sign that is placed either temporarily or fixed permanently by the Council or the Council's contractor.
Barbecue:	Means a device for cooking food outdoors constructed predominantly of metal or other non flammable material, and whether powered by gas, electricity, liquid or solid fuel or any combination of them, and includes a device for spit roasting when used outdoors.
Built-up area:	Has the same meaning as in the Road Safety Road Rules 2009.
Bulk rubbish container:	Means a bin, container or other structure designed or used for holding a substantial quantity of rubbish and refuse which is unlikely to be lifted without mechanical assistance but excludes containers used in connection with the Council's regular domestic rubbish collections.
Busk:	Means playing a musical instrument and/or singing, conjuring, juggling, miming, mimicking, dancing, puppetry, performance art, recitation and other appropriate theatrical and visual forms, being activities which attract or attempt to attract a donation rather than a prescribed fee.
Camp:	Means the occupation or use of a tent, makeshift structure, caravan, campervan, mobile home or any other vehicle (including under the vehicle) for sleeping all or part of a night, or as a temporary accommodation. This does not include brief 'power napping' in a vehicle on a roadway.
Camping Area:	Means land which has been declared by the Council to be a 'camping area' for the purposes of this Local Law or land which has been registered with the Council as a caravan park pursuant

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to the Residential Tenancies Act 1997.

- Caravan:** Means any moveable dwelling (whether or not the wheels or axles thereof have been removed and whether it is resting directly on the ground or is placed on blocks or other supports) and any structure annexed to the moveable dwelling.
- Cattle:** Includes any bull, cow, ox, steer, heifer or calf.
- Central Business District:** Means the Central Business District of the Council as shown in the plans in Schedule 3.
- CFA** Means the Country Fire Authority.
- Chief Executive Officer:** Means the Chief Executive Officer appointed by the Council from time to time and includes a person for the time being acting in that position.
- Code Red Day:** Refers to the fire danger rating provided by the Bureau of Meteorology, Code Red is the highest level of rating in Victoria and it signifies the worst condition for grassfires or bushfires. If a fire were to start it will be uncontrollable, unpredictable and fast moving.
- Commercial and Industrial Properties:** Means a property that is intended for business activities such as; shopping centres, offices or any other building or land intended to generate a profit, either from capital gain or rental income or used for manufacturing and production.
- Council:** Means Latrobe City Council.
- Council and Community Assets:** Means furniture, fittings, assets, equipment, or other structures of any kind, tree reserves, gardens, garden plots, lawns, plantations, trees, shrubs, statues, monuments, fountains, seats, posts, fences and paths in or upon any public place in the Municipal District and includes Council Land.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 11

- Community Events:** Means events on Council Land delivering a range of community benefits (including bringing communities together, providing volunteer, participation and entertainment opportunities and building community capacity) or that improve the liveability and image of Latrobe City. Such events include a wedding, fair, fireworks or carnival, food fair, wine or produce festival or market, or any other horticultural, social educational, cultural, recreational, political, religious or commercial occasion, celebration, rally, demonstrations and any other public gathering.
- Community Market** Means Markets held on Council Land delivering a range of community benefits (including bringing communities together, providing volunteer, participation and entertainment opportunities and building community capacity) or that improve the liveability and image of Latrobe City. Community Markets include Craft Markets, Farmers Markets and local produce markets and run by community groups (not including commercial ventures).
- Council Land:** Means all land owned, leased, managed or occupied by the Council or in respect of which the Council has a duty to maintain and includes a street, road and footpath and any improvements buildings and other structures permanently affixed to the land and any estate, interest, easement, servitude or right in or upon land.
- Domestic bird:** Means small bird.
- Dwelling:** Means a building used or intended to be used as a separate residence which requires a building permit under the Building Regulations 1994.
- Dilapidated Building:** an unoccupied building that is in a state of disrepair or ruin.
- Designated Boat Ramp:** Means a boat ramp which has been declared as such by Council resolution and which has been sign posted as a designated boat ramp and parking area.
- Emergency Service:** Means Ambulance Service, State Emergency Service or Fire Brigade when carrying out emergency duties.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 12

Environmental Health Officers:	Means Environmental Health Officers appointed by the Council from time to time.
Event:	Means an organised gathering of people involved in sporting, special interest, cultural and community, celebratory or commemorative/remembrance activities.
Farming Area:	Means land used for Primary Production and zoned as farm land in the Planning Scheme applicable to the Municipal District or any other land which has been declared by the Council to be a "farming area" for the purposes of this Local Law.
Footpath:	Means any path or footway that is provided for the use of pedestrians only or that is regularly used by pedestrians and not vehicles, or that is a segregated footway or a shared path.
Free flying pigeon:	Means a pigeon kept and permitted to fly free from a loft for any amount of time.
Incinerator:	Means a structure, device or contraption (not enclosed in a building) which: (a) is used or intended, adapted or designed to be used or capable of being used for the purpose of burning any matter, material or substance; and (b) is not licensed or otherwise subject to control under the of the Act; and (c) is not a barbecue.
Infringement Penalty:	Means the amount of the Penalty Units which must be fixed in any infringement notice.
Landfill:	Means a landfill established by the Council for receiving waste or refuse.
Livestock:	Has the same meaning as in Impounding of Livestock Act 1994
Major Events:	Means on-going regular and one-off major events on Council Land achieving positive economic and community outcomes and enhance the image of Latrobe City.
Motor vehicle:	Has the same meaning as in the Road Safety Act 1986.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 13**Multi-unit**

Development: Means any development containing more than one dwelling on an allotment in an Urban Area.

Municipal

District: Means the Municipal District of the Council.

Municipal Place:

Means:

- (a) any road, footpath or shopping mall; and
- (b) a public place which is owned or occupied by or vested in the Council to which the public has access (whether an admittance fee is required or not).

Municipal Property:

Includes any buildings or parts of buildings used for municipal purposes.

Noxious weed:

Means any plant declared to be a state prohibited weed or a weed, which is prohibited, controlled or restricted for an area which includes the Municipal District, under the Catchment and Land Protection Act 1994.

Nuisance:

Means any condition which is liable to be noxious, dangerous or injurious to health, and includes any noise created by an animal or any other thing which persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises.

Occasional Events:

Means an event held on Council land that has a crowd of approximately 50 people and inhibits on the standard operation of the location being used for its intended purpose.

Outdoor eating**Facility:**

Means any table, chair, umbrella or other removable items located out of doors at which food or drink is served and/or consumed.

Park:

Has the same meaning as in the Road Safety Road Rules 2009.

Parking area:

Has the same meaning as in the Road Safety Road Rules Victoria 2009.

Penalty Unit:

Has the same meaning as in section 110 of the Sentencing Act

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1991.

Permit:	Means a permit issued by the Council under this Local Law.
Permit holder:	Means a person to whom a permit has been issued under this Local Law.
Person:	Includes a partnership, unincorporated body, a corporation, or an association incorporated under the Associations Incorporation Reform Act 2012.
Planning Scheme:	Means the Planning Scheme relevant to the Municipal District.
Premises:	Includes land, buildings and a building under construction.
Private land:	Means land that is not Council Land, a road or a public place.
Procession:	Means an organised group of people proceeding along a road or gathering for a ceremony or function and includes fun runs and bicycle events.
Property:	Means any ground, soil or earth whatsoever, whether dry or underwater, including all buildings on the land, and also everything attached to the land whether above or under the surface.
Public place:	Has the same meaning as in the Summary Offences Act 1966.
Public Reserves and Recreation Grounds:	Means and includes any commons or public reserve of which the management is vested in the Council, and any land purchased or rented or otherwise provided by, granted or given to or vested in the Council for the provision of pleasure grounds or places of public resort or public recreation and any tree reserve, garden, garden plot, lawn or ornamental plantation in or upon any street or road within the Municipal District
Recreation Centre:	Means a place provided for the purpose of public fitness, resort and recreation.
Recreational vehicle:	Means a motor vehicle that is used or intended to be used in a

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public place or private land and includes a trail bike, mini bike, motor scooter, motor driven go-cart, monkey bike and any other vehicle propelled by a motor which is used for recreational or sporting purposes but does not include a motorised vehicle used for farming purposes.

- Regulations:** Means Regulations made under the Act.
- Reservation:** Means a physical provision on a road which divides it longitudinally (other than a longitudinal line or a series of lines marked on a carriageway) and includes a nature strip adjoining a footway or property line.
- Residential Area:** Means an area zoned residential in the Planning Scheme which includes Neighbourhood Residential, General Residential, Residential Growth and Low Density Residential zones.
- Rural Land:** Means land zoned as rural land which Includes Farming Zone, Rural Living Zone, Rural Conservation Zone, and any other zone in the suite of rural zones in the Latrobe Planning Scheme
- Sell:** Includes dispose of for consideration (whether by wholesale or retail or by means of any machine or mechanical device), barter or exchange, agree to sell, offer or expose for sale, keep or have in possession for sale, send, forward, deliver or receive for or on-sale, and attempt, direct, cause, suffer and admit any such act or thing.
- Senior Officer:** Has the same meaning as in the Act.
- Service Authority:** Means an entity (whether public or privately owned) which provides or intends to provide, water, sewage, drainage, gas, electricity, telephone, telecommunications, or like services under the authority of an Act of Victoria or the Commonwealth.
- Shopping trolley:** Means a wheeled container or receptacle supplied by a retailer for the specific purpose of enabling customers to transport goods.
- Special Event:** Means an irregular, one-off major national or international event on Council Land that has the ability to attract significant interstate and international visitation and provide positive

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 16

branding of Latrobe City outside the region.

Street Festival:	Means an organised recreational, cultural, commercial or social gathering of people which is held on a road.
Street furniture:	Means any sign, notice, structure, or fixture which is owned, erected, or maintained by the Council and which is located on, or adjacent to a road.
Street Party:	Means an organised social gathering of people resident in one or several adjacent roads that is held on a road.
Street Stall:	Means a table, structure, furniture, sign or fixture erected for the temporary display of goods, whether or not for sale.
Temporary dwelling:	Means a building or caravan used for residential purposes prior to and during construction of a dwelling.
Toy vehicle:	Means a vehicle (other than a bicycle) ordinarily used by a child at play and designed to be propelled by human power, and includes a scooter, skateboard, roller skates, roller blades and similar toys.
Traffic:	Means the movement of people by foot or in or on vehicles, along, across or within a road, road related area or footpath.
Transfer/Landfill Station Attendant:	Means the Transfer Station Landfill Attendant as appointed by the Council from time to time.
Urban Area:	Means any area set aside or used for urban development whether or not supplied with street lighting or a garbage collection service.
Vacant land:	Means a property on which there is no house or other structure approved for human habitation.
Vehicle:	Has the same meaning as in the Road Safety Act 1986.
Vehicle crossing:	Means a constructed area that provides for the passage of vehicles from a carriageway to private property and includes the

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kerb, channel, nature strip and footpath.

Wheeled

Recreational device: Means a wheeled device, built to transport a person propelled by human power or gravity, and ordinarily used for recreation or play and –

- (a) includes rollerblades, roller skates, a skateboard and a similar wheeled device; but
- (b) does not include a golf buggy, pram, stroller or trolley, or bicycle, wheelchair or wheeled toy.

Wheeled toy: Means a child's pedal car, scooter or tricycle or a similar toy, but only when it is being used only by a child who is under 12 years old.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 18**PART 2 ADMINISTRATION OF THIS LOCAL LAW****10. EXERCISE OF DISCRETIONS**

- 10.1 In exercising any discretion contained in this Local Law the Council must have regard to:
- (a) the purposes of this Local Law; and
 - (b) any applicable Council Policy; and
 - (c) any other relevant matter.
- 10.2 (a) The Council may from time to time prepare guidelines for use by the Council, authorised officers and other persons for the purposes of this Local Law.
- (b) Guidelines prepared by the Council must not be inconsistent with the purposes of this Local Law.
 - (c) Any guidelines prepared cannot change or update a Local Law provision without the Local Law being amended and the guideline being incorporated by reference.

11. POWER TO OBTAIN NECESSARY INFORMATION LGA224

The Council or an authorised officer may require additional information to enable an application for a permit to be properly considered and for the purposes of administering and enforcing the provisions of this Local Law.

12. IMPOUNDMENT, RELEASE AND DISPOSAL OF ITEMS

- 12.1 If an authorised officer has impounded an item or other thing in accordance with this Local Law, the Council may refuse to release it until the appropriate fee or charge for its release has been paid to the Council.
- 12.2 Any impounded item must be returned to the owner after:
- (a) payment of any fees, as determined from time to time by the Council, have been paid in full; and
 - (b) evidence of ownership is provided to the satisfaction of the Council or an authorised officer.
- 12.3 As soon as practicable after the impoundment of any item an authorised officer must, if the identity of the person who owns the item can be determined, serve a Notice of Impounding on that person.
- 12.4 Any impounded item may be disposed of by an authorised officer if it is not claimed by the owner within the time specified on the Notice of Impounding or within 14 days of the impounding in a case where the owner cannot be ascertained.

The procedure for the disposal of impounded items is as follows:

(a) The Council may, at its discretion, dispose of any impounded item in any of the following ways:

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Council's staff authorised for the purpose to have no saleable value, it may be disposed of in the most economical way, as determined by the Council; and

- (b) Where the item is declared to have some saleable value the item may be disposed of by tender, public auction or private sale, but failing sale may be given away or disposed of at the discretion of the Senior Officer or other member of the Council's staff.

12.5 When the identity or whereabouts of the owner or person responsible for the impounded item is unknown, the authorised officer must take reasonable steps to ascertain the identity or whereabouts of that person and may proceed to dispose of the impounded item once he or she is satisfied that all reasonable efforts have been made to contact the owner or person responsible for the impounded item.

12.6 Any proceeds from the disposal of impounded items under this Part must be paid to the owner or the person who in the opinion of Council appears to be authorised to receive the money except for the reasonable costs incurred by the Council in the administration of this Part.

12.7 In the event that the person described in sub-clause 12.6 cannot be identified or located within six (6) months of the date of the impounding any proceeds may be retained for municipal purposes.

13. APPEALS

13.1 Any person who is aggrieved by any matter under this Local Law may make a written submission for consideration by the Council, but the making of any submission will not in any way remove that person's obligation to act in accordance with this Local Law and any directions or notices which are applicable under this Local Law.

PART 3 NOTICE TO COMPLY**14. POWER OF AUTHORISED OFFICERS TO DIRECT****LGA224**

An authorised officer may issue a person with a *Notice to Comply* if the authorised officer believes on reasonable grounds that the person has committed an offence under this Local Law or direct any property owner, occupier or other relevant person to remedy any situation which constitutes a breach under this Local Law.

A *Notice to Comply* issued under this clause must set out the following details—

- (a) the offence that the authorised officer believes has been committed; and
- (b) the action that the person is required to undertake; and
- (c) the time within which the specified action must be taken.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 20**15. REASONABLE TIME TO COMPLY**

The time fixed by a *Notice to Comply* served under this Local Law must be reasonable in the circumstances and what will be reasonable will vary depending on the matters to be remedied, but should take into account if applicable:

- (a) the amount of work involved; and
- (b) the degree of difficulty; and
- (c) the availability of necessary materials or other necessary items; and
- (d) climatic conditions; and
- (e) the degree of risk or potential risk; and
- (f) any other relevant factor.

16. FAILURE TO ADHERE TO A NOTICE TO COMPLY

16.1 Any person who fails to remedy a situation in accordance with a *Notice to Comply* served under this Local Law is guilty of an offence.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

16.2 If a person fails to carry out any work which he or she is required to do by a Notice to Comply issued under this Local Law within the time stated in the Notice, the Council in its discretion and wherever practicable may cause the work to be carried out and may recover the cost from that person. **LGA225**

17. POWER OF AUTHORISED OFFICERS TO ACT IN URGENT CIRCUMSTANCES

17.1 An authorised officer may, where a person has failed to comply with this Local Law, take action to remove, remedy or rectify a situation without serving a Notice to Comply provided:

- (a) he or she considers the circumstances or situation to be sufficiently urgent and that the time involved or difficulties associated with the serving of a Notice may place a person, animal, property or thing at risk or in danger; and
- (b) wherever practicable, a Senior Officer is given prior notice of the proposed action; and
- (c) details of the circumstances and remedying action are forwarded as soon as practicable to the person on whose behalf the action was taken; and
- (d) as soon as practicable a report is submitted to the Chief Executive Officer.

17.2 The action taken by an authorised officer under sub-clause 17.1 must not extend beyond what is necessary to cause the immediate abatement of or minimise the risk or danger involved.

17.3 What is regarded as an urgent circumstance will depend on the circumstances of

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each situation. Factors to be taken into consideration may include:

- (1) Where:
 - (a) The person by whose default, permission or sufferance the situation has arisen; or
 - (b) the owner or the occupier of the premises or property affected is not known or cannot be found.
- (2) Where, in the opinion of an authorised officer, there exists an urgent risk or threat to:
 - (a) public health; or
 - (b) public safety; or
 - (c) the environment; or
 - (d) animal welfare.

PART 4 PERMITS**18. PERMITS**

- 18.1 The Council or an authorised officer in its, his or her absolute discretion may issue a permit under this Local Law with or without conditions, including the payment of any fee the Council may require or may refuse to issue a permit or refer an application to internal review.
- 18.2 The Council or an authorised officer may prescribe:
 - (a) the manner and form in which applications for permits under this Local Law should be made;
 - (b) the manner in which any permit under this Local Law should be issued; and
 - (c) the fee for any such permit application.
- 18.3 The Council or an authorised officer may waive payment of any fee for a permit.
- 18.4 The Council or an authorised officer may require the applicant to give notice of the application, including public notice of the application.
- 18.5 If the Council or an authorised officer requires an applicant to give public notice of the application and that public notice is given, any person has the right to make a submission and be heard in support of their submission as if section 223 of the Act applies.
- 18.6 The Council or an authorised officer may require an applicant to provide the Council with more information before the Council or authorised officer deals with the permit application.
- 18.7 Applicants under the age of 18 years require permission from a parent or guardian and must be accompanied by a person 18 years or over.

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- 18.8 A permit expires on the date specified in the permit or if no such date is specified the permit will expire 1 year after the date of issue.
- 18.9 A permit under this Local Law may be issued subject to conditions which may include:
- (a) the payment of a fee or charge; and
 - (b) the application of any policy of the Council; and
 - (c) a time limit to be applied either specifying the duration, commencement or completion date; and
 - (d) the permit being subject to the happening of an event; and
 - (e) the rectification, remedying or restoration of a situation or circumstance; and
 - (f) where the applicant is not the owner of the subject property, the consent of the owner; and
 - (g) the granting of some other permit which may be required by the Council, whether under this Local Law or otherwise.
- 18.10 The Council must maintain a register of permits granted, including details of cancellation or corrections made to any permit or any exemption from a requirement to obtain a permit or conditions applied to that exemption.

19. CONSIDERING APPLICATIONS

- 19.1 In considering an application for a permit the Council or an authorised officer may consider:
- (a) any policy adopted or guidelines proposed by the Council relating to the subject matter of the application;
 - (b) any submission that may be received in respect of the application; and
 - (c) any comments that may be made in respect of the application by any public authority, Government department, community organisation or other body or person; and
 - (d) any other relevant matters.
- 19.2 A person who has applied for a permit may appeal in writing to the Council's Appeals Panel against the decision of an authorised officer to refuse to grant a permit within 21 days of being notified of the decision.

20. CORRECTION OF PERMIT

- 20.1 The Council or an authorised officer may correct or amend a permit issued if the permit contains:

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- (a) a clerical mistake or an error arising from any accident, slip or omission; or
 - (b) an evident and material miscalculation of figures or any evident and material; or
 - (c) a mistake in the description of any person, thing or property referred to in the permit.
 - (d) a need for special consideration relevant to the purpose of the Permit.
- 20.2 The Council or the authorised officer must note the correction in the register of permits.
- 20.3 The Council or the authorised officer must give notice of the correction to the holder of the permit.

21. GROUNDS FOR CANCELLATION OR AMENDMENT OF PERMITS

- 21.1 The Council or an authorised officer may cancel or amend any permit if he or she considers that there has been:
- (a) a material misstatement, false representation or concealment of facts in relation to the application for a permit; or
 - (b) any material mistake in relation to the use of the permit; or
 - (c) any material change of circumstances which has occurred since the issue of the permit; or
 - (d) a failure to comply with the conditions of the permit; or
 - (e) a failure to comply with a Notice to Comply within the time specified in the Notice to Comply.
- 21.2 The Council or the authorised officer must notify the holder of a permit of the Council's or authorised officer's intention to amend or cancel the permit and give the holder of that permit an opportunity to make a written submission before the permit is amended or cancelled.
- 21.3 If the Council or the authorised officer, after considering any written submission made by the permit holder, determines to cancel or amend the permit, the Council or authorised officer must note that cancellation or amendment in the register of permits.

22. EXEMPTIONS

- 22.1 A person may request the Council to, and the Council may by written notice, exempt any person or class of persons from the requirement to have a permit, either generally or at specified times.

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22.2 In determining whether to grant an exemption to the requirement to obtain a permit, an authorised officer must, as the delegate of the Council, have regard to:

- (a) the circumstances of the application; and
- (b) whether the application is to raise funds for community or charitable purposes; and
- (c) whether the proposed activity or use will have an overall community benefit; and
- (d) whether the proposed activity or use could have a detrimental effect on adjoining properties; and
- (e) whether the applicant will be given an unfair advantage over any other person or organisation; and
- (f) any other matters relevant to the circumstances of the application.

22.3 An exemption may be granted subject to conditions.

22.4 A person to whom an exemption is granted but who does not comply with the conditions of the exemption is guilty of an offence.

Penalty: 20 Penalty Units

Infringement Penalty: 3 Penalty Units.

22.5 An exemption may be cancelled or corrected as if it were a permit.

23. FALSE REPRESENTATIONS

A person who makes a false representation or declaration (whether oral or in writing), or who intentionally omits relevant information in an application for a permit or exemption, is guilty of an offence.

Penalty: 20 Penalty Units

Infringement Penalty: 5 Penalty Units.

24. SERVICE AUTHORITY OR COUNCIL

24.1 This Local Law does not apply to a service authority or Council, or a person employed by or working on behalf of, a Service Authority or Council in respect of works for that Service Authority or Council.

24.2 A person who would, but for this clause, be required to obtain a permit in respect of any activity must notify the Council of the activity prior to its commencement.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 25**PART 5 FEES, CHARGES AND COSTS****25. SETTING FEES AND CHARGES LGA113**

25.1 The Council may from time to time by resolution determine the fees and charges to apply under this Local Law, which may include an administrative or processing fee or charge and the Council must give public notice of its resolutions determining or altering those fees and charges.

25.2 Where a permit is issued part way through the financial year and is to operate for the balance of that financial year, the Council may vary the normal annual fee or charge by applying a fee or charge which is proportionate to the period for which the permit will apply corrected to the next higher quarter of that year.

26. DIFFERENTIAL OR STRUCTURED FEES AND CHARGES

In determining any fees and charges the Council may establish a system or structure of fees and charges, including a minimum or maximum fee or charge, if it considers it is appropriate to do so.

27. WAIVER OR ALTERATION TO FEES AND CHARGES LGA113

27.1 The Council may waive, reduce or alter any fee or charge with or without conditions.

PART 6 OPERATIVE PROVISIONS**DIVISION 1 – OBSTRUCTIONS TO THE FREE PASSAGE OF PEOPLE AND VEHICLES****28. TREES AND PLANTS NOT TO OBSTRUCT OR OBSCURE**

28.1 An owner or occupier of land must not allow any vegetation growing on the land to obstruct pedestrians by encroaching onto or above:

- (a) a footpath; or
- (b) another part of the road used by pedestrians ("road related area"); or
- (c) a reserve owned or occupied by the Council

to or at a height of less than three (3) metres above the surface of the footpath, road related area or reserve.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

28.2 An owner or occupier of land must not allow any tree or plant in or growing on land to obstruct or interfere with the passage of traffic by:

- (a) extending over any part of the road in such a way that it:

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- (i) obstructs the view between vehicles at an intersection; or
 - (ii) obstructs the view between vehicles and pedestrians where they come close to each other; or
 - (iii) obscures a traffic control item from an approaching vehicle or pedestrian; or
 - (iv) obscures street lighting; or
- (b) otherwise constituting a danger to vehicles or pedestrians or compromising the safe and convenient use of the road.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

28.3 REQUIREMENTS FOR A CLEAR VIEW AT INTERSECTIONS

Without limiting sub-clause 28.2, the owner or occupier of land must ensure that any tree, shrub or hedge growing on that land and located within 5 metres of an intersection is maintained to a height of not more than 1 metre, except trees with narrow clean trunks with foliage no lower than 2 metres above the ground. This is determined by a triangular area within the property, made up by a line drawn between points 5 metres back from the intersection on each road.

29. FENCES, SIGNS, POSTS, AND OTHER OBJECTS

- 29.1 An owner or occupier of land must not place or allow to be placed a sign, post or other object on the land in such a position that it causes an obstruction to pedestrians by encroaching onto or above:
- (a) a footpath; or
 - (b) another part of the road used by pedestrians; or
 - (c) a reserve owned or occupied by the Council.
- 29.2 An owner or occupier of land must not allow or place any fence or part thereof to cause an obstruction to pedestrians or vehicles by encroaching onto a:
- (a) road
 - (b) footpath; or
 - (c) reserve owned or occupied by the Council.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 27**DIVISION 2 – ROAD NAMES AND PROPERTY NUMBERS****30. COUNCIL TO APPROVE ROAD NAMES**

- 30.1 A person must not apply a name to a road without the consent of the Council.
- 30.2 A person must not destroy, pull down, obliterate or deface a sign containing the name of any road.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

- 30.3 Sub-clause 30.1 does not apply to any freeway or to any supplementary name applied to the entire length of a declared road by Vic Roads.

31. PROPERTY NUMBERS TO BE DISPLAYED

- 31.1 For each property that has been allotted a property number, the owner or occupier of the property must mark the property with the number allotted, which number must be of sufficient size, in such a position, made of such material and kept in such state of repair to be clearly read from the road abutting the property.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

31.2 SUFFICIENCY OF SIZE LOCATION AND VISIBILITY OF PROPERTY NUMBERS

The legibility of the property number is to be assessed from the footpath, naturestrip or road edge immediately adjacent to the front boundary of the property. In determining whether a property number meets the requirements of sub-clause 31.1, the following must be taken into account:

- (a) the size of the property number, a minimum of 100mm for residential properties and 200mm for commercial properties; and
- (b) the accuracy and completeness of the property number; and
- (c) the state of repair of the property number having regard to its visibility; and
- (d) the colour of the property number; and
- (e) distinction from its backgrounds; and
- (f) freedom from obstruction.

31.3 COUNCIL MAY ALLOCATE A PROPERTY NUMBER

The Council may, where the owner or occupier of a property does not mark the property with the number allotted, cause the property to be numbered and recover the cost of doing so from the owner or occupier as a debt due to the Council.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 28**32. INCORRECTLY DISPLAYING PROPERTY NUMBERS**

A person must not paint, affix or set up any name or number to any premises contrary to the provisions of this Local Law.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

DIVISION 3 - VEHICLE CROSSINGS**33. A VEHICLE CROSSING IS REQUIRED**

33.1 An owner of land must ensure that each point of vehicular access from a carriageway on a road to the land has a properly constructed vehicle crossing.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

33.2 For the purposes of sub-clause 33.1 a vehicle crossing is properly constructed if:

- (a) it was constructed by or in accordance with the terms of an approval by the Council; or
- (b) the Council has approved in writing the method of construction of the particular vehicle crossing.

34. A PERMIT IS REQUIRED

A person must not, without a permit, construct, install, remove or alter a vehicle crossing, whether temporarily or permanently.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

35. REDUNDANT VEHICLE CROSSINGS

35.1 Where works on a property involve the relocation or closure of a point of vehicular access, the owner or occupier of the land must ensure that any redundant part of a vehicle crossing is removed and the kerb, drain, footpaths, nature strip or other part of the road is reinstated to the satisfaction of the Council.

35.2 The Council may require the owner or occupier of a property to remove any part of or all of a vehicle crossing for which there is no effective point of vehicle access and to reinstate the road.

35.3 The owner or occupier of the property must comply with any such requirement.

36. VEHICLE CROSSINGS IN DISREPAIR

36.1 Where the Council or an authorised officer is of the opinion that a vehicle crossing is in a state of disrepair or otherwise in an unsatisfactory condition, the Council or authorised officer may require the owner or occupier of a property to carry out works to reinstate the vehicle crossing.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 29**DIVISION 4 – LIVESTOCK ON ROADS****37. DRIVING AND CROSSING OF LIVESTOCK ON ROADS**

An owner or person in charge of livestock must not drive livestock along a road or allow livestock to cross a road without a permit.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

38. GRAZING OF LIVESTOCK ON ROADS

An owner or person in charge of livestock must not allow or cause any livestock to graze on a road without a permit.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

39. EXEMPT AREAS - PLACES WHERE THE DRIVING OR GRAZING OF LIVESTOCK IS NOT PERMITTED

39.1 The driving of livestock is not permitted to take place in the following places:

- (a) any section of road which is, at the time of driving the livestock, under construction or reconstruction; or
- (b) any footpath; or
- (c) any road identified by the Council to have roadside reservations of conservation or other environmental significance.

39.2 The Council may resolve that additional roads or areas are not to be made available for the driving or grazing of livestock.

40. LIVESTOCK GRAZING, DRIVING AND CROSSING PERMIT CONDITIONS

42.1 A permit holder must not vary the route or location specified in a permit without first obtaining the consent of the Council or an authorised officer.

42.2 A permit holder must not allow livestock to be on a road outside the hours specified in the permit.

42.3 A permit holder must follow the direction of an authorised officer to remove any livestock from a road.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

42.4 A permit must specify by name or by indication on an attached map the roads along which the livestock must be driven.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 30**41. POWER TO IMPOUND LIVESTOCK**

Subject to the Impounding of Livestock Act 1994, an authorised officer may impound or secure in a place offering safe custody any livestock found trespassing on a road or in the possession of a permit holder who has breached the relevant permit.

DIVISION 5 - SHOPPING TROLLEYS**42. LEAVING SHOPPING TROLLEYS**

A person must not leave, cause to be left or authorise another person to leave a shopping trolley on any road or Council Land or in any other public place.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

43. MISUSES OF SHOPPING TROLLEYS

A person must not use a shopping trolley for any other purpose for which it was not specifically designed.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

44. IMPOUNDMENT OF SHOPPING TROLLEYS

An authorised officer, may seize and impound any shopping trolley found abandoned or which is being used in contravention of this Local Law.

DIVISION 6 - CONTROL OF TOY VEHICLES AND MODEL AEROPLANES**45. MODEL AEROPLANES AND DRONES**

A person must not, without a permit, fly or permit to be flown any model aeroplane, drone or similar type of equipment over any road or Council land.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

46. CONTROL OF TOY VEHICLES

A person must not:

- (a) use or allow to be used a toy vehicle so as to endanger, intimidate or unduly obstruct or hinder any other person or vehicle lawfully using or intending to use the same area; or
- (b) use a toy vehicle in an area designated by the Council under clause 47 contrary to that designation.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 31**47. DESIGNATED AREAS**

- 47.1 The Council may designate areas (other than a road or road related area) where it considers that the riding of toy vehicles is reasonably likely to cause physical damage to infrastructure located within the area.
- 47.2 Where the use of toy vehicles is likely to interfere with the use and enjoyment of the locality or members of the public the Council may designate areas (other than a road or road related area) where the use of a toy vehicle is:
- (a) prohibited or;
 - (b) restricted to use at specified times or;
 - (c) permitted conditionally.
- 47.3 If the Council designates an area in which toy vehicles must not be used or can only be used at specified times or conditionally, it must erect signs in or on the area designated indicating that toy vehicles must not be used or can only be used at the times or subject to the conditions specified.
- 47.4 Where the Council fails to erect and maintain signs in accordance with sub-clause 47.3 it cannot proceed to prosecute a person for an offence under sub-clause 46.

DIVISION 7 – RIDING OF HORSES IN BUILT UP AREAS**48. RIDING HORSES ON NATURESTRIPS, PUBLIC RESERVES, RECREATION GROUNDS OR OTHER COUNCIL LAND**

- 48.1 Except where written permission has been obtained from the Council, a person in a built-up area must not ride or lead a horse or cause or authorise another person to ride or lead a horse upon a reservation, public reserve, recreation ground or other Council Land (other than one signposted by the Council as available for horse riding).
- Penalty: 10 Penalty Units.**
- Infringement Penalty: 2 Penalty Units.**
- 48.2 Notwithstanding sub-clause 48.1 a person can ride a horse on a Naturestrip, Public Reserve, Recreation Ground or other Council Land if it is part of an organised riding activity for which a special event permit has been issued by the Council.

49. WRITTEN PERMISSION

The Council may give written permission, subject to any conditions considered to be appropriate, for a horse to be ridden or led upon a Naturestrip, Public Reserve, Recreation Ground or other Council Land where it is reasonably necessary for this to take place and there is no reasonable and safe alternative.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 32**DIVISION 8 – STATIONARY HEAVY VEHICLES****50. PARKING VEHICLES OVER 4.5 TONNES ON RESIDENTIAL LAND**

A person must not, without a permit, park, keep, store, repair or authorise the parking, keeping, storing or repairing of any vehicle weighing more than 4.5 tonnes (including any load) on any property within a Residential Area.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units

DIVISION 9 – ADVERTISING SIGNS**51. ERECTING OR PLACING ADVERTISING SIGNS**

51.1 A person without a permit must not erect or place an advertising sign or cause or authorise another person to do so:

- (a) on any Council land; or
- (b) on any footpath; or
- (c) on any other part of a road.

Penalty: 20 Penalty Units

Infringement Penalty: 5 Penalty Units.

51.2 A person with a permit to display an advertising sign must ensure that permit conditions are complied with at all times.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

52. EXEMPT SIGNS

Clause 51 does not apply to :

- (a) an advertising sign for a garage sale, an open inspection or auction provided:
 - (i) the sign is no larger than 700mm in width or 1 metre in height without the specific approval of an authorised officer; and
 - (ii) the sign is not placed on a round-a-bout or does not obstruct any constructed footpath or walkway; and
 - (iii) the sign is not located on any part of a road to which motor vehicles have access; and
 - (iv) the sign (pointer board) is only displayed at or near a property for which the person or agent is acting provided further that the sign(s) are only placed within the two hours preceding the activity being advertised and removed within the two hours of the conclusion of the activity being advertised; or
 - (v) the sign is not attached to or does not obstruct any traffic control device or

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sign or impede the view of any motorist; or

- (b) an advertising sign for which a planning permit has been issued.

53. IMPOUNDING SIGNS

Where any advertising sign is erected or placed in any place contrary to this Local Law or in contravention of any permit conditions, it may be removed by an authorised officer and impounded.

DIVISION 10 – DISPLAY OF GOODS FOR SALE**54. LOCATING GOODS FOR SALE**

54.1 A person without a permit must not place or display any goods for sale or cause or permit another person under his or her control to do so:

- (a) on any Council land; or
(b) on any footpath; or
(c) on any other part of a road.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

54.2 A person with a permit to display goods for sale must ensure that permit conditions are complied with at all times.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

55. GOODS LEFT ON ROADS

Any goods left or displayed on any part of a road contrary to this Local Law or displayed in contravention of any condition of a permit may be removed by an authorised officer and impounded.

DIVISION 11 – TRADING FROM A ROAD OR TO A PERSON ON A ROAD**56. PERMIT REQUIRED FOR ROADSIDE TRADING**

56.1 A person without a permit must not erect or place on any road a vehicle, caravan, trailer, table, stall or other similar structure for the purpose of selling or offering for sale any goods or services.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

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56.2 A person with a permit to trade from a road must ensure that permit conditions are complied with at all times.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

57. TRADING TO A PERSON ON A ROAD

57.1 A person without a permit must not sell or offer for sale any goods or services from a public place or Council Land to any person who is in that public place or on that Council Land.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

57.2 A person with a permit to sell or offer for sale any goods or services from a public place or Council Land must ensure that permit conditions are complied with at all times.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

58. REGULATION OF TRADING SITES

58.1 If the Council has entered into an agreement (by way of lease, licence or otherwise) in relation to trading from a particular site, a person other than the person with whom the Council has the agreement must not trade from that site whether or not that person has a permit.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

58.2 In addition to any other power which it has, the Council may by resolution determine a fee, charge, fare or rent in relation to selling or offering for sale of any goods or services from a property or public place adjacent to a road or to any person who is on that road or public place.

59. IMPOUNDING OF GOODS AND EQUIPMENT

Where the use of a site or the contravention of any conditions of a permit or agreement continues after a Notice to Comply has been served, any goods and associated equipment may be removed by an authorised officer and impounded.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 35**DIVISION 12 – OUTDOOR EATING FACILITIES ON ROADS.****60. ESTABLISHING A TEMPORARY OUTDOOR EATING FACILITY**

60.1 A person without a permit must not establish an outdoor eating facility on any footpath or other part of a road.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

60.2 A person with a permit to establish an outdoor eating facility must ensure that permit conditions are complied with at all times.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

60.3 The outdoor eating facility must be solely outside the permit holder's premises and must provide a 2 metre clear accessible path of travel from the property line and be 700 mm from the kerb.

60.4 A permit is not required under this Local Law where a planning permit has been issued for the establishment of the outdoor eating facility.

61. USE OF OUTDOOR EATING FACILITY

61.1 A person must not occupy a chair in or otherwise use the equipment in an outdoor eating facility unless he or she intends to use them for the purpose of eating food or drinking drinks to be provided by the permit holder.

Penalty: 5 Penalty Units.

Infringement Penalty: 1 Penalty Units.

61.2 A person must not cause a nuisance to or behave offensively towards another person at or passing an outdoor eating facility.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

61.3 A person must leave an outdoor eating facility when requested to do so by the permit holder, an authorised officer or a member of the Victoria Police.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 36**62. PERMIT CONDITIONS FOR TEMPORARY OUTDOOR EATING FACILITY**

62.1 A temporary outdoor eating facility must:

- (a) not be affixed or attached to the footpath, roadway or other infrastructure;
or
- (b) not be placed so as to obstruct pedestrians and /or traffic at intersections.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

62.2 A temporary outdoor eating facility must be located solely outside the permit holder's premises and must provide a 2 metre clear accessible path of travel from the property line and be 700 mm from the kerb.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

62.3 The permit holder must ensure that all items comprising the temporary outdoor eating facility are removed from the footpath by the close of business each day or by 1 am on the day immediately following their placement (whichever occurs first).

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

62.4 Where an outdoor eating facility is used in contravention to this clause it may be removed by an authorised officer and impounded.

63. REMOVING THE FACILITY

A permit holder must move or remove an outdoor eating facility when requested to do so for the purposes of public safety by an authorised officer or member of the Victoria Police.

DIVISION 13 – BULK RUBBISH CONTAINERS**64. PLACING BULK RUBBISH CONTAINERS, NATURESTRIPS AND COUNCIL LAND**

A person without a permit must not place or cause or allow another person to place a bulk rubbish container on a road or Council land.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

65. CONTAINER LEFT ON A ROAD, NATURESTRIP AND COUNCIL LAND

Any bulk rubbish container placed on any part of a road contrary to this Local Law or in contravention of any condition of a permit may be removed by an authorised officer and impounded.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 37**DIVISION 14 – OCCUPATION OF THE ROADS****66. ROAD OCCUPATION**

A person must not, without a permit, on a road under the control of the Council:

- (a) occupy or fence off a road or any part of the road including the road reserve and other road related area; or
- (b) erect a hoarding or overhead protective awning; or
- (c) use a mobile crane or travel tower for any building work; or
- (d) make a hole or excavation; or
- (e) reinstate a hole or excavation; or
- (f) plant any vegetation (other than grass) on a nature strip.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

67. REINSTATEMENT WORKS

- 67.1 The reinstatement of any part of the road damaged or affected by works of a type listed in clause 66 must be carried out in accordance with any conditions contained in the permit.
- 67.2 The fees to be applied in respect of reinstatement works will be those determined by the Council from time to time.
- 67.3 A Service Authority is responsible for the reinstatement of any part of the road, damaged or affected by works carried out by that Service Authority.

68. IMPOUNDING OF EQUIPMENT

Where any equipment, fencing or other items are being used in contravention of this Division, an authorised officer may remove the equipment, fencing or other items and impound them.

69. WORKS OF SERVICE AUTHORITIES

Except for sub-clause 67.3, the provisions of this Division do not apply to the works of any Service Authority.

DIVISION 15 – DEPOSITED SUBSTANCES**70. SUBSTANCES FROM VEHICLES, ANIMALS AND LIVESTOCK**

A person must not allow any grease, oil, mud, clay or other substance to fall or run off a vehicle or livestock onto or under a road or allow or authorise another person to do so.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 38**71. REMOVAL OF SUBSTANCES**

A person in charge of a vehicle or livestock from which any substance has fallen or run off onto a road:

- (a) must take all reasonable steps to promptly remove the substance, make good any damage and remove any consequent hazard; and
- (b) where any damage or hazard remains, must promptly notify the Council or member of the Victoria Police of the damage or hazard.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

DIVISION 16 – EVENTS, STREET PARTIES, STREET FESTIVALS, PROCESSIONS, FIREWORKS, BUSKING, CIRCUSES AND CARNIVALS**72. OCCASIONAL EVENTS IN COUNCIL'S PARKS, GARDENS & RECREATIONAL RESERVES**

72.1 A person is required to obtain a permit if they seek exclusive use of part or all of Councils parks, gardens and recreational reserves, or intend to install temporary infrastructure, to facilitate an event.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units

72.2 Clause 73.1 does not apply to general use of Council parks, gardens & recreational reserves. Where persons are using the facility for barbeques, social gatherings, family events and any other such gathering which does not interfere with other persons or impact on the general amenity of the area.

73. COMMUNITY, SPECIAL AND MAJOR EVENTS

A person is required to obtain a permit to conduct a Community Event, Special Event or Major Event.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units

74. PERMITS FOR STREET PARTY, STREET FESTIVAL, SPECIAL EVENT OR PROCESSION

A person is required to obtain a permit to hold a Street Party, Street Festival, Special Event or procession on a road.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

75. PERMITS FOR COMMUNITY MARKETS

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A person is required to obtain a permit to hold a Community Market on Council Land, roadway, or any private land.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

76. PUBLIC PLACES

A person is required to obtain a permit to conduct any festival, public entertainment, gathering or similar function in any public place.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

77. CANCELLATION OF PERMIT

An Event permit may be cancelled:-

- (a) if it is deemed a Code Red Day; or
- (b) if the event organisers do not comply with the Council's requirements.

78. DIRECTION TO CEASE EVENT

An Event organiser must comply with directions given by members of the Victoria Police or an authorised officer to cease the Event if it is considered dangerous or a nuisance is being caused.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units

79. DISCHARGE OF FIREWORKS

A person, including a licensed pyrotechnician, must not without a permit discharge or allow to be discharged fireworks on any property.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

80. DISCHARGE OF INTERNAL FIREWORKS

A person, including a licensed pyrotechnician must not without a permit discharge or allow to be discharged fireworks within a Council building.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units

81. DIRECTIONS TO CEASE FIREWORKS

A licensed pyrotechnician or an event organiser must comply with directions given by a member of the Victoria Police or an authorised officer to cease fireworks if they are unauthorised, considered dangerous or are creating a nuisance.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 40**82. BUSKING AND STREET ENTERTAINMENT**

A person must not, without a permit, busk within a Municipal Place.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

83. DIRECTIONS TO CEASE BUSKING

A busker must comply with directions given by any member of the Victoria Police or an authorised officer to cease busking or moving from the busking location where a congestion, inconvenience or nuisance is being caused.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

84. CIRCUSES AND CARNIVALS

A person must not, without a permit, conduct a circus, carnival or other similar event.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

DIVISION 17 - COLLECTIONS ON ROADS**85. COLLECTIONS**

A person must not, without a permit, solicit or collect any waste materials, gifts of money or subscriptions while present on any footpath adjacent to any road or cause or authorise another person to do so.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

NOTE: Permit applications for highway collections (including traffic light intersections) are to be referred to Victoria Police.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 41**DIVISION 18 - VEHICLES AND OTHER OBSTRUCTIONS****86. DERELICT AND ABANDONED VEHICLES**

A person must not abandon, leave or allow to be left in or on a road, public place, reserve or Council Land any vehicle that is:

- (a) not currently registered; or
- (b) derelict to such an extent as to be unable to move under its own power and in disrepair.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

Any Vehicle found on any Road, Council Land or Municipal Place and considered by an Authorised Officer to be derelict, abandoned or unregistered may be dealt with under the provisions of Schedule 11 to the Act.

87. REPAIR OF VEHICLES AND STORAGE OF VEHICLES

- (a) A person must not repair, paint, dismantle, maintain or service a vehicle on any road or Council Land except where it is necessary to undertake minor repairs to get the vehicle underway or moving.
- (b) A Person must not use any road or other Council Land for the purpose of storing any caravan, trailer, boat or damaged vehicle.
- (c) Where, in the opinion of an Authorised Officer, this clause is not being complied with, the Authorised Officer may serve a Notice to Comply on the owner of the Vehicle being repaired, or caravan, trailer, boat or damaged vehicle being stored.
- (d) If the owner of the Vehicle being repaired, or caravan, trailer, boat or damaged Vehicle being stored fails to comply with a Notice to Comply served under this the Vehicle being repaired, or caravan, trailer, boat or damaged vehicle being stored may be impounded by an Authorised Officer.
- (e) For the purposes of subclause (b), an Authorised Officer may consider a caravan, trailer, boat or damaged vehicle to be stored if the vehicle has not been moved for 28 days.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

88. REMOVAL OF UNLAWFULLY PARKED AND/OR OBSTRUCTING VEHICLES

88.1 Where a vehicle is left in the Municipal District:

- (a) causing an unlawful obstruction; or
 - (b) unlawfully parked;
- the vehicle may be relocated or impounded.

88.2 After having regard to the likely level of public nuisance, accidents, danger to

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pedestrians, congestion and delay to road users, the an Authorised Officer may relocate or impound a vehicle if it is causing an unlawful obstruction or is unlawfully parked in the following areas:

- (a) no stopping areas; or
- (b) on a footpath; or
- (c) school crossing zones; or
- (d) parking areas reserved for vehicles displaying a Disabled Persons Parking Scheme Permit; or
- (e) areas such as intersection zones and approaches to traffic lights, where the size and nature of the illegally parked vehicle creates an added problem for drivers' and pedestrians' line of sight; or
- (f) at Special Events, where unlawful parking is likely to result in unreasonable congestion; or
- (g) where a clear width of 3 metres has not been left for the passage of vehicles.

88.3 A notice of impounding is not required where a registered vehicle is moved less than 250m and relocated back onto a road.

89. OTHER OBSTRUCTIONS

Where a craft, rubbish container, movable structure, device, material, object or other thing is left in the Municipal District:

- (a) causing an unlawful obstruction; or
- (b) causing a danger to pedestrians or other vehicles; or
- (c) getting in the way of or likely to get in the way of traffic; or
- (d) at Special Events, where unlawful parking is likely to result in unreasonable congestion; or
- (e) is abandoned and/or disowned

the obstruction may be removed by an authorised officer and impounded.

90. AUTHORISED OFFICER MAY MARK TYRES

90.1 An authorised officer may mark the tyres of a vehicle parked in a parking area with chalk or any other non-indelible substance for a purpose connected with or arising out of his or her duties or powers.

90.2 A person must not remove a mark made by an authorised person so that the purpose of the affixing of such a mark is defeated or likely to be defeated.

Penalty: 5 Penalty Units.

Infringement Penalty: 1 Penalty Units.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 43**91. PARKING BAY RESERVATION**

Where access to a vehicle or equipment is required consistently or regularly in the pursuit of an applicant's business, promotion, Special Event or activity, the Council may issue a Parking Bay Reservation Permit for short term and specific location parking needs.

92. VEHICLE USE ON COUNCIL LAND

92.1 A person must not, without a permit:

- (a) drive, ride or use a vehicle on Council land, Municipal Place or other public place unless in an area designed and approved for that purpose: or
- (b) park a vehicle on Council Land, Municipal Place or other public place unless in an area designed and approved for that purpose.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

92.2 Where an unregistered vehicle is used in contravention of this clause, an authorised officer may remove and impound the vehicle.

92.3 Clause 92.1 does not apply to a road or road related area.

92.4 This Clause does not apply to an Authorised Officer or member of the Police Force in the course of their duties.

DIVISION 19 - SAFETY, PEOPLE AND PROPERTY**93. DANGEROUS AND UNSIGHTLY LAND**

93.1 An owner or occupier of land must not allow the land to:

- (a) become unsightly or detrimental to the general character and amenity of the neighbourhood in which it is located; or
- (b) harbour unconstrained rubbish; or
- (c) contain disused excavation or waste material; or
- (d) store disused machinery or vehicles or for the assembly or dismantling of such machinery or vehicles; or
- (e) pose a danger or a risk to people or property in the vicinity.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

93.2 In determining whether land poses a danger or a risk to people or property in the vicinity or is unsightly or detrimental to the general amenity of the neighbourhood, an authorised officer must take into account the following factors:

- (a) the level of grass and weeds on property should be no higher than 500 millimetres; and
- (b) whether the volume of unconstrained rubbish or litter is excessive; and

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- (c) the fact that disused waste material should not remain on the land for a period longer than 14 days; and
 - (d) the fact that disused excavation should not remain on the land for any period without the provision of fencing adequate to prevent access by children or for longer than 14 days in any case; and
 - (e) whether the volume or type of substances or materials, including building materials and fill from building sites, is excessive; and
 - (f) whether the volume or type of goods, such as second-hand goods, vehicles or machinery, is excessive.
- 93.3 An owner or occupier of any urban land must not allow blackberries to grow on or spread from that land.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

94. DILAPIDATED BUILDINGS

Without limiting clause 93, an owner or occupier of land on which is located any building or other structure which is unoccupied, unfit for occupation or not ordinarily occupied:

- 94.1 Must not permit that building or structure to become dilapidated or further dilapidated;
- 94.2 Must take all reasonable steps to secure the building or structure from unauthorised access, including, if required, secure fencing, boarding up/securing windows and other access points, more adequate locks and any other security options that are, in all the circumstances, reasonable to exercise;
- 94.3 Must undertake temporary repairs as required to ensure on-site safety and security and to avoid the appearance of neglect out of character with other land in the vicinity;
- 94.4 Must take reasonable steps to prevent or remedy the land from being a haven for regular anti-social or unlawful behaviour by unauthorised persons;
- 94.5 Must maintain the building or structure in a state of good repair and appearance.
- 94.6 Must not allow any graffiti to remain on any building, wall, fence, post or other structure or object erected on that land; and
- 94.7 Will commit a new offence under this Local Law for every month any breach of this clause continues unless effective works have been undertaken to remedy any breach.

Penalty: 20 Penalty Units

Infringement Penalty - Commercial and Industrial properties: 10 Penalty Units.

Infringement Penalty - All other properties: 5 Penalty Units.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 45**95. ELECTRIC FENCE**

A person must not, without a permit, erect an electric fence in a Residential Area adjacent to a street alignment or public open space.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

96. BOAT RAMPS

A person must not, launch a boat, jet-ski or other craft on a council controlled waterway contrary to any sign requiring a permit.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

97. WATERWAY BEHAVIOUR

97.1 A person must not leave, moor, tie or secure a boat to a boat ramp, pontoon or jetty contrary to any sign on or adjacent to any boat ramp, pontoon or jetty.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

97.2 A person must not swim, dive, or fish contrary to any sign at a Council controlled waterway.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

97.3 A person must not, while aboard a vessel on a body of water:

- (a) engage in any activities which are dangerous to any other person; or
- (b) use an amplifier or electronic device so as to interfere with the use or enjoyment of the body of water or any adjacent land by any other person; or
- (c) interfere with the reasonable use and enjoyment of the body of water or any adjacent land by any other person.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

97.4 A person must not, without a permit, use or operate a boat, jet-ski, sailboard, wind surfer, skiffle board or ski on a Council controlled waterway other than in an area prescribed for that purpose.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 46**98. CODE RED FIRE DANGER RATING DAY**

A person must not enter a bushland reserve managed by the Council on a Code Red Fire Danger Rating day.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

99. OPEN AIR BURNING

100.1 A person must not, without a permit light or cause or allow to be lit or remain alight any fire in the open air on any land or road within the Municipal District.

100.2 Despite clause 100.1, an owner or occupier of land may burn-off in the open air for the purposes of reducing fuel loads on that land in accordance with the following -

- (a) The land greater than 1 hectare in size; and
- (b) The land is outside a 500 metre radius from any residential area; and
- (c) Someone is in attendance at all times while the fire is lit; and
- (d) Fire suppression equipment is onsite; and
- (e) The fire is only allowed to burn during daylight hours.
- (F) VicFire is notified beforehand.

101.2 A burn-off is disallowed or not permitted to continue on days of total fire ban, during CFA declared Fire Danger Period or any other time as directed by Latrobe City Council.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

100. USE OF A BARBECUE

- (a) Despite clause 99, a fire is permitted in a barbecue for the purpose of cooking food provided that such use does not create a nuisance.
- (b) A person must not light or allow to be lit or remain alight any fire in a barbecue or similar device for purposes other than for the cooking of food for human consumption or personal warmth.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

101. FIRES FOR PERSONAL WARMTH

- (a) Despite clause 99, a fire is permitted on private property for the purpose of personal warmth provided that such use does not create a nuisance.
- (b) A person must not burn leaves, green wood or rubbish in a fire lit for personal warmth.
- (c) A person lighting a fire for personal warmth must ensure that:
 - (i) during the Fire Danger Period the wind is not more than 10 kph; and
 - (ii) the fire is lit in a properly constructed fireplace or in a trench at least 30 centimetres deep; and

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- (iii) the area within a distance of 3 metres from the outer perimeter of the fire is clear of flammable material; and
- (iv) the fire does not occupy an area in excess of 1 square metre and the size and dimensions of solid fuel used are the minimum necessary for the purpose; and
- (v) a person is in attendance at all times while the fire is alight and has the capacity and means to extinguish the fire; and
- (vi) the fire is completely extinguished before the person leaves.

NOTE: that in accordance with the CFA Act, a "properly constructed fireplace" means a fireplace that is constructed of stone, metal, concrete or any other non-flammable material so as to contain the perimeter of the fire. A commercially produced barbecue would be considered a properly constructed fireplace.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

102. BURNING IN AN INCINERATOR

102.1 A person must not, without a permit, cause or allow an incinerator to be constructed, erected, installed or used on any property, road or other land in respect of which that person is the owner or occupier or has responsibility for the management and control of the incinerator.

102.2 A person must not, without a permit, light or allow to be lit or remain alight any fire in an incinerator within the Municipal District.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

103. CHIMNEYS/WOOD STOVES

103.1 An owner or occupier of land must not cause or allow any chimney and/or wood stoves to discharge dust, grit, ashes or smoke to such an extent that it is dangerous to the health of another person.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

103.2 Where an authorised officer is of the opinion that a chimney and/or wood stove is discharging dust, grit, ashes or smoke which is dangerous to the health of or is offensive to another person, he or she may serve a Notice to Comply on the owner or occupier of the land.

104. DIRECTION TO EXTINGUISH A FIRE.

A person must obey a direction from an authorised officer to extinguish a fire.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 48**105. CLOTHING RECYCLING BINS**

105.1 A person must not, without a permit, place any clothing recycling bin on any land.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

105.2 A permit is not required under this Local Law for the placement of a clothing recycling bin in a place to which members of the public do not and might not reasonably expected to have access.

105.3 A person must not interfere with, deposit rubbish in or remove the contents of a clothing recycling bin except that this clause does not apply to the person on whose behalf the bin was placed, an employee or agent of the person who placed the bin or an authorised officer.

DIVISION 20 - THE ENVIRONMENT**106. CAMPING**

A person must not, without a permit, camp on Council Land or in a public place in a tent, caravan or any other temporary or makeshift structure unless such land is within a licensed Caravan Park or an area determined to be available for camping purposes by the Council.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

107. CARAVANS AS TEMPORARY ACCOMMODATION

107.1 A person must not, without a permit, occupy a caravan on private property except in accordance with clause 106.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

107.2 Sub-clause 107.1 does not prevent an occupier of private property where a dwelling exists placing one caravan owned by them on the property for the use of a member of the household or a temporary visitor to sleep in for a total period not exceeding 28 days in any one year.

108. PLACEMENT OF CARAVANS ON PRIVATE PROPERTY

A person without a permit must not place or allow to be placed on any private property more than one caravan.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 49**109. NOISE**

109.1 A person on a road or in a public place must not without the consent of the Council or an authorised officer:

- (a) sound or play upon any musical or noise instrument; or
- (b) sound, play, control, operate or use any loudspeaker, amplifier, microphone, wireless receiving set, or broadcasting set or any other like device capable of being used for making or amplifying sounds or noise; or
- (c) shout, sing or harangue where that noise interferes with the reasonable comfort of a person.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

109.2 Sub-clause 109.1 does not apply to any sounds within a motor vehicle which cannot be heard outside that vehicle or any sound or noise conveyed through any head phones which are not audible to a person other than the wearer of those head phones.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 50**DIVISION 21- KEEPING OF ANIMALS****110. KEEPING OF ANIMALS**

110.1 An owner or occupier of land must not, without a permit, keep or allow to be kept any more in number for each type of animal than as set out in the following table except for farming areas:

<i>Type of Animal</i>	<i>Definition</i>	<i>Multi Unit Development</i>	<i>All Other Areas (Except Farming area)</i>
Dogs		2	2
Cats		2	2
Poultry -		Not permitted	5
<i>Poultry includes; fowls, bantams, pheasants, ducks and geese.</i>			
Free Flying Pigeons		0	0
Rooster		0	0
Domestic Mice		10	10
Guinea Pigs,			
Ferrets, Hamsters		2	4
Domestic Rabbits		2	4
Reptiles		2	2
Other animals*		Not permitted	0 (Residential) / 10 (Rural Living Zone)

*Other animals include; cattle, horse, goat, swine, pig, ostrich, sheep and any other agricultural animal.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

110.2 A permit issued for the keeping of dogs and /or cats under this Part will be granted for the life of the animal although if an offence or nuisance be proven the permit can be revoked.

110.3 Sub-clause 110.1 does not apply where animals are kept in accordance with a planning permit or where a Wildlife Licence has been obtained in accordance with the Wildlife Regulations 2013.

110.4 A person keeping animals in accordance with clause 110.1 must ensure that the animals do not create a nuisance or danger to neighbours or other persons.

111. DOGS AND CATS ON FARMING PROPERTIES

Except where a planning permit is issued an owner or occupier of a working farm within a farming area must not, without a permit, keep or allow to be kept more than four adult dogs and/or four adult cats on that land except where allowed by the planning scheme.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 51**112. MAXIMUM NUMBER OF DOGS AND CATS ON ANY LAND**

Except where a planning permit is issued a person must not keep more than five dogs or five cats on any land except where allowed by the planning scheme.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

113. LITTERS OF ANIMALS

For the purpose of calculating the maximum limit of the numbers of animals kept, the progeny of any animal lawfully kept will be exempt for a period of 3 months after their birth.

114. LIVESTOCK KEPT UNSECURED

(a) A person must not allow any livestock owned by or in that person's custody to be kept unsecured or allowed to stray onto any road or public land.

(b) A person without a permit must not keep or allow to be kept any horse, goat, sheep, pig or similar animal on land in a residential area.

(c) A person must not keep cattle on any land in a residential area.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

115. CAGED BIRDS

Any person keeping poultry or caged birds of any type must ensure that these birds do not result in the generation of any nuisances to any individual or group of people.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

116. FREE FLYING PIGEONS

116.1 A person must not, without a permit, keep free flying pigeons on any land.

116.2 Sub-clause 116.1 does not apply to a registered member of a pigeon racing club affiliated with the Gippsland Pigeon Federation.

116.3 Notwithstanding sub-clause 116.1 and 116.2 a planning permit is required for more than 99 pigeons to be kept under these provisions.

116.4 A Planning Permit is required for 100 or more pigeons.

116.5 An occupier of land must ensure that any free flying pigeons housed on that land are housed in a loft of the type approved by a racing pigeon organisation and which meets the requirements of the Building Code of Australia.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 52**117. ANIMAL EXCREMENT**

A person in charge of an animal on a road or other Municipal Place must:

- (a) carry a device suitable for the removal of any excrement that may be deposited by the animal; and
- (b) not allow any part of the animal's excrement to remain on a road or other Municipal Place; and
- (c) produce the device on demand by an authorised officer.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

DIVISION 22 - DISPOSAL OF WASTE**118. DOMESTIC WASTE**

118.1 The occupier of every dwelling or other property to which the Council provides a kerbside waste collection service must comply with this Part.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

118.2 The occupier of any property to which the Council does not provide a kerbside waste collection service must remove any waste from the property and dispose of it into an appropriate receptacle or to a waste disposal facility in a manner that is clean, inoffensive and does not harm the environment, and in compliance with any relevant Environmental Protection Authority guidelines.

119. TYPE OF DOMESTIC WASTE AND RECYCLING RECEPTACLES

119.1 The occupier of every dwelling, or other property, to which the Council provides a kerbside garbage service, green waste service and/or recycling service must not place domestic waste or recycling out for collection unless the domestic waste is contained in a receptacle supplied, approved and determined by the Council from time to time for any particular collection district.

119.2 An occupier of property must ensure that all receptacles on the property:

- (a) have a lid which seals to make the receptacles weather and fly proof and secure; and
- (b) are kept in good order and in a clean and sanitary condition.

120. PLACEMENT OF DOMESTIC WASTE AND RECYCLING CONTAINERS

120.1 Domestic waste, green waste and recycling receptacles must be placed on the naturestrip adjacent to the driveway abutting the occupier's property no earlier than the evening before collection day as specified by the Council for collection from that property or in accordance with any instruction issued by the Council or any contractor engaged by the Council to collect such waste or recyclables.

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- 120.2 Bin lids must be closed and not be overflowing.
- 120.3 Bins placed out for collection outside any commercial or retail premises must also be placed out in accordance with any instructions issued by the Council or any contractor engaged by the Council to collect waste or recyclables.

121. REMOVAL OF BINS AND ANY SPILLAGE

Once the waste has been collected by the Council or its contractor, the empty receptacle must be returned to the property by the occupier and any waste which has spilled onto the road, nature-strip or surrounding area must be removed by the occupier responsible for the bin within 24 hours of collection.

122. UNAUTHORISED USE OF RECEPTACLES

- 122.1 Garbage, recycling and green waste receptacles are for the exclusive use of the occupier. Garbage, recyclables, green waste or any other material must not be placed in another resident's receptacle.
- 122.2 Garbage, recycling and green waste receptacles must not be removed from a property when the occupier changes their place of residence for any reason.

122.3 ADDITIONAL WASTE RECEPTACLES

In the event of any occupier of a property placing out in excess of three receptacles for regular collection of domestic waste, green waste and recycling from any one dwelling, the Council may regard that dwelling as a multiple dwelling for the purposes of calculating the service charge as determined by the Council from time to time. Any additional receptacles require the approval of the Council.

123. PROHIBITED WASTE

- 123.1 The following material is prohibited from being placed in domestic waste receptacles and street litter receptacles for collection by the Council:
- (a) slops, liquid waste, animal carcasses and offensive material; and
 - (b) dirt, dust, or other matter from any vacuum cleaner, hair, or other similar matter or moist refuse, unless it has been securely wrapped in an impermeable cover or container to prevent its escape; and
 - (c) ashes or other like matter unless they have been mixed with water to form a consistency of a stiff paste before being wrapped and placed in the receptacle; and
 - (d) glass or other sharp objects unless they are properly contained or wrapped in such a way as to render them harmless and inoffensive; and
 - (e) oil, paint, solvents or similar substance or any other substance which may damage the receptacle or reduce its strength or effectiveness; and
 - (f) disposable napkins unless they have been cleaned of solids and securely wrapped and placed in an impermeable cover; and
 - (g) impervious material prior to being placed in the receptacle; and

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- (h) commercial/industrial and trade waste of any kind; and
- (i) any garden refuse, grass clippings or tree cuttings unless wrapped; and
- (j) objects over 8 kilograms in weight; and
- (k) medical waste, needles, syringes, chemicals, prescribed wastes or other hazardous materials.

123.2 The following material is prohibited from being placed in green waste receptacles for collection by the Council:

- (a) any material prohibited from domestic waste receptacles, excluding green waste; and
- (b) plastic bags, soil or rubble, food or household waste, nappies, bricks, pot plants, logs or stumps over 100 mm in diameter and 300 mm in length, and recyclables.

123.3 The following material is prohibited from being placed in recycling receptacles for collection by the Council:

- (a) any material prohibited from domestic waste receptacles; and
- (b) household waste, polystyrene, plastic bags and film wrap and green waste.

124. RECYCLING AND HARD GARBAGE COLLECTION

124.1 Occupiers of properties who have made a prior booking with the Council for an at-call hard waste collection service must leave hard waste out for collection in accordance with the Council's instructions.

124.2 A person must not place out for collection on the naturestrip or in any surrounding area any waste unless the Council has instructed him or her to do so.

124.3 A person must not remove or interfere with any hard waste left out for collection.

125. COMMERCIAL/INDUSTRIAL WASTE AND WASTE SKIPS

An occupier of property may arrange for the collection of commercial/industrial waste or for the placement of a waste/recycling skip subject to compliance with this Local Law and consistency with any Vic Roads guidelines.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

126. TRADE WASTE AND WASTE HOPPERS (INCLUDING RECYCLING BINS)**126.1 CONSTRUCTION OF BINS**

A person using a Waste hopper or bin for the collection and storage of trade waste must ensure that it:

- (a) is constructed of approved impervious material to the satisfaction of the Council to prevent leakage, absorption or accumulation of any refuse or rubbish that may be deposited in it; and
- (b) is watertight, fly and vermin proof; and
- (c) contains a removable drainage plug for the purpose of cleaning; and

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is fitted with fly and vermin proof lid with overlapping flanges which must be kept continuously closed.

126.2 EMPTYING OF TRADE WASTE BINS

Waste hoppers or bins must be emptied at least weekly or more regularly if the contents become offensive.

126.3 CLEANLINESS AND STORAGE OF BINS

The occupier of a property on which a bin for the storage of trade waste is kept must ensure that:

- (a) the surface upon which the bin is stored is impervious, graded and drained to the sewer or an approved outlet with such silt traps or other treatment devices as required by the Council; and
- (b) the storage site is supplied with a tap connection and hose of a size approved by the Council; and
- (c) the bin is screened in such a way and with such material as approved by the Council; and
- (d) the bin is cleaned thoroughly after each emptying; and
- (e) the storage site is such that it does not detrimentally affect the amenity of the area.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

127. USE OF TRANSFER STATIONS AND LANDFILL SITES BY RESIDENTS

127.1 Transfer Stations and Landfill Sites are available to residents and ratepayers for the disposal of waste generated from within the Municipal District and other wastes that are allowed to be disposed in accordance with an applicable Environmental Protection Authority licence.

127.2 The landfill sites will be available to residents for the disposal of asbestos material only when the appropriate permit has been issued prior to disposal.

127.3 A person using a Transfer Station or Landfill Site under this provision must pay the fees and charges applicable and comply with the set terms and conditions.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

128. USE OF TRANSFER STATIONS AND LANDFILL SITES BY NON RESIDENTS

128.1 The Council may consider allowing persons other than residents and ratepayers to use a Transfer Station or Landfill Site.

128.2 A non-resident who is permitted to use the Transfer Station or Landfill Site under this provision must pay the fees and charges applicable and comply with the set terms and conditions.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 56**129. CONDUCT AT TRANSFER STATIONS/LANDFILL**

A person must not fail to adhere to an instruction from a Transfer Station/Landfill attendant or act contrary to an authorised sign at a Transfer Station/Landfill.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

130. ACCESS TO TIPPING FACE

The Council may refuse access to the tipping area of a Landfill to a person who fails to pay the required fee or charge or who fails to comply with the terms and conditions of use of the Landfill.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

131. DUMPING OF ICE CHESTS, TRUNKS OR SIMILAR CONTAINERS

A person must not place or leave or allow to remain a disused refrigerator, ice-chest, icebox, trunk, chest or any other similar article having a compartment which has a capacity of 0.04 cubic metres or more on any land without first:

- (a) removing every door and lid; or
- (b) removing every lock, catch and hinge attached to a door or lid; or
- (c) otherwise rendering every door and lid incapable of being fastened.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

132. SCAVENGING AT TRANSFER STATIONS/LANDFILL

A person must not, without a permit, remove material of any kind which has been deposited at a Transfer Station/Landfill.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

133. TRANSFER STATION SECOND HAND GOODS SHOP

Any person may purchase materials or items displayed in the designated areas or the second hand goods shop located at the Transfer Station upon payment of the charges applied by the Transfer Station attendant.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 57**DIVISION 23 - GREY WATER, STORMWATER DRAINS AND PRIVATE DRAINS****134. DRAINAGE TAPPINGS**

134.1 A person must not, without a permit, tap into or interfere with any drain under the control of the Council.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

134.2 Sub-clause 134.1 does not apply where the Council has certified a plan of subdivision or given its approval for the drain to be tapped under any other legislation administered by it.

135. INTERFERENCE WITH WATER COURSE

135.1 A person must not, without obtaining approval from the Council to do so, destroy, damage or interfere with a water course, ditch, creek, gutter, drain, tunnel, bridge, levee, culvert or fence which belongs to the Council or is under the control or management of the Council.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

135.2 Sub-clause 135.1 does not apply to works undertaken by a Service Authority.

136. GREY WATER

All effluent generated on a property must be retained and disposed of by approved means within that property boundary, unless:

- (a) the effluent is approved for disposal, and is disposed of through the reticulated sewerage system; or
- (b) there is a current approval in place issued by the relevant authority for off-site discharge to occur; or
- (c) there is a current contract with an approved waste disposal contractor in place to collect and dispose of effluent generated on the property

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

137. STORMWATER DRAINS

An owner of a property must:

- 137.1 obtain a permit from the Council prior to connecting a stormwater drainage system serving a residential, commercial or other property to an adjacent Council stormwater drainage system, and comply with the conditions of such permit; and
- 137.2 connect a stormwater drainage system serving a residential, commercial or other

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- property to an adjacent Council stormwater drainage system when directed to do so by an authorised officer provided that the authorised officer provides a timeframe within which the connection has to be made; and
- 137.3 ensure that such connection complies with any conditions imposed by the Council; and
- 137.4 adequately maintain the stormwater connection between the property boundary and the Council drain when directed to do so by an authorised officer, provided that the authorised officer provides a timeframe within which the maintenance has to be done.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

138. PRIVATE DRAINS

An owner of a property must not:

- (a) fail to maintain a private stormwater drainage system serving a residential, commercial or other property where the failure to do so causes a nuisance to a property upstream or downstream of the private stormwater drainage system whether during storm events or otherwise; and
- (b) fail to carry out rectification or maintenance works when directed to do so by an authorised officer provided that the authorised officer provides a timeframe within which the works have to be completed; and
- (c) build over, carry out works within or fill in any drain located in an easement, whether in favour of the Council or otherwise.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

DIVISION 24 - PUBLIC HEALTH**139. OFFENSIVE CONDITIONS**

A person must not:

- (a) cause; or
- (b) allow to exist on or emanate from any property owned or occupied by or in the charge of that person, any condition that is offensive, unsanitary or liable to be dangerous to health.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 59**DIVISION 25 – BEHAVIOUR****140. BEHAVIOUR IN MUNICIPAL PLACES**

140.1 A person in any Municipal Place must not behave in a manner which is boisterous or harmful or which causes interference with the quiet enjoyment of any person using the Municipal Place.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

140.2 A person must not behave in any Municipal Place in a way which that is detrimental to the Municipal Place or other Council and Community Assets.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

140.3 An owner or occupier of land must not allow trees, plants or any other matter on his or her land to cause damage to or interfere with a Municipal Place.

Penalty: 10 Penalty Units.

Infringement Penalty: 5 Penalty Units.

140.4 Where the Council is of the opinion that trees, plants or any other matter or land are causing damage to or interfering with a Municipal Place, it may serve a Notice to Comply on the owner or occupier of the land.

140.5 A person must not, without a permit, destroy, damage or interfere with or attempt to destroy, damage or interfere with any trees and plants in any Municipal Place or under the care and management of the Council.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

140.6 A person must not in a Municipal Place:

- (a) act in a way which endangers any person; or
- (b) use or attempt to use any volatile, explosive or flammable matter; or
- (c) damage, destroy, write on, interfere with, remove from or affix to any building, improvement, furniture, fitting or equipment or other structure of any kind; or
- (d) destroy, pull down, obliterate or deface a sign put in place or erected by the Council; or
- (e) spit or expectorate; or
- (f) carry firearms unless specifically authorised to do so under the Firearms Act 1958; or
- (g) shoot, snare, molest, injure or in any way harm or interfere with any bird or animal, or attempt to shoot, snare, molest, injure or in any way harm or

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interfere with any bird or animal.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

140.7 Paragraphs (c), (f) and (g) of sub-clause 140.6 do not apply to an authorised officer, or another person acting in the course of their duty with a member of the Police Force or an Emergency Service or to a person acting in accordance with a request by or the permission of the Council.

DIVISION 26 - SMOKING**141. SMOKING IN MUNICIPAL PROPERTIES AND MUNICIPAL PLACES**

- 141.1 The Council may declare any Municipal Property or Municipal Place or any part of a Municipal Property or Municipal Place to be a smoke free area.
- 141.2 The Council must cause signs to be displayed in any Municipal Property or Municipal place or any part of a Municipal Property or Municipal Place which it has declared to be a smoke free area.
- 141.3 Where the whole of a Municipal Property or Municipal Place is declared to be a smoke free area, it will be sufficient to display signs indicating the property as a smoke free or non smoking area at the main entrance (or entrances where there are more than one main entrance) to the property.
- 141.4 A person must not smoke in or on any Municipal Property or Municipal Place or any part of the Municipal Property or Municipal Place which has been declared to be a smoke free (or no smoking) area.

Penalty: 10 Penalty Units.

Infringement Penalty: 2 Penalty Units.

141.5 Where the Council fails to erect and maintain signs in accordance with sub-clauses 141.2 and 141.3 it cannot proceed to prosecute a person for an offence under sub-clause 141.4.

DIVISION 27 - CONSUMPTION OF ALCOHOL**142. MUNICIPAL PLACES WHERE ALCOHOLIC BEVERAGE MAY NOT BE CONSUMED OR POSSESSED**

142.1 A person must not, without a permit, consume or have in his or her possession or under his or her control any alcoholic beverage, other than in a sealed container, in or on any Municipal Place located within the area shown on Map 1, 2, 3, 4 or 5 of Schedule 2 contained within the thick dark line and marked with the letters 'CBD' unless the Municipal Place is a licensed premises or authorised premises.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

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142.2 A person must not, without a permit, consume or have in his or her possession or under his or her control any alcoholic beverage, other than in a sealed container, in or on any Municipal Place located outside the area referred to in sub-clause 142.1 other than during the hours between:

- (a) 8.00 a.m. and 6.00 p.m. eastern standard time; or
- (b) 8.00 a.m. and 8.00 p.m. during the time in which daylight saving time operates in Victoria;

unless the Municipal Place is a licensed or authorised premises.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

DIVISION 28 - USE OF COUNCIL RECREATION CENTRES, PUBLIC RESERVES AND RECREATION GROUNDS**143. USE OF COUNCIL RECREATION CENTRES, PUBLIC RESERVES AND RECREATION GROUNDS**

143.1 A person must not, while present in a Recreation Centre or on a Public Reserve and Recreation Ground:

- (a) climb, jump or get upon or over any wall, fence, gate, seat or other structure; or
- (b) use an amplifier or electronic device other than in a manner and location permitted by the Council or an authorised officer; or
- (c) use any children's playground equipment other than for the purpose for which it was provided; or
- (d) swim in, wade through, or enter for recreational purposes, or fish in any lake, pond or excavation containing water, or attempt to catch, injure or kill any animal contrary to any sign; or
- (e) throw, place or cause or allow to be thrown or placed any liquid, stone, stick, paper, dirt, rubbish or any other object, substance or thing into any wetland, lake, pond, fountain or any other body of water; or
- (f) enter any areas which are set aside for planting or growing of plants excepting the undertaking of approved works, where the person is, or is a volunteer directly supervised by, an employee of the Council, a person contracted to the Council for the purpose, a member of the relevant Committee of Management, or a member of that venue's approved committee or friends group; or
- (g) fly or permit to be flown any model aeroplane, aircraft or similar apparatus of any kind, excluding a kite, but including any audible motor-propelled device; or
- (h) undertake or organise activities for commercial gain, including commercial tour operations, and commercial providers of recreational activities

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(personal trainers use of facility) without a permit and payment of the prescribed fee.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

143.2 An owner or occupier of land adjoining a public reserve or recreation ground must not without a permit:

- (a) install, or permit to be installed, a gateway on or other means of access to or from the Recreation Centre or Public Reserve and Recreation Ground; or
- (b) allow vehicular access from their land to public reserve or recreation ground.

Penalty: 20 Penalty Units.

Infringement Penalty: 5 Penalty Units.

PART 7 - ENFORCEMENT AND PENALTIES

144. POWERS OF AUTHORISED OFFICERS

If an authorised officer considers that there has been a breach of this Local Law, including a breach of any conditions of a permit, the authorised officer may take any or all of the actions provided in this Local Law and may:

- (a) direct the person to cease the activity breaching the Local Law; or
- (b) give a verbal warning the person who is breaching the Local Law; or
- (c) issue an official warning in accordance with the Infringements Act 2006; or
- (d) serve a Notice to Comply to remedy the breach; or
- (e) issue an infringement notice in accordance the Infringements Act 2006.

145. OFFENCES

145.1 Where any provision in this Local Law requires that something must be done, any person who fails to do that act is guilty of an offence.

145.2 Where any provision in this Local Law requires that something must not be done any person who does that act is guilty of an offence.

145.3 Where any provision in this Local Law requires that something may not be done between specified hours of the day or night during specified months of the year, on days falling within specified categories* or in or at specified locations or specified parts of those locations, any person who does that act between the hours, during the months, on the days, or at the location or a specified part is guilty of an offence.

**e.g. acute fire danger days.*

145.4 Where any provision in this Local Law requires that a person obtain a permit from the Council before engaging in any particular activity, that person is guilty of an

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offence if that person engages in that activity without a current permit issued by the Council (unless the Council, in its discretion, has waived the requirement for a permit).

145.5 Where any permit issued under this Local Law contains conditions, any person who contravenes or fails to comply with a condition of a permit is guilty of an offence.

145.6 Where any offence arises under this Local Law in respect of which a specific penalty has not been indicated, the penalty for that offence is 10 penalty units and the Infringement Penalty is 2 Penalty Units.

145.7 A person who is guilty of a second or subsequent offence against the same provision in this Local Law is liable to a penalty not exceeding 20 penalty units.

146. POWER TO SERVE INFRINGEMENT NOTICES

An authorised officer may serve an infringement notice on a person who the authorised officer has reason to believe has committed an offence against this Local Law

An offence referred to in this clause is an infringement offence within the meaning of the Infringements Act 2006.

PART 8 - DELEGATIONS**147. DELEGATIONS**

In accordance with section 114 of the Act, the Council hereby:

- (a) delegates to the Chief Executive Officer and to each Senior Officer and to any person for the time being acting for such persons all the powers, discretions, authorities and considerations of the Council under this Local Law including (but not limited to) the powers, discretions and authority to issue or refuse permits, fix conditions and durations relevant to such permits, cancel permits, required additional information, apply standards or guidelines or policies of the Council, consider appeals and waive the need for any permit or waive or fix or reduce any fee or charge or to do any act, matter or thing necessary for or incidental to the performance or exercise of any function or power by the Council; and
- (b) delegates to each authorised officer the powers, discretions and authorities to act on behalf of Council in performing any duty or function or in exercising any discretion of the Council specified in this Local Law.

LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 64**PART 9 - SCHEDULES****SCHEDULE 1: AREAS OF RESPONSIBILITY**

Clause		Responsibility
DIVISION 1 - OBSTRUCTIONS TO THE FREE PASSAGE OF PEOPLE AND VEHICLES		
28	Trees and plants not to obstruct or obscure	Local Laws
29	Fences, signs, posts, and other objects	Local Laws
DIVISION 2 – ROAD NAMES AND PROPERTY NUMBERS		
30	Council to approve road names	
31	Property numbers to be displayed	Local Laws
32	Incorrectly displaying property numbers	Local Laws
DIVISION 3 - VEHICLE CROSSINGS		
33	A vehicle crossing is required	Asset Protection
34	A permit is required	Asset Protection
35	Redundant vehicle crossings	Asset Protection
36	Vehicle crossings in disrepair	Asset Protection
DIVISION 4 – LIVESTOCK ON ROADS		
37	Driving and crossing of livestock on roads	Local Laws & Traffic Engineering
38	Grazing of livestock on roads	Local Laws & Traffic Engineering
39	Exempt areas - places where the driving or grazing of livestock	Local Laws & Traffic Engineering
40	Livestock grazing, driving and crossing permit conditions	Local Laws & Traffic Engineering
41	Notice of permit is required	Local Laws & Traffic Engineering
42	Power to impound livestock	Local Laws
DIVISION 5 - SHOPPING TROLLEYS		
43	Leaving shopping trolleys	Local Laws
44	Misuses of shopping trolleys	Local Laws
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LATROBE CITY COUNCIL LOCAL LAW NO. 2 - COMMUNITY AMENITY 2016 PAGE 66**DIVISION 16 – EVENTS, STREET PARTIES, STREET FESTIVALS, PROCESSIONS, FIREWORKS, BUSKING, CIRCUSES AND CARNIVALS**

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121	Placement of domestic waste and recycling containers	Waste Management & Local Laws
122	Removal of bins and any spillage	Waste Management & Local Laws
123	Unauthorised use of receptacles	Waste Management & Local Laws
124	Prohibited waste	Waste Management & Local Laws
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135	Drainage tapings	Local Laws & Health
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DIVISION 24 - PUBLIC HEALTH

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DIVISION 25 - BEHAVIOUR

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DIVISION 27 - CONSUMPTION OF ALCOHOL

143	Municipal places where alcoholic beverage may not be consumed	Local Laws
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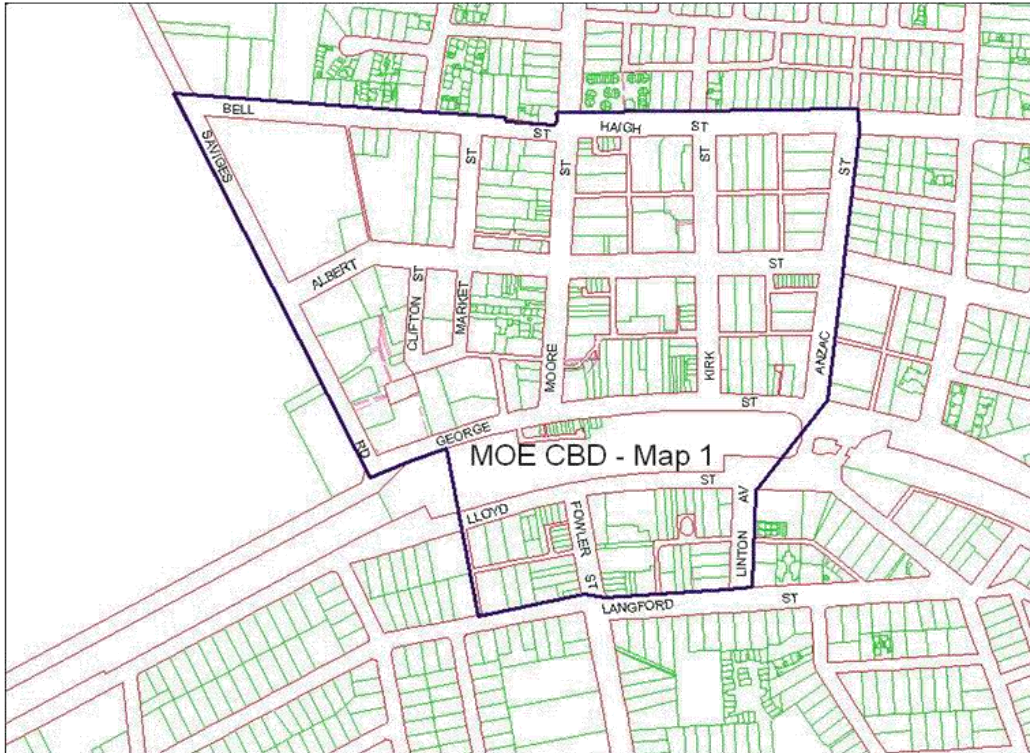
DIVISION 28 - USE OF COUNCIL RECREATION CENTRES, PUBLIC RESERVES AND RECREATION GROUNDS

144	Use of council recreation centres, public reserves and	Local Laws & Recreation
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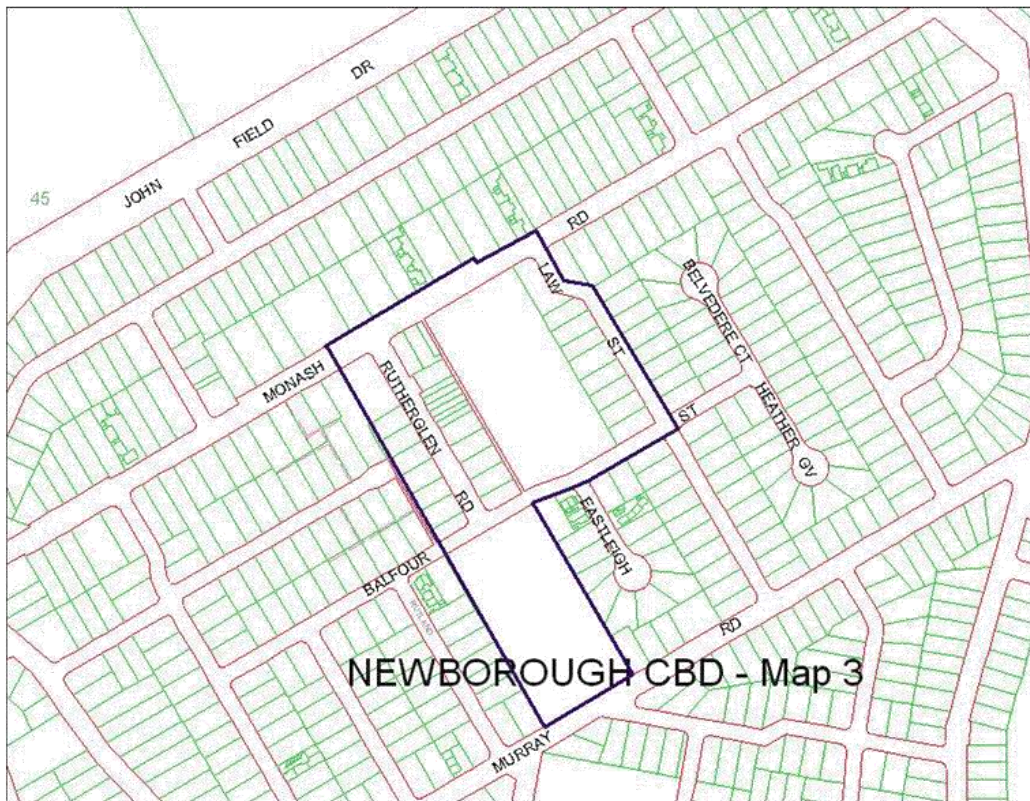
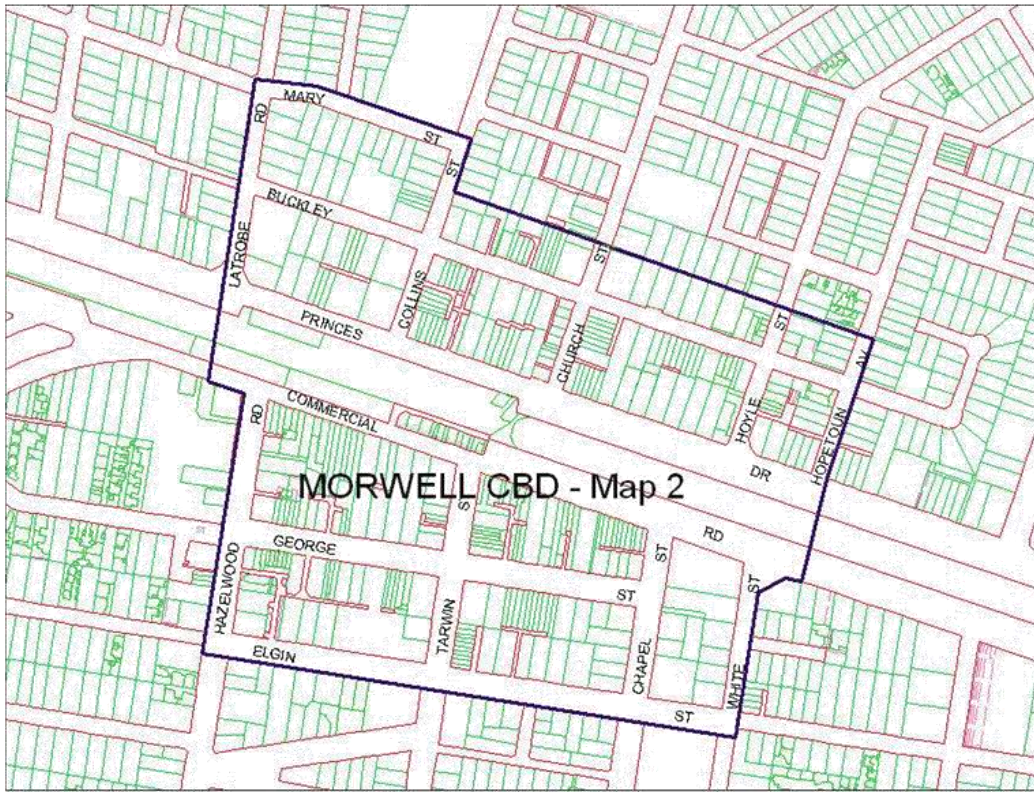
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SCHEDULE 2 (CLAUSE 142) - LATROBE CITY COUNCIL MUNICIPAL PLACES WHERE LIQUOR MAY NOT BE CONSUMED

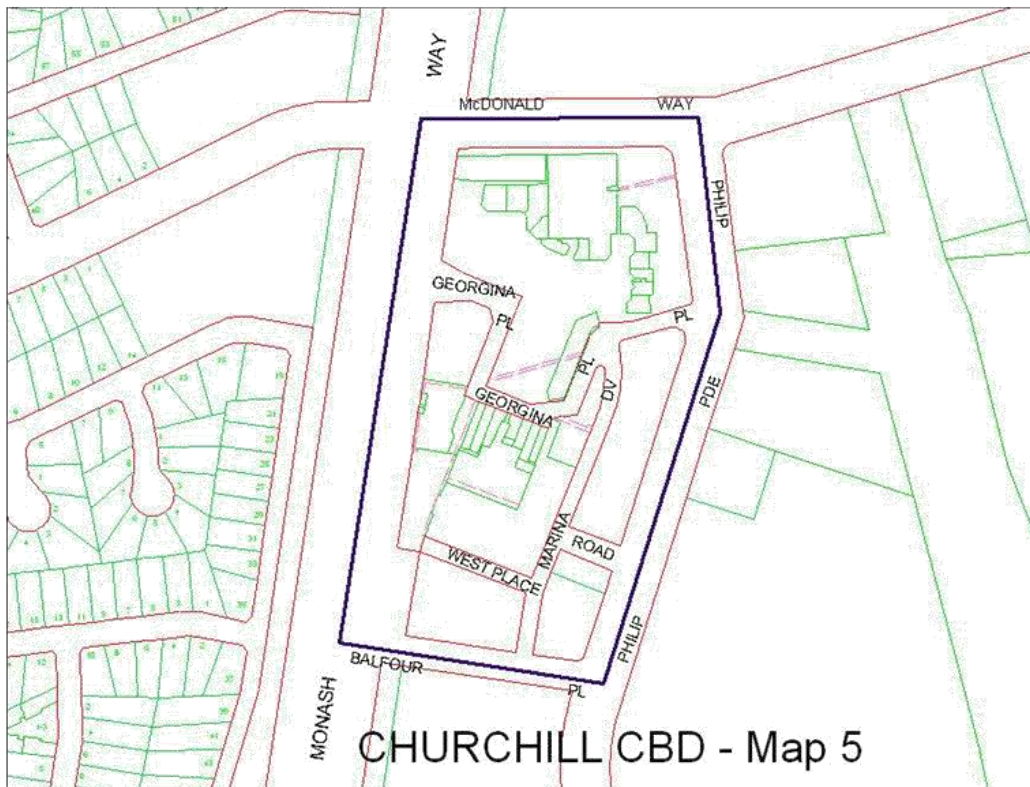
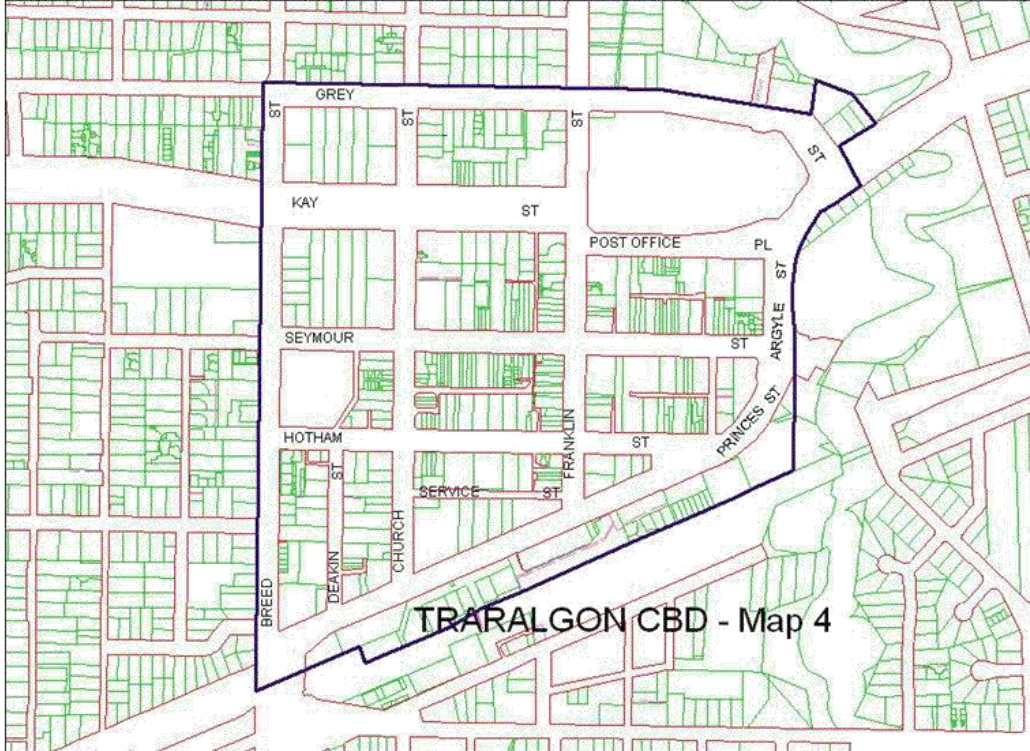
A person must not consume any liquor, have in his or her possession or under his or her control, any liquor other than in a sealed container, in or on any Municipal place which is located within the area shown on Maps 1, 2,3,4, and 5 contained within the thick dark line and marked with the letters 'CBD', attached to this Schedule, unless the Municipal place is a licensed premises or authorised premises under the Liquor Control Act 1987.



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PART 10 - CERTIFICATION OF LOCAL LAW

This is to certify that the writing above contained on 63 pages of paper is a true copy of the Local Law of the Latrobe City Council and that I have informed Council of the legislative requirements necessary to giving validity to such Local Law and as to Council's observance and belief that such requirements have been fulfilled. And I further certify that such Local Law came into force on ##.

The Common Seal of Latrobe City Council)
was hereunto affixed on this ## day of)
in the presence of:)

Chief Executive Officer

Seal

LATROBE CITY COUNCIL

**LOCAL LAW COMMUNITY IMPACT
STATEMENT**

**COMMUNITY AMENITY
LOCAL LAW NO. 2
2016**

For enquiries please contact

**Coordinator Local Laws
Ph. 1300 367 700**



Local Law Community Impact Statement ***Community Amenity Local Law No. 2 2016***

Local Law Community Impact Statement

This Local Law Community Impact Statement is designed to assist the community in understanding the proposed Community Amenity Local Law No. 2, 2016 and its intent.

The objectives of the proposed local law are to:

- enhance neighbourhood amenity;
- secure community safety;
- protect public assets;
- provide for the peace, order and good government of the municipal district.

In 2010, the State Government, through Local Government Victoria, released 'Guidelines for Local Laws Manual', listing new best practice guidelines for the creation and enforcement of Local Laws. The key features of these best practice guidelines are summarised as follows:

- the key aim is to improve accessibility, accountability, compliance, consistency, currency, efficiency, enforceability, necessity, and transparency.
- regulation should be viewed as a last resort, because it imposes a burden of compliance on the community and a burden of enforcement on the council.
- the community should be involved from the commencement of the law-making process, not just at the final formal submissions stage under section 223 of the Local Government Act 1989.
- Local Laws should not allow discretions on the part of those administering/enforcing them without clear guidelines being in place.
- where Local Laws rely on other documents such as Council policies or permit conditions, those documents should be as accessible to the public as the Local Laws and, if necessary, incorporated into the Local Laws.
- councils should produce a Local Law Community Impact Statement for all new or materially altered local laws.

Local Law Community Impact Statement
Community Amenity Local Law No. 2 2016

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5. Risk Assessment
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8. Penalties
9. Permits
10. Fees and Charges
11. Performance standards / measuring Success
12. Comparison with Neighbouring and Like Councils
13. Charter of Human Rights
14. Community Consultation
15. Submissions

Part 2

Deleted Clauses.

Part 3

Amended Clauses.

Part 4

New Clauses.

Local Law Community Impact Statement

Community Amenity Local Law No. 2 2016

1. Background

Section 111 of the Local Government Act 1989 provides councils with the authority to make local laws. Local laws are designed to assist councils to balance the needs of the individual against the needs of the broader community, but are limited to areas which local councils have jurisdiction (except those things dealt with under the planning scheme) and cannot be inconsistent with any other laws (either state or federal).

The Local Government Act 1989 allows Council to make local laws to provide for peace, order and good government within the municipal district. Local laws assist Council to meet community expectations by allowing it to manage and respond to a wide range of issues including complaints and the abatement of nuisances.

Latrobe City Council last reviewed Local Law No 2 in 2009, the decision to conduct this review was in response to;

- New State Government (local law development) Guidelines,
- Amended State legislation,
- Inconsistencies and duplications in many existing Local Law provisions,
- Promote greater community interest and ownership.

The proposed Community Amenity Local Law No. 2, 2016 is the result of that review. To ensure that the local law provides effective regulation and is consistent with current and future needs of the community all provisions in the existing local law were reviewed and extensive internal and external consultation was conducted including community focus group sessions.

This review and consultation resulted in inconsistencies and duplications being removed from the local law and new provisions been included to regulate matters that could not effectively be regulated by existing laws. While the proposed local law maintains a similarity with those found in most Victorian municipalities, this local laws has been specifically tailored to meet the needs of the Latrobe City community.

2. Existing legislation

In reviewing the local law Council sought where practicable to remove any clauses that relate to matters addressed under existing legislation, a number of clauses in the current local law have been deleted or amended as a result of this approach.

Section 2 provides details in relation to these matters.

3. Overlap / Duplication with Existing Legislation

During the desk top review and project assurance group meeting many areas were identified in the current local law that overlapped or duplicated existing legislation. It is believed that the provisions of the new local law supplement State legislative provisions without duplicating, overlapping or creating any inconsistencies.

4. Overlap with Planning Scheme

Council does not believe that the new local law overlaps or creates any inconsistencies with the Planning Scheme.

5. Risk assessment

A risk assessment approach was undertaken in the early stages of this review, all local law

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clauses were subjected to an analyses in relation to possible impacts;

Impacts (risk assessment);

- Protection of amenity.
- Abatement of nuisance.
- Health and safety.
- Prevention of damage.
- Liability of Council.

6. Legislative approaches adopted

The approach adopted in the new local law places a minimum burden on the community. This is evident by the way of:

- Minimum possible number of offence provisions.
- Clear and unambiguous provisions.
- A community engagement and education approach rather than enforcement.
- Wherever possible, provisions for permits rather than prohibition of activities
- Reasonable enforcement procedures including provision for the giving of compliance notices and warnings where appropriate, provision of an internal review process.

7. Restriction of competition

National Competition Policy

In 1996, the Federal Government introduced a National Competition Policy (NCP). This policy aims to ensure that where applicable, competition across and within sectors is fair and balanced. All levels of government are required to comply with this policy and principles it contains. The principles are reproduced below.

Prices oversight of Government Business Enterprises to limit monopoly pricing capacity of public monopolies Competitive Neutrality Policy and Principles to remove any net competitive advantage enjoyed by significant government businesses enterprises by virtue of their public sector ownership Structural Reform of Public Monopolies to introduce greater competition into markets traditionally supplied by public monopolies Legislation Review to review and, where appropriate, reform all legislation and regulation which restricts competition Access to Services provided by means of Significant Infrastructure Facilities to allow third party access to significant infrastructure facilities where required for effective competition in an upstream or downstream market

The new local law does not breach these principles and is considered to be compliant.

8. Penalties

Council considers that the penalties proposed are sufficient to act as a deterrent and to reflect the seriousness of the offences.

9. Permits

The new local law will continue to make use of permits as a means of controlling activities, rather than using prohibition. Council has found that the use of permits is a very effective means of managing activities fairly and reasonably.

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10. Fees and Charges

The Local Government Act 1989 and the new Local Law allows Council to set fees and charges annually.

This will be undertaken as part of the budget process.

11. Performance standards / measuring Success

The success of Council's new Local Laws will be monitored and reported annually to the community. The key performance indicators for measuring success will include:

- Number of customer complaints received annually
- The surveyed level of community satisfaction with community safety resulting from the Local Laws
- Number of Local Law breaches detected by Authorised Officers
- Numbers of Compliance notices, Official Warnings and Infringement Notices conducted annually
- Annual number of requests for review of decisions made under Local Laws.

12. Comparison with neighboring and like Councils

The provisions within the proposed Local Law have been compared with the Local Laws of Wellington Shire, Baw Baw Shire, South Gippsland Shire, Greater City of Geelong, City of Ballarat, City of Greater Bendigo, Melbourne City Council, Boroondara City Council, Frankston City Council and Yarra City Council.

The provisions were found to be similar in most cases to the proposed Local Law.

13. Charter of Human Rights

Council conducted a review of its Local Laws in 2009, as a result of the Charter of Human Rights being implemented. In the main that review found the Local Laws to be compliant, however Council adopted some policy and procedure in relation to review of decisions, to ensure that both the spirit and the letter of the Charter were addressed. That policy and procedure has been incorporated into the new Local Laws.

With the inclusion referred to above, Council believes that the new Local Laws appropriately reflect the objectives of the Victorian Charter of Human Rights.

14. Community Consultation

Mach 2 Consulting was engaged by Council to assist the Review of Local Law No 2 (2009) by facilitating a consultation process designed to engage the community in the development of regulatory measures.

In October 2013 two community focus group sessions were held with a key objective to ensure that the community was provided an opportunity to contribute to the development of regulatory measures for Latrobe City. Focusing on this objective, a discussion process was undertaken to provide an opportunity for the community and key stakeholders to express their thoughts on key issues relating to the development of Council's new local law.

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Community Amenity Local Law No. 2 2016

15. Submissions

Council will give public notice of the proposed local law. Section 223 submissions will be considered at a Special Meeting of Council.

Local Law Community Impact Statement

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Part 2, 3 & 4 – Analysis of new provisions in the proposed Local Law and deleted provisions from previous Local Law.

PART 2 - Deleted clauses

CLAUSE 11 (LL No 2 2009) – REGISTER OF DETERMINATIONS AND GUIDELINES

Purpose – Outlines the use of determinations and guidelines in the local law.

Amendment – Delete Clause.

Comment – Advice for Maddock Solicitors that a register of determinations is not required. The Local Government Act details that guidelines must be incorporated at the time the local law is made or would require an amendment to be incorporated at a later date.

CLAUSE 15 (LL No 2 2009) - TIME TO COMPLY (NOTICE TO COMPLY)

Purpose – Specifies that a Notice to Comply must state the time within by which the situation must be remedied.

Amendment – Delete Clause.

Comment – The provisions of the Clause has been includes into new Clause 15 – Notice to Comply.

CLAUSE 20.1 (LL No, 2 2009) – APPLICATION FOR A PERMIT

Purpose – Stipulates a specific form to be used when applying for a permit.

Amendment – Delete clause.

Comment – This form has been deleted. Forms are developed and amended as required, therefore they cannot be included in the Local Law.

CLAUSE 20.2 (LL No, 2 2009) – APPLICATION FOR A PERMIT

Purpose – The Council may require an applicant to give Public Notice.

Amendment – Delete clause.

Comment – Advice from Maddocks Solicitors, this is a duplication of section 223 of the Local Government Act and therefore not required.

CLAUSE 21 (LL No, 2 2009) – PERMIT MAY BE CONDITIONAL AND CORRECTION RIGHTS

Purpose – Specifies that conditions and corrections can be made to a permit.

Amendment – Delete clause.

Comment – This provision has been included into clause 18 Permits.

CLAUSE 22 (LL No, 2 2009) – ADDITIONAL INFORMATION

Purpose – Provision to allow for additional information to be requested from applicants.

Amendment – Delete clause.

Comment – This provision has been included into clause 18 Permits.

CLAUSE 23 (LL No, 2 2009) – DURATION OF PERMITS

Purpose – Sets a Permit expiry date of 30 June.

Amendment – Delete clause.

Comment – Amendment to Clause 18.7. A Permit now expires 1 year after the date of issue or the date specifically stated in the Permit.

CLAUSE 33 (LL NO 2 2009) – NOTICE TO COMPLY

Purpose – This clause give the power to issue a Notice to Comply for Clause 32.

Amendment – Delete clause.

Comment – The power to issue a Notice to Comply is included in Clause 10.

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CLAUSE 35 (LL NO 2 2009) – FENCES NOT TO CAUSE AN OBSTRUCTION

Purpose – This clause regulated property fence heights and obstructions caused by such fences at intersections.

Amendment – Delete clause.

Comment – This clause is a Duplication of Section 427 of the Building Regulation 2006

CLAUSE 35.2 (LL NO 2 2009) – FENCES NOT TO CAUSE AN OBSTRUCTION

Purpose – A person must not allow any fence or part thereof the cause and obstruction.

Amendment – Delete clause.

Comment – This is a Duplication of Clause 34.2.

CLAUSE 36 (LL NO 2 2009) – NOTICE TO COMPLY

Purpose – This clause give the power to issue a Notice to Comply for Clause 35 and 36.

Amendment – Delete clause.

Comment – The power to issue a Notice to Comply is included in Clause 10.

CLAUSE 37.2 (LL NO 2 2009) – CONSIDERING THE ALLOCATION OF ANY NAME TO A ROAD

Purpose – This clause requires Council to consider any standards and the Geographic Place Names Act 1998 before allowing the use of a road name.

Amendment – Delete clause.

Comment – This Clause is a duplication of Schedule 10 of the Local Government Act 1989 and requirement under the Geographic Place Names Act 1998.

CLAUSE 39 (LL NO 2 2009) – PROPERTIES NOT DISPLAYING NUMBERS

Purpose – This clause allows a Notice to Comply to be issued for non-compliance relating to house numbering provisions.

Amendment – Delete clause.

Comment – The power to issue a Notice to Comply is now included in Clause 10.

CLAUSE 40 (LL NO 2 2009) – CHANGES TO ROAD NAMES

Purpose – This clause give Council the power to approve road names changes.

Amendment – Delete clause 40.

Comment – This clause is not required as it duplicates Schedule 10 (5) of the Local Government Act.

CLAUSE 41 (LL NO 2 2009) – RECORD OF ROAD NAMES

Purpose – This clause requires Council to keep a record of all road names and name changes agreed to by the Council and must accurately record the names, locations and the dates the changes became operative.

Amendment – Delete clause.

Comment – This clause is not required as it duplicates Schedule 10 (5) of the Local Government Act.

CLAUSE 42 (LL NO 2 2009) – ADVICE TO GEOGRAPHIC NAMES REGISTER

Purpose – This clause requires Council to advise the Register of Geographic Names of any action by Council to approve, assign or change the name of a road.

Amendment – Delete clause.

Comment – This clause is not required as it duplicates Schedule 10 (5) of the Local Government Act.

CLAUSE 43 (LL NO 2 2009) – ADVICE TO OTHER ORGANISATIONS

Purpose – This clause requires Council to notify every authority supplying water, gas, electricity, postal services, telephone services, the State Land Tax Office, the

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Commonwealth Electoral Office and any other relevant authority as required by Clause 4.4.2 of the Guidelines for Geographic Names.

Amendment – Delete clause.

Comment – This clause is not required as it duplicates Schedule 10 (5) of the Local Government Act.

CLAUSE 44.3 (LL No, 2 2009) – A VEHICLE CROSSING IS REQUIRED

Purpose – Power for an authorised officer to issue a notice to comply.

Amendment – Delete clause.

Comment – Notice to Comply provisions are now included in Part 3 Notice to Comply.

DIVISION 4 (LL NO 2 2009) - FENCES TO CONTAIN ANIMALS

CLAUSE 48 (LL NO 2 2009) – FENCES TO CONTAIN LIVESTOCK

Purpose – Requires the owners or occupiers of land use for the grazing of livestock to fence the land adequately to prevent the animals from straying onto any adjacent road.

Amendment – Delete Division 4 and Clause 48.

Comment – This clause is not required as it duplicates section 16A & 16B of the Impounding of Livestock Act.

CLAUSE 49 (LL NO 2 2009) – NOTICE TO COMPLY

Purpose – This clause gave power to issue a Notice to Comply for Clause 48.

Amendment – Delete clause.

Comment – Clause 48 has been deleted and the power to issue a Notice to Comply is now included in Clause 10.

CLAUSE 50-54 (LL NO 2 2009) – PROHIBITION OF VEHICLES LIKELY TO DAMAGE THE ROAD

Purpose – Specify classes of vehicles prohibited from using roads.

Amendment – Delete clause.

Comment – Clause 50-54 is a duplication of Road Management Act.

CLAUSE 55 (LL No, 2 2009) – LIVESTOCK DRIVING IN THE MUNICIPAL DISTRICT

Purpose – Permit required to drive livestock.

Amendment – Delete clause.

Comment – Amended into See Clause 37.

CLAUSE 56 (LL No, 2 2009) – FORM OF APPLICATION

Purpose – Specified the form of application to be used.

Amendment – Delete clause.

Comment – Application forms are no longer prescribed in the Local law.

CLAUSE 57 (LL NO 2 2009) - FORM OF PERMITS

Purpose –. Before issuing a Permit to Drive Livestock Council must consider guidelines and standard.

Amendment – Delete Clause.

Comment – The information contained in this clause has been included in Clause 56.

CLAUSE 58 (LL No, 2 2009) – SPECIFIED ROADS

Purpose – Allows a permit condition to be varied.

Amendment – Delete clause.

Comment – No longer required, this would need a permit variation in clause 20.

CLAUSE 59 (LL No, 2 2009) – DEPARTURE FROM ROUTE

Purpose – Allows a permit condition to be varied.

Amendment – Delete clause.

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Comment – No longer required, this would need a permit variation in clause 20.

CLAUSE 60 (LL No, 2 2009) – TIME FOR DRIVING LIVESTOCK

Purpose – Requires that permit conditions be adhered to.

Amendment – Delete clause.

Comment – Not required detailed in clause 21.1 (d)

CLAUSE 62 (LL NO 2 2009) - CURRENCY OF PERMIT

Purpose – Specifies the expiry date for a Driving of Livestock Permit.

Amendment – Delete Clause.

Comment – The information contained in this clause is a duplication of Clause 22 - DURATION OF PERMITS.

CLAUSE 64 (LL No, 2 2009) – POWER TO IMPOUND LIVESTOCK

Purpose – Power to impound livestock.

Amendment – Delete clause.

Comment – Inconsistent with the Impounding of Livestock Act 1994

CLAUSE 66 (LL NO 2 2009) - RESPONSIBILITY OF APPLICANT

Purpose – Allows an authorised officer to require an applicant to make a declaration to the effect that the livestock are fit, healthy and free from disease and able to travel.

Amendment – Delete Clause 66

Comment – This Clause is no longer required as the provisions of the Livestock Disease Control Act 1994 and Prevention of Cruelty to Animals Act 1986 place a responsibility on the livestock owner.

CLAUSE 68- PERMITS CONDITIONS TEMPORARY OUTDOOR EATING FACILITY

Purpose – To specify permit conditions applicable to the establishment of a temporary outdoor eating facility.

Amendment – Delete clause.

Comment – To include conditions of use as currently detailed on issued permits.

CLAUSE 69 (LL No, 2 2009) – USE OF TOY VEHICLES/WHEELED RECREATION DEVICE

Purpose – Designates areas where toy vehicles can not be used.

Amendment – Delete clause.

Comment – Incorporated into clauses 46 and 47.

CLAUSE 74 (B) - (LL NO 2 2009) - PARKING (HEAVY VEHICLES) IN RESIDENTIAL AREAS

Purpose – This clause regulates the parking of heavy vehicle in residential areas. A heavy vehicle cannot park on a road within a residential area for longer than 2 hours.

Amendment – Delete Clause 74 (b).

Comment – Clause 74 (b) contradicts and duplicates section 200 (2) of the Road Safety Road Rules 2009, parking of heavy vehicles in built up areas. The Road Safety Road Rules 2009 specifies that a heavy vehicle must not stop on a length of road in a built-up area for longer than 1 hour.

CLAUSE 75 (LL No, 2 2009) – PERMIT APPLICATION

Purpose – Stipulates a specific form to be used when applying for a permit.

Amendment – Delete clause.

Comment – This form has been deleted. Forms are developed and amended as required, therefore they cannot be included in the Local Law.

CLAUSE 76 (LL No, 2 2009) – PERMIT AND CONDITIONS

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Purpose – Specifies need to consider permit conditions.

Amendment – Delete clause.

Comment – Included into Part 4 Permits

CLAUSE 77 (LL NO 2 2009) - NOTICE TO COMPLY

Purpose – This clause gave power to issue a Notice to Comply for Clause 74.

Amendment – Delete clause.

Comment – The power to issue a Notice to Comply is now included in Clause 10.

CLAUSE 79 (LL No, 2 2009) – PERMITS FOR ADVERTISING SIGNS

Purpose – Specifies need to consider permit conditions.

Amendment – Delete clause.

Comment – Included into Part 4 Permits.

CLAUSE 80.2 (LL No, 2 2009) – IMPOUNDING SIGNS

Purpose – Specifies actions that must be taken following the impoundment of items.

Amendment – Delete clause.

Comment – See clause 12 IMPOUNDMENT, RELEASE AND DISPOSAL OF ITEMS

CLAUSE 81 (LL NO 2 2009) - NOTICE TO COMPLY

Purpose – This clause gave power to issue a Notice to Comply for Clause 78.

Amendment – Delete clause.

Comment – The power to issue a Notice to Comply is now included in Clause 10.

CLAUSE 84 (LL No, 2 2009) – REQUIREMENTS FOR GRANTING PERMITS

Purpose – Specifies consideration prior to issuing permits.

Amendment – Delete clause.

Comment – Included into Part 4 Permits.

CLAUSE 86.2 (LL No, 2 2009) – IMPOUNDING OF GOODS AND EQUIPMENT

Purpose – Specifies actions that must be taken following the impoundment of items.

Amendment – Delete clause.

Comment – See clause 12 IMPOUNDMENT, RELEASE AND DISPOSAL OF ITEMS.

CLAUSE 87 (LL NO 2 2009) - NOTICE TO COMPLY

Purpose – This clause gave power to issue a Notice to Comply for Clause 82.

Amendment – Delete clause.

Comment – The power to issue a Notice to Comply is now included in Clause 10.

CLAUSE 89 (LL No, 2 2009) – PERMITS FOR DISPLAYING GOODS

Purpose – Specifies consideration prior to issuing permits.

Amendment – Delete clause.

Comment – Included into Part 4 Permits.

CLAUSE 90.2 (LL No, 2 2009) – GOODS LEFT ON ROADS

Purpose – Specifies actions that must be taken following the impoundment of items.

Amendment – Delete clause.

Comment – See clause 12 IMPOUNDMENT, RELEASE AND DISPOSAL OF ITEMS.

CLAUSE 91 (LL NO 2 2009) - NOTICE TO COMPLY

Purpose – This clause gave power to issue a Notice to Comply for Clause 88.

Amendment – Delete clause.

Comment – The power to issue a Notice to Comply is now included in Clause 10.

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CLAUSE 93 (LL No, 2 2009) – GRANTING OF PERMITS

Purpose – Specifies consideration prior to issuing permits.

Amendment – Delete clause.

Comment – Included into Part 4 Permits.

CLAUSE 97 (LL NO 2 2009) - NOTICE TO COMPLY

Purpose – This clause gave power to issue a Notice to Comply for Clause 92.

Amendment – Delete clause.

Comment – The power to issue a Notice to Comply is now included in Clause 10.

CLAUSE 99 (LL NO 2 2009) - GRANTING OF PERMITS

Purpose – Specifies consideration prior to issuing permits.

Amendment – Delete clause.

Comment – Included into Part 4 Permits.

CLAUSE 101 (LL NO 2 2009) - NOTICE TO COMPLY

Purpose – This clause gave power to issue a Notice to Comply for Clause 98.

Amendment – Delete clause.

Comment – The power to issue a Notice to Comply is now included in Clause 10.

CLAUSE 102.2 (LL No, 2 2009) – ROAD OCCUPATION (PERMITS)

Purpose – Specifies consideration prior to issuing permits.

Amendment – Delete clause.

Comment – Included into Part 4 Permits.

CLAUSE 103 (LL NO 2 2009) - GRANTING OF A PERMIT

Purpose – Specifies consideration prior to issuing permits.

Amendment – Delete clause.

Comment – See Clause on Permits.

CLAUSE 107 (LL NO 2 2009) - NOTICE TO COMPLY

Purpose – This clause gave power to issue a Notice to Comply for Clause 104.

Amendment – Delete clause.

Comment – The power to issue a Notice to Comply is now included in Clause 10.

CLAUSE 111 (LL NO 2 2009) - PERMITTED ROADS

Purpose – To specify where street parties, festival or procession may be held.

Amendment – Delete Clause.

Comment – These requirements are now detailed in the Road Management Act.

CLAUSE 113.2 (LL No, 2 2009) – BUSKING AND STREET ENTERTAINMENT

Purpose – Specifies consideration prior to issuing permits.

Amendment – Delete clause.

Comment – Included into Part 4 Permits.

CLAUSE 114 (LL NO 2 2009) - GRANTING OF A PERMIT

Purpose – Specification of details for the granting of a Permit.

Amendment – Delete clause.

Comment – See Clause on Permits.

CLAUSE 115 (LL NO 2 2009) - NOTICE TO COMPLY

Purpose – This clause gave power to issue a Notice to Comply.

Amendment – Delete clause.

Comment – The power to issue a Notice to Comply is now included in Clause 10.

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CLAUSE 116.2 (LL No, 2 2009) – COLLECTIONS

Purpose – Specifies consideration prior to issuing permits.

Amendment – Delete clause.

Comment – Included into Part 4 Permits

CLAUSE 117 (LL NO 2 2009) - GRANTING OF A PERMIT

Purpose – Specification of details for the granting of a Permit.

Amendment – Delete clause.

Comment – See Clause on Permits.

CLAUSE 118 (LL NO 2 2009) - NOTICE TO COMPLY

Purpose – This clause gave power to issue a Notice to Comply.

Amendment – Delete clause.

Comment – The power to issue a Notice to Comply is now included in Clause 10.

CLAUSE 121 (LL NO 2 2009) - SURRENDER OF VEHICLES

Purpose –

Amendment – Delete Clause.

Comment – This clause is not required as these provisions are contained in Clause 13 Impounding and Schedule 11 of the Act.

CLAUSE 121 (LL NO 2 2009) - POWER TO SELL OR GIVE AWAY

Purpose – Gave Council power to sell or give away impounded vehicle.

Amendment – Delete Clause.

Comment – This clause is not required as these provisions are contained in Clause 13 Impounding and Schedule 11 of the Act.

CLAUSE 123 (LL NO 2 2009) – IMMOBILISING BUT NOT REMOVING VEHICLES

Purpose – Allows an Authorised Officer to wheel clamp a vehicle that is parked unlawfully or causing an unlawful obstruction.

Amendment – Delete Clause.

Comment – Currently there is no legislative power allowing Council to use wheel clamps. Road Safety Act gives this power to Victoria Police and Sheriff Officers only. Schedule 11 (4) allows a Council to move and/or impound any vehicle causing an unlawful obstruction.

CLAUSE 124 (LL NO 2 2009) - NOTICE TO THE OWNER

Purpose –

Amendment – Delete Clause.

Comment – This clause is not required as these provisions are contained in Clause 13 Impounding and Schedule 11 of the Act.

CLAUSE 126 (LL No, 2 2009) – PERMIT FOR VEHICLE STANDING AREA WORKS

Purpose – Specifies consideration prior to issuing permits.

Amendment – Delete clause.

Comment – Included into Part 4 Permits.

CLAUSE 127 (LL No, 2 2009) – VEHICLE STANDING AREAS IN DISREPAIR

Purpose – Provides the power to issue a Notice to Comply.

Amendment – Delete clause.

Comment – Incorporated into Part 3 Notices to Comply.

CLAUSE 128 (LL NO 2 2009) - PERMIT TO PARK / DRIVE A VEHICLE ON A RESERVATION

Purpose – Permit application process and considerations.

Amendment – Delete clause.

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Comment – No longer required as the provision are now contained in the new permits clause.

CLAUSE 129 (LL NO 2 2009) - NOTICE TO COMPLY

Purpose – To allow an Authorised Officer to issue a Notice to Comply for a breach of Clauses 125 to 128.

Amendment – Delete clause.

Comment – Clause 129 is no longer required as the power to issue a Notice to Comply is now included in Clause 10

CLAUSE 131 (LL NO 2 2009) - UNSIGHTLY LAND

Purpose – Offence for owner/occupier for keeping property in a manner which is unsightly.

Amendment – Delete clause.

Comment – Clause 131 Unsightly Land is no longer required as it has been included into clause 113.

CLAUSE 132 (LL NO 2 2009) – NATURE STRIPS

Purpose – previous local law specified that it is an offence not to maintain a naturestrip to the satisfaction of an Authorised Officer.

Amendment – Delete clause.

Comment – A naturestrip is a public place and forms part of a road (road related area by definition) this clause shifted responsibility from Council (or other road authority) to the adjoining property owner.

CLAUSE 133 (LL NO 2 2009) - STORAGE OF MACHINERY, SECOND HAND VEHICLES OR SECOND HAND GOODS ON PROPERTY

Purpose – To regulate the storage of machinery, second hand goods or second hand vehicles on private property.

Amendment – Incorporated into Clause 104.

Comment - Duplication of the Planning Scheme and to a lesser extent clause 130 dangerous, unsightly or detrimental land.

CLAUSE 141.2 (LL No, 2 2009) – CLOTHING RECYCLE BINS

Purpose – Specifies consideration prior to issuing permits.

Amendment – Delete clause.

Comment – Included into Part 4 Permits.

CLAUSE 144.2 (LL No, 2 2009) – PLACEMENT OF CARAVANS ON PRIVATE PROPERTY

Purpose – Stated that the provisions of clause 144.2 did not apply to a licenced caravan park.

Amendment – Delete clause.

Comment – A licenced caravan park is a commercial property and therefore not required under this part.

CLAUSE 147.4 TO 147.11 (LL NO 2 2009)- DOG UNLEASHED AREAS

Purpose – This clause requires that dogs be leashed in built-up areas, the designating of unleashed areas and regulates the unleashing of dogs in approved areas.

Amendment – Delete Clause.

Comment – Advise form Maddocks solicitor that this clause duplicates section 26 of the Domestic Animals Act. However, a Council Order will need to be resolved.

CLAUSE 135 (LL NO 2 2009) – BURNING OF PROHIBITED MATERIALS

Purpose – To prohibit the burning of offensive materials.

Amendment – Delete clause.

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Comment – This clause is a duplication of section 41 Pollution of atmosphere of the Environment Protection Act 1970.

CLAUSE 140 (LL NO 2 2009) – ADVERTISING, BILL POSTING AND JUNK MAIL

Purpose – Prohibits bill posting, distribution of advertising material and the leaving of advertising or promotional material in letter boxes where there is a sign that states “No Junk Mail”.

Amendment – Remove clause.

Comment – This is a duplication of PART VIIA of the EPA Act 1970.

CLAUSE 143.2 (LL No, 2 2009) – CARAVANS AS TEMPORARY ACCOMMODATION

Purpose – An occupier of private property where a dwelling exists placing one caravan owned by them on the property for the use of a member of the household or a temporary visitor to sleep in for a total period not exceeding 28 days in any one year.

Amendment – Delete clause.

Comment – Incorporated in to clause 106.

CLAUSE 144.2 (LL NO 2 2009) – PLACEMENT OF CARAVANS ON PRIVATE PROPERTY

Purpose – Specifies that Clause 144.1(a) does not apply to a licensed Caravan Park or a licensed caravan retailer.

Amendment – Delete clause.

Comment – Not required as Clause 144.2 only relates to private property. In addition this clause would be contrary to Planning Scheme provisions.

CLAUSE 146.3 AND 146.4 (LL NO 2 2009) – NOISE ON PREMISES

Purpose – This clause prohibits unreasonable noise on and from residential premises.

Amendment – Delete Clause.

Comment – Not required as this clause duplicates section 48A of the Environment Prevention Act - Unreasonable noise from residential premises.

CLAUSE 148 (LL NO 2 2009) - PERMIT APPLICATION

Purpose – Specifies the requirements for a keeping of animal permits.

Amendment – Delete clause.

Comment – Clause 148 has been moved to Clause 122.

CLAUSE 149 (LL NO 2 2009) - GRANTING OF A PERMIT

Purpose – Granting of a permit.

Amendment – Delete clause.

Comment – No longer required as the provision are now contained in the new permits clause.

CLAUSE 150 (LL No, 2 2009) – RESTRICTION OF LIVESTOCK IN RESIDENTIAL AREAS/LIVESTOCK KEPT UNSECURED

Purpose – Regulates the keeping of livestock in residential areas.

Amendment – Delete clause.

Comment – see clause 113.2.

CLAUSE 151.1 (LL NO 2 2009) - LIVESTOCK KEPT UNSECURED

Purpose – Requires that Livestock be adequately confined in residential areas.

Amendment – Delete clause.

Comment – This clause is a duplication of section 5B of the Impounding of Livestock Act 1994, Power to enter land or building and impound inadequately confined livestock.

CLAUSE 152 (LL No, 2 2009) – POULTRY

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Purpose – Regulates the keeping of poultry.

Amendment – Delete clause.

Comment – see clause 109.

CLAUSE 153.1 AND 153.2 (LL NO 2 2009) - CAGED BIRDS

Purpose – Caged birds must be kept under good sanitary and humane conditions and caged birds may keep caged bird as allowed by Wildlife regulations.

Amendment – Delete clauses.

Comment – Duplication of Wildlife Regulations 1992 and Prevention of Cruelty to Animals Act.

CLAUSE 155.3 (LL NO 2 2009) – KEEPING OF BEES

Purpose – Exclude bee keeping in Clause 155.

Amendment – Delete Clause.

Comment – This clause is no longer required as the keeping of bees are regulated in the Planning scheme.

CLAUSE 157(a) (LL NO 2 2009) - ANIMAL EXCREMENT

Purpose – A person in charge of a dog must not allow any part of the dogs excrement to remain on any road or other municipal place.

Amendment – Delete clause.

Comment – The clause duplicates clause 157 Animal Excrement.

CLAUSE 165 (LL NO 2 2009) – REMOVAL OF ASBESTOS

Purpose – To regulate the handling and disposal of asbestos.

Amendment – Delete the clause.

Comment – This is a duplication of clause 176.

CLAUSE 168 (LL NO 2 2009) – TRANSPORTATION OF WASTE

Purpose – To regulate the transportation of waste materials.

Amendment – Delete the clause.

Comment – This is a duplication of section 45U of the Environment Protection Act 1970 and 245 Road Safety Vehicle Regulations.

CLAUSE 170 (LL No, 2 2009) – DEPOSITING OF WASTE AT TRANSFER STATIONS

Purpose – Regulates the deposition of waste at transfer stations.

Amendment – Delete clause.

Comment – See clause 126

CLAUSE 176 (LL NO 2 2009) - REMOVAL OF ASBESTOS

Purpose – To regulate the handling and removal of asbestos.

Amendment – Delete clause.

Comment – Duplication of existing legislation, Environment Protection Act and Public Health and Wellbeing Act (nuisance section). Environment Protection (Industrial Waste Resource) Regulations 2009 provides the regulatory framework for the handling, management and disposal of prescribed industrial waste. Processing and handling asbestos in the workplace is covered by the Occupational Health and Safety Regulations 2007.

CLAUSE 181 (LL NO 2 2009) - PERMITS TO SELL FOOD OR PREPARE FOOD FOR SALE

Amendment – Delete clause.

Comment – Duplication of Public Health and Wellbeing Act.

CLAUSE 182 (LL NO 2 2009) - GUIDELINES FOR FOOD VENDORS

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Amendment – Delete clause.
Comment – Duplication of The Food Act.

CLAUSE 183 (LL NO 2 2009) - REGISTRATION RENEWAL LATE FEES

Amendment – Delete clause.
Comment – Duplication of Public Health and Wellbeing Act.

CLAUSE 184 (LL NO 2 2009) - COSTS OF SAMPLES

Amendment – Delete clause.
Comment – Environmental Health team advised not required.

CLAUSE 186 (LL No, 2 2009) – PUBLIC PLACES

Amendment – Delete clause.
Comment – Duplication of Public Health and Wellbeing Act.

CLAUSE 187 (LL NO 2 2009) - FOOD SAFETY PLAN COMPLIANCE ASSESSMENTS

Amendment – Delete clause.
Comment – Environmental Health team advised not required. Duplication of The Food Act.

CLAUSE 188.5 (LL No, 2 2009) – BEHAVIOUR IN MUNICIPAL PLACES

Amendment – Delete clause.
Comment – See clause 139.5

CLAUSE 191 (LL No, 2 2009) – PERMITS

Amendment – Delete clause.
Comment – Incorporated into Part 4 Permits.

CLAUSE 192 (LL NO 2 2009) – COUNCIL RECREATION CENTRES RESTRICTION OF ENTRY

Purpose – to inform of the rules of attending these facilities.
Amendment – Delete Clause.
Comment – the Centre's restrictions are clearly defined and are adapted by each facility for their specific needs. Enforcing of these restrictions would be under the summary offences act and are covered in council's behaviours and therefore does not require a local law provision.

CLAUSE 193 (LL NO 2 2009) – CODE OF CONDUCT COUNCIL RECREATION CENTRES/FACILITIES RESTRICTION OF ENTRY

Purpose – to inform of the code of behaviour in attending these facilities.
Amendment – Delete clause.
Comment – the centres code of practice is clearly defined and is adapted by each facility for their specific needs. Enforcing of these restrictions would be under the summary offences act and are covered in council's behaviours and therefore does not require a local law provision.

CLAUSE 194 (LL NO 2 2009) – PUBLIC RESERVES AND RECREATION

Purpose – to inform of the code of behaviours in attending these facilities.
Amendment – Delete clause.
Comment – the centres code of practice is clearly defined and is adapted by each facility for their specific needs. Enforcing of these restrictions would be under the summary offences act and are covered in council's behaviours and therefore does not require a local law provision.

CLAUSE 196 (LL No, 2 2009) – PENALTIES

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Amendment – Delete clause.

Comment – Incorporated into Part 7 ENFORCEMENT AND PENALTIES.

CLAUSE 197 (LL NO 2 2009) - INFRINGEMENT NOTICE

Amendment – Delete clause 197 (clause 197 has been reallocated).

Comment – This clause is no longer required as the as it duplicates and in part contradicts the provisions of the Infringements Act 1996.

CLAUSE 198 (B) (LL NO 2 2009)- DELEGATIONS

Purpose – Delegates powers of Council to Local Laws Officers and Environmental Health Officers in relation to permits.

Amendment – Delete Clause.

Comment – These powers are detailed in Part 4 Permits.

STANDARD 1 (LL NO 2 2009) – URGENT CIRCUMSTANCES

Purpose – This standard lists factors to be taken into consideration when applying urgent circumstances to Local Law provisions.

Amendment – Delete Standard 1.

Comment – Standard 1 is no longer required as the information has been incorporated into Clause 18 urgent circumstances.

STANDARD 2 (LL NO 2 2009) – DISPOSAL OF IMPOUNDED ITEMS

Purpose – This standard specifies the means of disposing of impounded items.

Amendment – Delete Standard 2.

Comment – Standard 2 is no longer required as the information has been incorporated into Clause 13.

STANDARD 3 (LL NO 2 2009) – REQUIREMENTS FOR A CLEAR VIEW AT INTERSECTIONS

Purpose – This standard specifies a maximum height for plants on private land within 5 metres of an intersection.

Amendment – Delete Standard 3.

Comment – The details specified in standard 3 have been incorporated into clause 30.3.

STANDARD 4 (LL NO 2 2009) – REQUIREMENTS FOR SELECTING A NAME FOR A ROAD

Purpose – This standard specifies the considerations to be taken when selecting road names.

Amendment – Delete Standard 4.

Comment – This Standard is no longer required as it duplicates Schedule 10 (5) of the Local Government Act 1989 and the Geographic Place Names Act 1998.

STANDARD 5 (LL NO 2 2009) – SUFFICIENCY OF SIZE LOCATION AND VISIBILITY OF PROPERTY NUMBERS

Purpose – This Standard specifies requirements for the placement, size, location and visibility of property numbers.

Amendment – Delete Standard 5.

Comment – This Standard is no longer required as it has been incorporated into Clause 31.2 – Property Numbers.

STANDARD 6 (LL NO 2 2009) – VEHICLES LIKELY TO DAMAGE THE ROAD

Purpose – This Standard specifies matters to be considered when granting a permit for a vehicle likely to cause damage to a road.

Amendment – Delete Standard 6.

Comment – This Standard is no longer required as it has been incorporated into Clause 50.

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STANDARD 7 (LL NO 2 2009) – LIVESTOCK ON ROADS

Purpose – This Standard specifies permit considerations in regards to the driving of livestock along roads.

Amendment – Delete Standard 7.

Comment – This Standard is no longer required as it has been incorporated into Clause 37 and 38.

STANDARD 8 (LL NO 2 2009) - PLACES WHERE DRIVING OF LIVESTOCK IS NOT PERMITTED

Purpose – This Standard specifies areas where the driving of livestock is not permitted.

Amendment – Delete Standard 8.

Comment – Standard 8 is no longer required as the information has been incorporated into Clause 39.

STANDARD 9 (LL NO 2 2009) - PERMITTING VEHICLES OVER 3 TONNES TO BE PARKED, KEPT, REPAIRED OR STORED ON RESIDENTIAL LAND

Purpose – This Standard specifies issues that must be taken into account prior to issuing a permit.

Amendment – Delete Standard 9.

Comment – Standard 9 is no longer required as the information has been incorporated into Clause 50.

STANDARD 10 (LL NO 2 2009) - DISPLAYS OF FOOTPATH ADVERTISING SIGNS

Purpose – This standard specifies the requirement for the displaying of advertising signs on a road.

Amendment – Delete Standard 10.

Comment – Standard 10 is no longer required as the information has been incorporated into Division 9 ADVERTISING SIGNS.

STANDARD 11 (LL NO 2 2009) - TRADING FROM A ROAD OR TO A PERSON ON A ROAD

Purpose – This standard specifies the requirement for roadside trading.

Amendment – Delete Standard 11.

Comment – Standard 11 is no longer required as the information has been incorporated into Division 11 TRADING FROM A ROAD OR TO A PERSON ON A ROAD.

STANDARD 12 (LL NO 2 2009) - REQUIREMENTS FOR OUTDOOR EATING FACILITIES ON ROADS

Purpose – This Standard specifies the requirement for the establishment of an outdoor eating facility on a road.

Amendment – Delete Standard 12.

Comment – Standard 12 is no longer required as the information has been incorporated into Division 12 OUTDOOR EATING FACILITIES ON ROADS.

STANDARD 13 (LL NO 2 2009) - BULK RUBBISH CONTAINERS ON A ROAD

Purpose – This Standard specifies the requirement for the placement of bulk rubbish containers on a road.

Amendment – Delete Standard 13.

Comment – Standard 13 is no longer required as the information has been incorporated into Clause 63.

STANDARD 14 (LL NO 2 2009) - OCCUPATION OF ROADS

Purpose – This Standard specifies requirement to be considered prior to the issuing of a permit for the occupation of roads.

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Amendment – Delete Standard 14.

Comment – Standard 14 is no longer required as the information has been incorporated into Clause 65.

STANDARD 15 & 16 (LL NO 2 2009) - REQUIREMENTS FOR A STREET PARTY, FESTIVAL OR PROCESSION

Purpose – This standard specifies requirement to be considered prior to the issuing a permit to allow camping on Council land which is not licensed as a caravan park.

Amendment – Delete Standards 15 & 16.

Comment – Standard 16 is no longer required as the information has been incorporated into Clause 73.

STANDARD 17 (LL NO 2 2009) - BUSKING

Purpose – This standard specifies requirement to be considered prior to the issuing of a permit for Busking.

Amendment – Delete Standard 17.

Comment – Standard 17 is no longer required as the information has been incorporated into Clause 81.

STANDARD 18 (LL NO 2 2009) - COLLECTIONS ON ROADS AND FOOTPATHS

Purpose – This standard specifies requirement to be considered prior to the issuing of a permit for Collections on Roads and Footpaths.

Amendment – Delete Standard 18.

Comment – Standard 18 is no longer required as the information has been incorporated into Clause 84.

STANDARD 19 (LL NO 2 2009) - UNLAWFUL PARKING AND OBSTRUCTIONS WARRANTING TOW-AWAY

Purpose – This standard specifies requirements to be considered prior to removing or impounding an unlawfully parked or obstructing vehicle.

Amendment – Delete Standard 19.

Comment – Standard 19 is no longer required as the information has been incorporated into Clause 119.

STANDARD 20 (LL NO 2 2009) - PARKING ON A RESERVATION

Purpose – This standard specifies requirements to be considered prior to issuing a permit for a vehicle standing area on a naturestrip.

Amendment – Delete Standard 20.

Comment – Standard 20 is no longer required as the information has been incorporated into Clause 142.

STANDARD 21 (LL NO 2 2009) - DANGEROUS AND UNSIGHTLY LAND

Purpose – This standard specifies requirements to be considered in evaluating dangerous and unsightly land.

Amendment – Delete Standard 21

Comment – Standard 21 is no longer required as the information has been incorporated into Clause 92.

STANDARD 22 (LL NO 2 2009) - DISCHARGING OF FIREWORKS/PERMIT TO BURN

Purpose – This standard specifies requirements to be considered prior to issuing a permit to burn or to discharge fire works.

Amendment – Delete Standard 22.

Comment – Standard 22 is no longer required as the information has been incorporated into Clause 78 and permit to burn has been deleted.

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STANDARD 23 (LL NO 2 2009) – STORAGE OF MACHINERY, SECONDHAND VEHICLES OR SECONDHAND GOODS.

Purpose – This standard specifies consideration for the issuing of permits in relation to the storage of machinery, secondhand vehicles or secondhand goods.

Amendment – Delete standard 23.

Comment – Incorporated into clause 86.

STANDARD 24 (LL NO 2 2009) - ADVERTISING, BILL POSTING AND JUNK MAIL

Purpose – This standard specifies consideration for the issuing of permits in relation to writing, placing or affixing any letter, figure, device, poster, sign or advertisement.

Amendment – Delete standard 24.

Comment – Standard 24 is a duplication of the EPA Act 1970.

STANDARD 25 (LL NO 2 2009) - CAMPING

Purpose – This standard specifies requirement to be considered prior to the issuing a permit to allow camping on Council land which is not licensed as a caravan park.

Amendment – Delete Standard 25.

Comment – Standard 25 is no longer required as the information has been incorporated into Clause 105.

STANDARD 26 (LL NO 2 2009) – CARAVANS AS TEMPORARY ACCOMMODATION

Purpose – This standard specifies requirement to be considered prior to the issuing of a permit to use a caravan as temporary accommodation.

Amendment – Delete Standard 26.

Comment – Standard 26 is no longer required as the information has been incorporated into Clause 106.

STANDARD 27 (LL NO 2 2009) – CIRCUSES AND CARNIVALS

Purpose – This standard specifies requirement to be considered prior to the issuing of a permit for Circuses and Carnivals.

Amendment – Delete Standard 27.

Comment – Standard 27 is no longer required as the information has been incorporated into Clause 87 & 88.

STANDARD 28 (LL NO 2 2009) - KEEPING OF ANIMALS

Purpose – This standard specifies requirement to be considered prior to the issuing of a permit for Collections on Roads and Footpaths.

Amendment – Delete Standard 28.

Comment – Standard 28 is no longer required as the information has been incorporated into Clause 109.

STANDARD 29 (LL NO 2 2009) - TRADE WASTE AND WASTE HOPPERS (INCLUDING RECYCLING BINS)

Purpose – This standard specifies requirements for waste hoppers or bins used for the collection and storage of trade waste.

Amendment – Delete Standard 29.

Comment – Standard 29 is no longer required as the information has been incorporated into Clause 125.

STANDARD 30 (LL NO 2 2009) - SCAVENGING AT MUNICIPAL LANDFILL

Purpose – This standard specifies consideration that must be taken into account prior to issuing a permit for scavenging at a transfer station or landfill sites.

Amendment – Delete Standard 30.

Comment – Standard 30 is no longer required as the information has been incorporated into Clause 131.

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STANDARD 31 (LL NO 2 2009) - PERMIT FOR CONSUMPTION OF ALCOHOLIC BEVERAGE

Purpose – This standard specifies requirement to be considered prior to the issuing of a permit for the consumption of any alcoholic beverage or for the possession of alcoholic beverage in unsealed containers in any Municipal place.

Amendment – Delete Standard 28.

Comment – Standard 28 is no longer required as the information has been incorporated into Clause 141.

SCHEDULE 2 to 14 (LL NO 2 2009) – FORMS

Purpose – Prescribes form for specific local law provisions.

Amendment – Delete Schedules 2 to 14.

Comment – The majority of these form are not used, forms do not need to be prescribed in the local law.

SCHEDULE 9 (LL NO 2 2009) - CONTROL OF TOY VEHICLES

Purpose – This clause prescribes areas where toy vehicles can not be used.

Amendment – Delete Schedule 9.

Comment – The use of a toy vehicle and wheeled recreation device on a road or road related area is a duplication of provision within the Road Safety Road Rules 2009.

SCHEDULE 18 (LL NO 2 2009) - PUBLIC RESERVES AND RECREATION GROUNDS

Purpose – List of reserves and recreation grounds.

Amendment – Delete Schedule 18

Comment – There is no legal or practical reason why these areas need to be listed in the Local Law.

SCHEDULE 20 (LL NO 2 2009) - INFRINGEMENT NOTICES PENALTIES

Purpose – Prescribes penalty amounts for infringement offences.

Amendment – Delete Schedule 20.

Comment – Schedule 20 is no longer required as the information has been incorporated into Clause 145.

SCHEDULE 21 (LL NO 2 2009) - INFRINGEMENT NOTICES

Purpose – Describes the format for infringement offences.

Amendment – Delete Schedule 21.

Comment – Schedule 21 is no longer required as the Infringement Act now defines the contents and format for Infringement notices.

SCHEDULE 22(LL NO 2 2009) - FEES AND CHARGES FOR PERMITS

Purpose – Prescribes fees and charges for permits.

Amendment – Delete Schedule 22.

Comment – Schedule 22 is no longer required as fees & charges are determined annually by Council in accordance with section 113 of the Local Government Act 1989.

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PART 3 – Amended clauses

CLAUSE 2 – PURPOSES OF THIS LAW

Amendment – Amended

Comment – Wording change to more accurately describe to purpose of the Local Law.

Previous clause number - 2

CLAUSE 3 - AUTHORISING PROVISION – POWER TO MAKE THIS LOCAL LAW

Purpose – Specifies Councils power to make this local law.

Amendment – The Council's power to make this Local Law is contained in section 111 of the Local Government Act 1989.

Comment – Updated to reflect current legislation

CLAUSE 4 - COMMENCEMENT DATE– OPERATIONAL DATE OF LOCAL LAW

Purpose – Change to the commencement date

Amendment –

Comment – Change to reflect new start date for this new Local Law

CLAUSE 5 - REVOCATION DATE – DATE THIS LOCAL LAW CEASES TO OPERATE

Purpose – Change to the expiry date, ten year sunset provision

Amendment –

Comment – required to reflect a new expiry date for this Local Laws

CLAUSE 6 - REVOCATION OF OTHER LOCAL LAWS

Purpose – change to end date of previous Local Law

Amendment –

Comment – change to reflect an end date (repeal) of previous Local Law

CLAUSE 8 – HOW TO READ THIS LOCAL LAW

Amendment – Amended

Comment – Reference to standards removed as these have been incorporated into operative clauses.

CLAUSE 8.2 - STANDARDS AND LOCAL LAW PROVISIONS AND THEIR RELATIONSHIPS

Purpose – Criteria to be considered by Council and its officers when exercising discretions under this Local Law.

Amendment – Amend clause to remove reference to Standards.

Comment – Standards have been incorporated into the operative provisions.

CLAUSE 9 - WORDS USED IN THIS LOCAL LAW

Purpose – This clause sets out the value of a penalty unit applicable to this local law

Amendment – Penalty Unit: has the meaning as defined by section 110 of the *Sentencing Act 1991*.

Comment – The previous definition for "Penalty Unit Value" incorrectly identified the authorising provision as Section 5 of the Monetary Units Act 2004, however, this Act does not relate to local law provisions. Section 110 (2) of the Sentencing Act 1991 refers to a local law penalty unit which is currently set at \$100.00

CLAUSE 9 - WORDS USED IN THIS LOCAL LAW

Purpose – This clause defines words used in this local law.

Amendment – Words have been added and removed to reflect to the needs of the new local law.

Comment – Some deleted words were clearly defined in existing legislation while others

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were no longer applicable. New words have been added to give a clear meaning or to remove confusion.

CLAUSE 10 – EXERCISE OF DISCRETIONS

Amendment – Updated wording.

Comment – Reference to standards removed as these have been incorporated into operative clauses.

CLAUSE 12 - IMPOUNDMENT, RELEASE AND DISPOSAL

Purpose – Rename Clause to better reflect the purpose of the provision – from “*Power of Authorised Officer to Impound*”.

Amendment – Clause name change.

Comment – This Clause specifies impoundment release and disposal actions; the power to impound comes from the operative provisions.

Previous clause number - 18

DIVISION 1 – OBSTRUCTIONS TO THE FREE PASSAGE OF PEOPLE AND VEHICLES

Comment – Previous clause number – 25

CLAUSE 24 (LL No, 2 2009) – SERVICE AUTHORITY OR COUNCIL

Purpose – Allows a service Authority to carry out works without the need to apply for a permit from Council.

Amendment – Amend clause.

Comment – ‘Council’ added to this clause.

CLAUSE 28 - TREES AND PLANTS NOT TO OBSTRUCT OR OBSCURE TRAFFIC OR PEDESTRIANS

Purpose - To ensure that trees and/or plant growing on private land do not obstruct the safe passage of vehicle traffic on roads or pedestrians traffic along footpaths or other road related areas. Inappropriately placed or overgrown vegetation can cause sight obstructions, damage or injury to vehicle or pedestrian traffic using roads, footpaths or other road related areas.

Amendment – An owner or occupier of land must not allow any vegetation growing on the land to obstruct pedestrians by encroaching onto or above a;

- a) footpath; or
- b) other part of the road used by pedestrians; or
- c) reserve owned or occupied by Council

to or at a height of less than three (3) metres above the surface of the footpath, road related area or reserve.

Comment – This clause has been amended to remove uncertainty with regards to what is required. A property owner / occupiers must ensure that vegetation growing on their land does not grow out onto and/or above a road, footpath, naturestrip or reserve to a height less than 3 m.

Previous clause number - 32

CLAUSE 29 – SIGNS, POSTS, FENCES AND OTHER OBJECTS NOT TO OBSTRUCT TRAFFIC OR PEDESTRIANS

Purpose – To ensure that signs, posts, fences and/or other objects do not cause an obstruction to vehicle or pedestrians traffic.

Amendment – Clause 38 has been amended to clearly define what is required.

Comment – This clause previously referred depended on other authorizing provision, but is now a stand alone clause.

Previous clause number – 34

CLAUSE 30 – COUNCIL TO APPROVE ROAD NAMES

Comment – Previous clause number - 37

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CLAUSE 31.2 – SUFFICIENCY OF SIZE LOCATION AND VISIBILITY OF PROPERTY NUMBERS

Purpose – To ensure that properties are numbered and clearly identifiable a minimum size has been included in this clause. These size recommendations were identified during the local law focus group sessions.

Amendment – Amendment to clause 38 to include - property number size; a minimum of 100 mm for residential properties and 200 mm for commercial properties.

Comment – This contents of this clause was previously contained in the standards.

Previous clause number – 38

CLAUSE 35.3 – REDUNDANT VEHICLE CROSSINGS

Comment – Previous clause number – 46.3

CLAUSE 38 – GRAZING OF LIVESTOCK ON ROADS

Comment – Previous clause number – 63

CLAUSE 39 – EXEMPT AREAS- PLACES WHERE THE DRIVING OF OR GRAZING OF LIVESTOCK IS NOT PERMITTED

Comment – Previous clause number - 61

CLAUSE 44 - IMPOUNDMENT OF SHOPPING TROLLEYS

Purpose – To allow for the impounding of abandoned shopping trolleys or shopping trolleys being misused in public places.

Amendment – Clause reworded.

Comment – This Clause has been reworded to clarify the shopping trolley impounding provision and to allow for the impounding of shopping trolleys being misused in public places.

Previous clause number - 67

CLAUSE 45 - MODEL AEROPLANES, DRONES ETC.

Purpose – This clause regulates the flying of model aeroplane or similar type of equipment over any road or Council land.

Amendment – Stand alone clause, heading and wording change "road and Council land"

Comment – The words "road and land" are consistent with local law and other legislative definitions.

Previous clause number – 70.2

CLAUSE 46 - CONTROL OF TOY VEHICLES

Purpose – This clause regulates the use of toy vehicles and wheeled recreation devices.

Amendment – Amended to remove application to a road or road related area as this is now included in the Road Safety Road Rules 2009

Comment – The use of a toy vehicle and wheeled recreation device on a road or road related area is a duplication of provision within the Road Safety Road Rules 2009.

Previous clause number - 70

CLAUSE 47 – DESIGNATED AREAS

Comment – Previous clause number – 71

CLAUSE 48 - RIDING HORSES ON NATURESTRIPS, PUBLIC RESERVES, RECREATION GROUNDS OR OTHER COUNCIL LAND

Purpose – This clause regulates the riding and leading of horses in a built up area on naturestrips, reserves and other Council land.

Amendment – Amend Clause 50 to include "other Council land" and to amend the wording reservation to naturestrip as defined in the Road Safety Road Rules.

Comment – To remove confusion, Council land is clearly defined in the local law.

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Previous clause number –

CLAUSE 49 – WRITTEN PERMISSION

Comment – Previous clause number – 73

CLAUSE 50 - PARKING VEHICLES OVER 4.5 TONNES ON RESIDENTIAL LAND

Purpose – This clause regulates the parking of heavy vehicles on residential properties.

Amendment – Amend Clause 74 (a) - change the 3 tonnes limit to 4.5 tonnes.

Comment – A 4.5 tonnes limit is consistent with section 200 of the Road Safety Road Rules 2009.

Previous clause number – 74

CLAUSE 51 – ERECTING OR PLACING ADVERTISING SIGNS

Comment – Previous clause number – 78

CLAUSE 52 – EXEMPT SIGNS

Comment – Previous clause number – 78.2

CLAUSE 54 – LOCATING GOODS FOR SALE

Comment – Previous clause number – 88

CLAUSE 60 - ESTABLISHING A TEMPORARY OUTDOOR EATING FACILITY

Purpose – This clause allows the establishment of outdoor eating facilities.

Amendment – The inclusion of the word “*Temporary*”.

Comment – The provision relates to the establishment of temporary facilities, these types of facilities cannot be permanent affixed or attracted to the footpath or roadway in any manner.

Previous clause number - 92

CLAUSE 63 – REMOVING THE FACILITY

Comment – Previous clause number – 96

CLAUSE 64 – PLACING BULK RUBBISH CONTAINERS, NATURESTRIPS AND COUNCIL LAND

Comment – Previous clause number – 98

CLAUSE 65 – CONTAINER LEFT ON A ROAD, NATURESTRIP AND COUNCIL LAND

Comment – Previous clause number – 100

CLAUSE 66 – ROAD OCCUPATION

Comment – Previous clause number – 102

CLAUSE 67 – REINSTATEMENT WORKS

Comment – Previous clause number – 104.3

CLAUSE 68 – IMPOUNDING OF EQUIPMENT

Comment – Previous clause number – 105

CLAUSE 74 - PERMITS FOR STREET PARTY, STREET FESTIVAL, SPECIAL EVENT OR PROCESSION

Purpose – to change the heading to highlight that these events require additional requirements as they are held on a roadway

Amendment – to include what must be provided by applicants.

Comments – this section has been updated to include event activities that take place on a roadway, with a new title of Street Parties, Street Festivals, Events or Processions on a Road more clearly identifies the types of events that these cover.

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Previous clause number – 112

CLAUSE 84 – CIRCUSES AND CARNIVALS

Purpose – to require a permit to conduct a circus and carnival

Amendment – To replace clause 145 of Local Law No 2 (2009).

Comment – Moved to the event section.

Previous clause number – 145

CLAUSE 87 - REPAIR OF VEHICLES

Purpose – This clause has been moved to Part 8 Vehicles

Amendment – Clause moved was clause 108 in Local Law No 2 (2009)

Comment – This clause is vehicle related and more applicable to Part 8 of the Local Law.

Previous clause number – 108

CLAUSE 88 – REMOVAL OF UNLAWFULLY PARKED AND/OR OBSTRUCTING VEHICLES

Purpose – To provide impounding provisions for vehicles causing an obstruction or unlawfully parked.

Amendment – Reference to stopping on a clearway has been removed and leaving a vehicle on a footpath added.

Comment – There are no clearways within the municipal district.

Previous clause number - 119

CLAUSE 88 - OTHER OBSTRUCTIONS.

Purpose – To provide impounding provisions for items causing an obstruction not listed in clause 89.

Amendment – Change to definition - craft, rubbish container, movable structure, device, material or object or other thing is left in the municipal district. Added sub clauses (d) *at special events, where unlawful parking is likely to result in unreasonable congestion;* and (e) *is abandoned and/or disowned*

Comment – Moved to events section and added additional clauses.

Previous clause number – 120

CLAUSE 93 – DANGEROUS AND UNSIGHTLY LAND

Purpose – To control land within the Municipal District that is dangerous, unsightly or detrimental to the general amenity of the neighbourhood.

Amendment – Re-worded to remove ambiguous content and to give clearer guidelines for authorised officers investigating such matters.

Comment – As above.

Previous clause number – 130 & 131

CLAUSE 94 – DILAPIDATED BUILDINGS

Amendment: To add in additional safety precautions for owners to complete.

Comment – Previous clause number – 131a

CLAUSE 99 – OPEN AIR BURNING

Purpose – To regulate the lighting of fires in the open air and to reduce the effects that smoke and ash can have on residents and to promote a safe and clean environment.

Amendment – Delete part clause 110c – *“as declared by the Municipal Fire Prevention Officer from time to time”.*

Comment – The fire danger period is declared by the Country Fire Authority not a Municipal Fire Prevention Officer.

Previous clause number - 136

CLAUSE 100 – USE OF A BARBECUE

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Purpose – To regulate the use of Barbecues

Amendment – Amend clause 112 – remove reference to Chimenea.

Comment – New clause 113 has been included to allow fires for person warmth.

Previous clause number - 137

CLAUSE 102 – BURNING IN AN INCINERATOR

Comment – Previous clause number – 138

CLAUSE 105 – CLOTHING RECYCLE BINS

Comment – Previous clause number – 141

CLAUSE 109 - NOISE

Comment – Previous clause number – 146

CLAUSE 110 –KEEPING OF ANIMALS

Purpose – This clause list the types and number of animals that can be kept on any one property with out a permit.

Amendment – Clause amended.

Comment – Area name change, “Residential / Rural Living” changed to “All Other Areas (Except Farm Land)”. The location names became confusing with recent changes to the Planning Scheme.

Previous clause number – 155

CLAUSE 111 – DOGS AND CATS ON FARMING PROPERTIES

Purpose – To regulate the number of dogs and cats that can be kept on a property.

Amendment – Delete clause 147.1 as this is duplication of clause 155 (Local Law No 2 (2009). Amend Clause 147.2 to allow 4 dogs and 4 cats to be kept on properties zoned Farming without a permit.

Comment – Findings of Focus group sessions 3 Oct 2014;

There is unanimous support for retaining the existing provisions in relation to residential properties i.e. no more than 2 adult dogs without a written permit. In regard to rural (farming) properties it is generally agreed that an owner or occupier be allowed to keep up to four adult dogs without a permit. There is also general support that any written permit for additional dogs be granted for the lifetime of the dog at a lower fee than currently applies or no fee at all. Such permits to be reviewed if any additional dog/s are deemed a nuisance.

Previous clause number -147 & 155

CLAUSE 112 – MAXIMUM NUMBER OF DOGS AND CATS ON ANY LAND

Comment – Previous clause number – 158

CLAUSE 116 – FREE FLYING PIGEONS

Comment – Previous clause number – 154

CLAUSE 117 – ANIMAL EXCREMENT

Comment – Previous clause number – 157

CLAUSE 118- DOMESTIC WASTE

Purpose – To require occupiers of properties where Council does not provide a kerbside waste collection service to dispose of waste in an appropriate manner.

Amendment – include subclause (2)

Comment – The reference to “Standards Schedule 1” has been removed from subclause (1) as Standards have been incorporated into the operative provisions.

Previous clause number - 159

CLAUSE 119 - TYPE OF DOMESTIC WASTE AND RECYCLING RECEPTACLES

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Purpose – To specify requirements for occupiers of properties in regards to waste receptacles.

Amendment – To include a reference to the green waste and recycle services in the main clause. Fly proof included in sub clause (a).

Previous clause number - 160

CLAUSE 120 - PLACEMENT OF DOMESTIC WASTE AND RECYCLING CONTAINERS

Purpose – To specify requirements for the placement of waste, green waste and recycling receptacles prior to collection.

Amendment – To include reference to, green waste and recycling receptacles and to include that bins are not to be place out for collection earlier than the evening before collection day as specified.

Previous clause number – 161

CLAUSE 122 – UNAUTHORISED USE OF RECEPTACLES

Comment – Previous clause number – 163

CLAUSE 123 – PROHIBITED WASTE

Comment – Previous clause number – 164

CLAUSE 125 – COMMERCIAL/INDUSTRIAL WASTE AND WASTE SKIPS

Comment – Previous clause number – 167

CLAUSE 127 – USE OF TRANSFER STATIONS AND LANDFILL BY RESIDENTS

Comment – Previous clause number – 169

CLAUSE 128 – USE OF TRANSFER STATIONS BY NON RESIDENTS

Comment – Previous clause number – 175

CLAUSE 131 – DUMPING OF ICE CHESTS, TRUNKS OR SIMILAR CONTAINERS

Purpose – To regulate the depositing of disused refrigerators, ice-chests, icebox's, trunks, chests or any other similar article.

Amendment – Remove part clause "(a) removing all CFCs;"

Comment – Duplication of existing legislation. The removal of CFCs is regulated by Commonwealth legislation, *The Commonwealth Ozone Protection and Synthetic Greenhouse Gas Management Act 1989*;

Previous clause number – 171

CLAUSE 132 – SCAVENGING AT TRANSFER STATIONS/LANDFILL

Comment – Previous clause number – 172

CLAUSE 136 – GREY WATER

Comment – Previous clause number – 178

CLAUSE 140 – BEHAVIOR IN MUNICIPAL PLACES

Comment – Previous clause number – 188

CLAUSE 141 – SMOKING IN MUNICIPAL PROPERTIES AND MUNICIPAL PLACES

Purpose – To allow Council to ban smoking on municipal property or municipal places.

Amendment – Amend clause 177

Comment – Amended to allow Council to prohibit smoking in Municipal places.

Previous clause number - 189

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SCHEDULE 2

CLAUSE 142 - MUNICIPAL PLACES WHERE LIQUOR MAY NOT BE CONSUMED

Purpose – Lists maps of CBD areas where alcohol is prohibited under Clause 155 .

Amendment – Schedule relocated.

Comment – Moved from Schedule 19 in LL No 2 2019.

Previous clause number – 190

CLAUSE 145 – OFFENCES

Comment – Previous clause number – 195

CERTIFICATION OF COMMUNITY AMENITY LOCAL LAW NO. 2 2016

Purpose – To certify the new Local Law and to affix Common Seal of Latrobe City Council.

Amendment – To amend title, number of pages and operative date of the new Local Law.

Comment – As above.

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Part 4 - New Clauses

PART 3 - CLAUSE 14 – POWER OF AUTHORISED OFFICER TO DIRECT

Purpose – Prescribe a process for *Authorised Officers* to follow when issuing a *Notice to Comply* in relation to local law offences. This allows an *Authorised Officers* to issue and direct a formal corrective requirement in addition or as an alternative to legal action; specifying work to be undertaken and/or a behavior to be corrected to remedy a breach.

Amendment – New Clause 14 - An *Authorised Officer* may issue a person with a notice to comply if the *Authorised Officer* believes on reasonable grounds that the person has committed an offence under this local law or direct any property owner, occupier or other relevant person to remedy any situation which constitutes a breach under this Local Law.

A notice issued under this section must set out the following details—

- (a) the offence that the authorised officer believes has been committed; and
- (b) the action that the person is required to undertake; and
- (c) the time within which the specified action must be taken.

This is a new part to this local law removing the need list individually clauses where a notice to comply can be used.

Comment – This approach is consistent with State legislation having a stand alone authorising provision allowing an *Authorised Officer* to take a proactive approach to remedy situations.

CLAUSE 18 – PERMITS

Amendment – New clause.

Comment – Incorporates old clauses 21, 22 & 23

CLAUSE 19 – CONSIDERING APPLICATIONS

Purpose – List matters to be considered prior to granting a permit.

Amendment – New clause.

Comment – Previously contained in Standards.

CLAUSE 20 – CORRECTION OF PERMITS

Purpose – To allow a permit to be corrected or amended.

Amendment – New clause.

Comment – Previously in clause 21.

CLAUSE 21 – GROUNDS FOR CANCELLATION OF AMENDMENT OF PERMITS

Amendment – New Clause.

Comment – Previous clause number – 25.

CLAUSE 22 – EXEMPTIONS

Amendment – New Clause.

Comment – Previous clause number – 27.

CLAUSE 18.7 – AGE OF APPLICANTS

Purpose – The Council requires an applicant to be over the age of 18 years or have parent/guardian permission and be accompanied by an adult.

Amendment – New Clause.

Comment – This clause can be applied for persons under the age of 18 applying for a permit to have parent/guardians consent and a requirement that they are accompanied by a person over the age of 18 for the specified activity.

CLAUSE 28.3 – REQUIREMENTS FOR A CLEAR VIEW AT INTERSECTIONS

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Purpose – This standard specifies a maximum height for plants on private land within 5 metres of an intersection.

Amendment – New clause.

Comment – The details previously specified in standard 3 have been incorporated into this new clause. This new clause clarifies the intended meaning and requirements for the clear view at intersections.

CLAUSE 31.3 – COUNCIL MAY ALLOCATE A PROPERTY NUMBER

Purpose – To ensure that properties are numbered and clearly identifiable. Council may cause a property to be numbered and recover the cost of doing so from the owner or Occupier as a debt due to Council.

Amendment – New clause.

Comment – This Clause can be applied where a property owner fails to adhere to a direction to mark the property with the number allotted.

CLAUSE 32 – INCORRECTLY DISPLAY PROPERTY NUMBERS

Purpose – To ensure that property numbers remain clearly identifiable.

Amendment – New clause.

Comment – This new clause provides an offence for persons who intentional display an incorrect property number.

CLAUSES 37 to 42 – DRIVING, GRAZING AND CROSSING OF LIVESTOCK ON ROADS

Purpose – Requires a permit to allow livestock to drive, graze or cross roads.

Amendment – New Clauses.

Comment – Clauses 55 to 66 and Standard 8 of the Local Law No 2 (2009) have been combined and reworded to provide clearer provisions.

CLAUSE 43 - MISUSES OF SHOPPING TROLLEYS

Purpose – To prohibit the misuse of abandoned shopping trolleys in public places.

Amendment – New Clause.

Comment – The misuse (joy-riding etc) of shopping trolleys in public places has been known to lead to damage of public and private property and can result in being a danger to pedestrians and vehicular traffic.

CLAUSE 47.4 - DESIGNATED AREAS

Purpose – Specifies that if the Council fails to erect and maintain signs in accordance with sub-clauses 49.3 it cannot proceed to prosecute a person for an offence under sub-clause 48.

Amendment – New clause.

Comment – New clause incorporated following advice from Maddocks Solicitors.

CLAUSE 48.2 - RIDING HORSES ON PUBLIC RESERVE, RECREATION GROUND OR OTHER COUNCIL LAND

Purpose – To allow for Horse event held on Council Land and reserves.

Amendment – New clause 50.1 to be created.

Comment – This will ensure that horse events can be held on reservations, reserves and Council land.

CLAUSE 56.2 – PERMIT REQUIRED FOR ROADSIDE TRADING

Purpose – Requires a person with a roadside trading permit to comply with all permit conditions.

Amendment – New clause.

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CLAUSE 57.1 – TRADING TO A PERSON ON A ROAD

Amendment – New clause.

Comment – Previously in clause 83.

DIVISION 16 – EVENTS - STREET PARTIES, STREET FESTIVALS AND PROCESSIONS AND BUSKING

Purpose – New section to encompass all categories of events.

Amendment – New Part.

Comment – The inclusion of an event section and permit requirements will ensure that events held in Latrobe City will be conducted in a safe manner. Currently event requirements are not enforceable and this will allow for events to be better managed whilst ensuring that insurance is adequate to indemnify.

CLAUSE 72 – OCCASIONAL EVENTS IN COUNCIL'S PARKS/GARDENS & RECREATIONAL RESERVES

Purpose – This clause aims to implement a permit based system that deals with Occasional Events and to ensure adequate insurance to indemnify.

Amendment – Amended clause.

Comment – The wording of the clause has been amended so that it is clearer that reasonable use of a park by the general public is not affected.

CLAUSE 73 – COMMUNITY, SPECIAL AND MAJOR EVENTS

Amendment – New clause.

CLAUSE 75 – PERMITS FOR COMMUNITY MARKETS

Amendment – New clause.

CLAUSE 76 – PUBLIC PLACES

Purpose – The reference to sporting event have been removed from this clause and wording has been amended to provide further clarification.

Amendment – Amended clause following legal advice.

Comment – Appeared to be excessive in regard to conducting sporting events.

CLAUSE 77 – CANCELLATION OF PERMIT

Amendment – New clause.

CLAUSE 78 – DIRECTION TO CEASE EVENT

Amendment – New clause.

CLAUSE 79-81 - DISCHARGE OF FIREWORKS PURPOSE – To regulate the discharging of fireworks in a municipal district.

AMENDMENT – replaced clause 134 of Local Law No 2 (2009). 87-90 are new clauses.

COMMENT – Moved to events section and added additional clauses.

CLAUSE 83 – DIRECTIONS TO CEASE BUSKING

Purpose – Power to direct a person with a permit to cease busking following a complaint or a disturbance.

Amendment – New clause.

CLAUSE 86 – DERELICT AND ABANDONED VEHICLES

Purpose – This clause provides an offence provision for persons leaving or abandoning a vehicle on a road.

Amendment – New Clause.

Comment – Schedule 11 to the LGA Act provides the power to impound a derelict,

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abandoned or unregistered vehicle, but provides not offence for the act.

CLAUSE 87 (b)-(e) – REPAIR OF VEHICLES AND STORAGE OF VEHICLES

Purpose – To provide a provisions to regulate the storage of caravans, trailers, boats or damaged vehicles on roads.

Amendment – New clause.

Comment – This provision allows Council to deal with the long term parking/storage of caravans, trailers, boats or damaged vehicles on roads, the storing of these types of vehicles on roads has shown to cause safety concerns and undue obstruction to other road users roads.

Additional Note – This Clause does not limit or contradict section 200 (2) of the Road Safety Road Rules 2009, Stopping on roads—heavy and long vehicles - The driver of a heavy vehicle, or long vehicle, must not stop on a length of road in a built-up area for longer than 1 hour, unless the information on or with a traffic control device specifically permits the driver of a heavy vehicle, or long vehicle, to stop on the length of road for longer than 1 hour, or is permitted to do so under sub rule (2A) or by the Council. A heavy vehicle means a vehicle with a GVM of 4.5 tonnes or more; long vehicle means a vehicle that, together with any load or projection, is 7.5 metres long, or longer.

CLAUSE 90 – AUTHORISED OFFICER MAY MARK TYRES

Purpose – To provide a provision for an authorised officer to mark the tyres of a vehicle parked in a parking area within the municipality with chalk or any other non-indelible substance. In addition to provide a penalty for a person who remove such a mark so that the purpose of the affixing of such a mark is defeated or likely to be defeated.

Amendment – New Clause.

Comment – To provide a level of protection for Authorised Officers involved in parking and other duties where the destructive surface of vehicle tyres are marked.

CLAUSE 91 – PARKING BAY RESERVATION

Purpose – To provide a provision to allow the short term hiring of parking bays.

Amendment – New Clause.

Comment – Where access to a vehicle or equipment is required consistently or regularly in the pursuit of an applicant's business, promotion, special event or activity, Council may issue a Parking Bay Reservation Permit for short term and specific location parking needs.

CLAUSE 92 - VEHICLE USE ON COUNCIL LAND.

Purpose – To prohibit the driving, riding and/or parking of vehicles on a reserve, reservation or public place, or other municipal property.

Amendment – New Clause.

Comment – The Road Safety Road Rules 2009 applies to a road but not to council land, this provision prohibits the driving, riding and/or parking of vehicles on a reserve, reservation or public place, or other municipal property.

CLAUSE 93.3 – BLACKBERRIES

Purpose – To require owner/occupier to remove blackberries from a residential property.

Amendment – New Clause.

Comment – The EPA Act provides the Power for the EPA to enforce the removal of blackberries on Rural/Farming properties, however there is no power for residential properties in township areas.

CLAUSES 96 & 97 – BOAT RAMPS & WATERWAY BEHAVIOR

Purpose – To ensure that boat users in our municipality have a permit and to ensure other water activities are undertaken in a safe manner.

Amendment – New Clause to regulate waterway activities and the behaviors of persons using Council controlled waterways.

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Comment – These provisions will supplement the Marine Act and provide enforcement provisions for boat ramp permits and restricted areas.

CLAUSE 101 - FIRES FOR PERSONAL WARMTH

Purpose – New clause to allow and regulate the use of fire for personal warmth.

Amendment – New clause.

Comment – Has been included to allow fires for person warmth. Findings of Local Law No. 2 focus group sessions 21 October 2013, overall the discussion group participants are supportive of the lighting of fires on private land for personal warmth or personal use. There is support for ensuring safety and that the activity does not cause a nuisance, with suggestions for Council to establish a set of guidelines as part of the local law provisions. Such guidelines might include provisions for:

- not causing a nuisance
- fire to be suitably contained
- not in fire season
- not for burning of leaves.

CLAUSE 104 – DIRECTION TO EXTINGUISH A FIRE

Purpose – To allow an Authorised Officer to direct a person to extinguish a fire.

Amendment – New Clause.

Comment – There are no other legislative provisions that allow an Authorised Officer to direct a person to extinguish an illegal or nuisance fire.

CLAUSE 110.2 – PERMITS FOR THE KEEPING OF DOG AND CATS

Purpose – Detail the process to be followed by applicants.

Amendment – New Clause - A permit issued for the keeping of dogs and/or cats under this part shall be granted for the life of the animal. Should an offence or nuisance be proven the permit can be revoked.

Comment – Findings of Focus group sessions 3 Oct 2014;

There is also general support that any written permit for additional dogs be granted for the lifetime of the dog at a lower fee than currently applies or no fee at all. Such permits to be reviewed if any additional dog/s are deemed a nuisance.

CLAUSE 110 – KEEPING OF ANIMALS

Amendment – New clause.

Comment – Replaces clause 155.

CLAUSE 122.3 – ADDITIONAL WASTE RECEPTACLES

Purpose – The placing in excess of three receptacles for regular collection from any one dwelling. Council may regard that dwelling as a multiple dwelling for the purposes of calculating the waste charge.

Amendment – New clause.

Comment –

CLAUSE 126 – TRADE WASTE AND WASTE HOPPERS (INCLUDING RECYCLE BINS)

Amendment – New clause

Comment – Replaces clause 167

CLAUSE 127 - USE OF TRANSFER STATIONS AND LANDFILL SITES BY NON RESIDENTS

Purpose – New provision to allow non-residents to use sites if considered by Council to be reasonable and practicable.

Amendment – New Clause 127.

Comment – As above.

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CLAUSE 133 – TRANSFER STATION SECOND HAND GOODS SHOP

Purpose – allows a person to purchase materials or items displayed in the designated areas or the second hand goods shop located at the Transfer Station upon payment of the charges applied by the Transfer Station attendant.

Amendment – New clause.

CLAUSE 143.1 (h) –USE OF COUNCIL RECREATION CENTRES, PUBLIC RESERVES AND RECREATION GROUNDS

Purpose – to list unacceptable behaviours relevant to recreational facilities and reserves.

Amendment – New Clause.

Comment – General behaviours clause and addresses the use of reserves by personal trainers and others for commercial gain.

CLAUSE 143.2 - USE OF COUNCIL RECREATION CENTRES, PUBLIC RESERVES AND RECREATION GROUNDS

Purpose - To prohibit without a permit the construction of a new gate or access points into a public reserve or recreation ground and to prohibit vehicular access to reserves from any existing gateway or access point.

Amendment - Create new clause .An owner or occupier of land adjoining a public reserve or recreation ground must not without a permit;

(a) install, or permit to be installed a gateway or other means of access to or from the reserve or ground, or

(b) allow vehicular access from their land to public reserve or recreation ground.

Comment - Old Clause 144 (h) moved to new clause 144.2 and new provision to deal with property owners and occupiers who allow vehicular access to reserves from their land.

CLAUSE 144 – POWERS OF AUTHORISED OFFICERS

Purpose – This Clause outlines actions that authorised officer can consider with dealing with a breach of this Local Law.

Amendment – new clause.

Comment – New clause relating to the powers of authorised officers.

CLAUSE 146 - POWER TO SERVE INFRINGEMENT NOTICES

Purpose – Authorising provision; An authorised officer may serve an infringement notice on a person who the authorised officer has reason to believe has committed an offence against this Local Law.

Amendment – new clause.

Comment – New clause relating to the Infringements Act.

SCHEDULE 1 – AREAS OF RESPONSIBILITY

Purpose – List person or team responsible for operative provision in the new local law.

Amendment – New Schedule

Comment – To remove confusion in relation to areas of responsibility.

<u>Submitter</u>	<u>Comment</u>	<u>Officers Comments</u>
<u>Wildlife Australia – Doug Van Opijnen</u>	Requests change of wording of Keeping animal's clause - Removal of commercial license reference will ensure consistency with State regulation.	Noted and in agreeance with submission as a Local Law is required to remain consistent for State Legislation - wording of proposed law is to change removing the reference to commercial licensing from clause 111.3.
<u>Victorian Farmers Federation & Farm Rate Payers Association (Yinnar Branch)</u>	Clause 41 - clarification of permit requirement with respect to application times - Requests that there is an exemption for the immediate crossing of the road.	Officers recommend the removal of Clause 41 as permit process is detailed in Part 4 of the proposed law. The Local Laws Team has organised to attend the next meeting of the local group to form a closer working relationship with the association's members.



Date 21/02/2016

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Latrobe City Council

We are writing to you regarding our proposed amendment to the Latrobe City Council's local law no. 2

The amendment we propose is in the area of DIVISION 21- KEEPING OF ANIMALS
 112. KEEPING OF ANIMALS 112.3 Sub-clause 112.1

We request the removal of the word **Commercial**

By the removal of the word **Commercial** the broader term Wildlife Licence would come in to play.
 This is a better represents the diverse types of Wildlife Licences issued by the State Government.

The area of Australian Wildlife is already heavily regulated, with Licencing and Codes of Practice for the keeping of wildlife in Victoria enforced by the State Government.

Below highlighted in red the word for removal from your proposed local laws

DIVISION 21- KEEPING OF ANIMALS

112. KEEPING OF ANIMALS

112.1 An owner or occupier of land must not, without a permit, keep or allow to be kept any more in number for each type of animal than as set out in the following table except for farming areas:

**Type of Animal Definition Multi Unit All Other Areas
 Development (Except Farming area)**

Dogs 2 2

Cats 2 2

Poultry - Not permitted 5

Poultry includes; fowls, bantams, pheasants, ducks and geese.

Free Flying Pigeons 0 0

Rooster 0 0

Domestic Mice 10 10

Guinea Pigs,

Ferrets, Hamsters 2 4

Domestic Rabbits 2 4

Reptiles 2 2

Other animals* Not permitted 0 (Residential) / 10 (Rural Living Zone)

**Other animals include; cattle, horse, goat, swine, pig, ostrich, sheep and any other agricultural animal.*

Penalty: 10 Penalty Units.

112.3 Sub-clause 112.1 does not apply where animals are kept in accordance with a planning permit or where a **Commercial** Wildlife Licence has been obtained in accordance with the Wildlife Regulations 2013.

Regards

Wildlife Australia C.E.O.

Doug Van Opijnen

**10.3 CONSIDERATION OF PLANNING PANEL REPORT FOR
PLANNING SCHEME AMENDMENT C93 - ASHWORTH DRIVE**

General Manager

City Development

For Decision

PURPOSE

The purpose of this report is for Council to consider the Planning Panel report received for proposed Amendment C93 and to seek approval of the Amendment.

EXECUTIVE SUMMARY

At the Ordinary Meeting of the 1 August 2016, Council considered a report but decided to defer a decision until further consultation was undertaken with landowners. This has now occurred and so this report seeks a decision of Council to finalise the C93 Amendment process.

Amendment C93 seeks to rezone approximately 25 hectares of land held in 12 allotments with frontage to Ashworth Drive, Traralgon from Rural Living Zone – Schedule 3 to General Residential Zone. The Amendment was proposed by one of the landowners who sought a rezoning of all 12 lots on the basis that such a proposal would be consistent with the future use of the land as depicted in the Traralgon Structure Plan.

The exhibition and notification of the Amendment in August and September 2015 drew 21 submissions of which 13 were in objection. A Planning Panel was held on the 10 March 2016 and a recommendation report was issued on the 5 May 2016.

Generally the Planning Panel have supported the rezoning of Ashworth Drive, Traralgon from Rural Living Zone to General Residential Zone with the exception of three lots (lots 5, 6 and 7). As a result this report, it is recommended that Council adopt the Planning Panels report and proceed with rezoning as recommended by the Planning Panel.

RECOMMENDATION

That Council:

- 1. Having considered the Planning Panel report recommendations, adopts Amendment C93 by removing lots 5, 6 and 7 on PS126409 consistent with the Planning Panel's recommendations, in accordance with Section 29 of the *Planning & Environment Act, 1987*;**
- 2. Submits Amendment C93 once adopted to the Minister for Planning for approval, in accordance with Section 35 of the *Planning and Environment Act 1987*;**
- 3. Advises those persons who made written submissions to Amendment C93 of Council's decision; and,**
- 4. Subject to Ministerial approval of the rezoning, commits to commencing work to develop an implementation plan for the areas within the General Residential Zone to facilitate the coordinated and efficient development staging of the site in consultation with landowners.**

DECLARATION OF INTEREST

No officer declared a conflict of interest under the *Local Government Act 1989* in the preparation of this report.

STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

Latrobe 2026: The Community Vision for Latrobe Valley

Strategic Objectives – Built Environment

In 2026, Latrobe Valley benefits from a well-planned built environment that is complementary to its surroundings, and which provides for a connected and inclusive community.

Strategic Objectives – Economy

In 2026, Latrobe Valley has a strong and diverse economy built on innovation and sustainable enterprise. The vibrant business centre of Gippsland contributes to the regional and broader communities, whilst providing opportunities and prosperity for our local community.

Strategic Objectives – Governance

In 2026, Latrobe Valley has a reputation for conscientious leadership and governance, strengthened by an informed and engaged community, committed to enriching local decision making.

Latrobe City Council Plan 2013 – 2017

Theme and Objectives

- *Theme 5: Planning for the future
To provide clear and concise policies and directions in all aspects of planning.*

Strategic Direction – Planning for the future

- *Provide efficient and effective planning services and decision making to encourage development and new investment opportunities.*
- *Plan and coordinate the provision of key services and essential infrastructure to support new growth and developments.*

Legislation

The provisions of the Latrobe Planning Scheme and the following legislation apply to this amendment:

- *Local Government Act 1989*
- *Planning and Environment Act 1987*
- *Transport Integration Act 2010*

BACKGROUND

An amendment application was received on 14 October 2014, by The Planning Group (TPG) acting on behalf of Steven and Gayle Wood who are landowners in the Ashworth Drive precinct.

The subject land is located at Ashworth Drive, Traralgon (excluding the property at 80 Ashworth Drive) and is defined as Lots 1-12 on PS126409, including the property at 124 Cross's Road, Traralgon (refer to Attachment 1 for zoning map or aerial view map in Issues section of this report).

The area proposed to be rezoned comprises 25.54 ha of the total 75.96 ha of land that forms the Cross's Road Development Plan (CRDP). The CRDP was approved by Council in September 2012, and a number of technical reports were approved as part of the CRDP. These form background documentation for the current rezoning proposal. A copy of the final endorsed CRDP forms Attachment 2.

The proposal seeks to rezone the subject land from RLZ3 to GRZ. Development Plan Overlay Schedule 5 – Residential Growth Areas (DPO5) currently applies to the subject land and will continue to apply, irrespective of whether the land is rezoned or not.

The subject land comprises the last remaining parcels of land to be rezoned to residential land, as part of the CRDP and 'Area One' of the existing Traralgon Structure Plan in the Latrobe Planning Scheme. In order to facilitate the strategic direction of the Traralgon Structure Plan, Traralgon Growth Areas Review and the CRDP, it is considered appropriate that the remaining Rural Living Zone land be rezoned to residential.

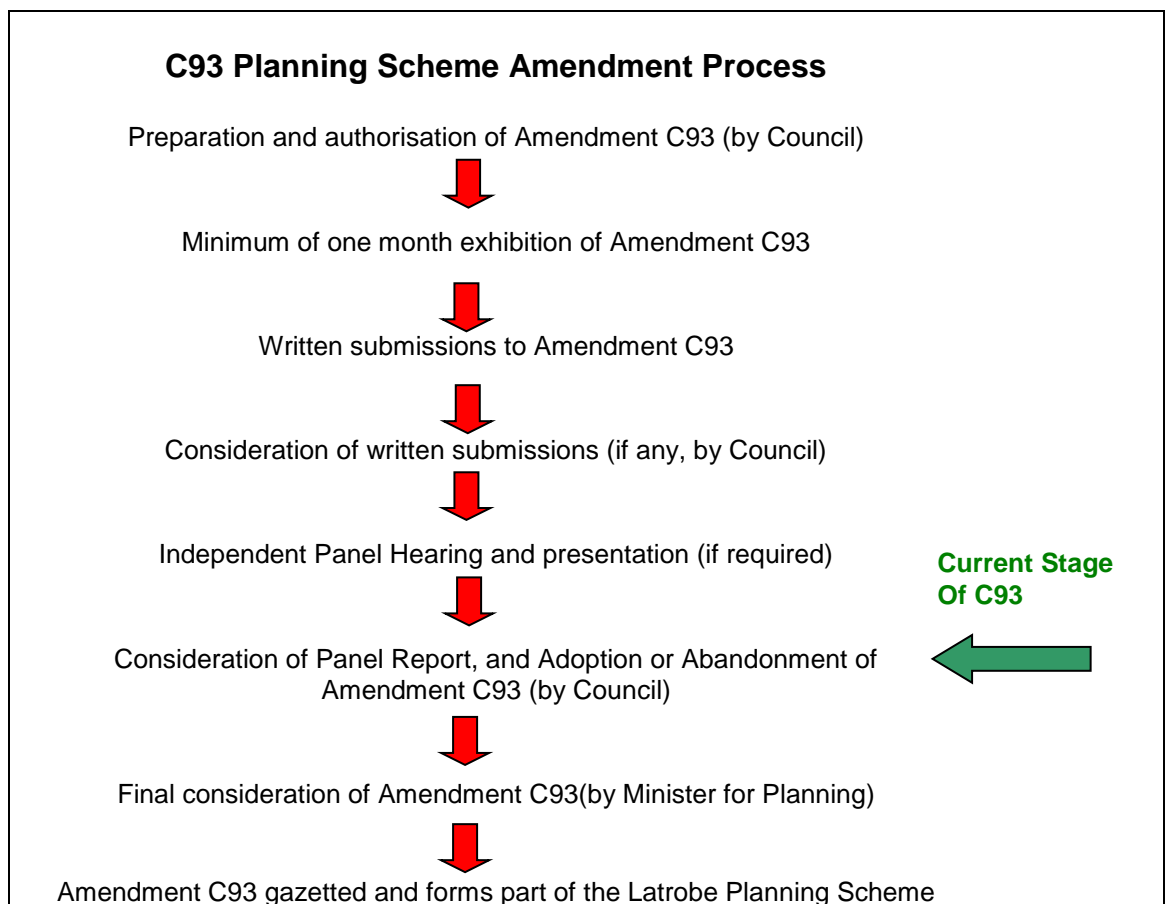
ORDINARY COUNCIL MEETING AGENDA 22 AUGUST 2016 (CM488)

The Proposed Zoning map is provided at Attachment 1 and the Explanatory Report outlining the amendment is provided at Attachment 3.

At the Ordinary Council meeting on 16 October 2015 Council considered all written submissions to Amendment C93 and resolved to request the Minister for Planning to establish a planning panel to consider submissions and prepare a report.

Statutory Requirements

The C93 planning scheme amendment process is shown in the figure below and provides an indication of the current stage of C93.



In accordance with the Act, the municipal council, as a planning authority, has a number of duties and powers. These duties and powers are listed at Section 12 of the Act. Under Section 12 a planning authority must have regard to (inter alia):

- The objectives of planning in Victoria;
- The Minister's directions;
- The Victoria Planning Provisions;
- The Latrobe Planning Scheme;
- Any significant effects which it considers a planning scheme amendment might have on the environment or which it considers the

**ORDINARY COUNCIL MEETING AGENDA
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environment might have on any use or development envisaged by the amendment.

Amendment C93 has had regard to and is consistent with the requirements of Section 12 of the Act. In addition, each amendment must address the Department of Environment, Land, Water & Planning (DELWP) publication Strategic Assessment Guidelines for Planning Scheme Amendments. A response to these guidelines is included in the Explanatory Report at Attachment 3.

The proposal is consistent with the State Planning Policy Framework and the Municipal Strategic Statement (MSS). A response to this is included in the Explanatory Report at Attachment 3.

Planning Scheme Amendments

At the Ordinary Council Meeting on 13 April 2015, Council resolved to seek authorisation from the Minister for Planning to prepare and exhibit Amendment C93.

The Minister for Planning in accordance with Section 8A of the *Planning and Environment Act 1987*, authorised Council to prepare the amendment on 7 July 2015.

The recommendations of this report are in accordance with section 27(1) and 29(1) of the Act.

INTERNAL/EXTERNAL CONSULTATION

The exhibition time was undertaken from 6 August until 18 September for six weeks in accordance with Latrobe City Council's general practice when exhibiting Planning Scheme Amendments. This is above and beyond the requirements set out in the *Planning and Environment Act 1987*.

The amendment was exhibited in the following manner:

- Notification of the Amendment was sent by mail 4 August 2015 to all landowners directly affected by the Amendment. As well as a reminder letter regarding open house session sent to affected land owners on 20 August 2015.
- Notice of the Amendment appeared in the Latrobe City Council section of the Latrobe Valley Express on 6 August 2015.
- Notice of the Amendment appeared in the Government Gazette on 6 August 2015.
- Notification of the Amendment was forwarded to public authorities and prescribed Ministers on 4 August 2015.
- An open house session was held on the 25 August 2015.
- Display of the Amendment on Council's website, at Council Offices, and on the Department of Environment, Land, Water and Planning (DELWP) website.

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Public Submissions

A total of 21 submissions were received in relation to the Amendment, consisting of:

- 5 referral agency submissions:
 - 2 with no objection (Gippsland Water and DELWP);
 - 2 in support with further comments provided (WGCMA and VicRoads); and,
 - 1 objection from (EPA).

- 16 public submissions:
 - 3 in support: and
 - 13 opposed.

A report to consider submissions raised was presented to Council at its Ordinary Meeting of 26 October 2016. At this time the matter was deferred with a procedural motion

'That Council lay this matter on the table to the next Council meeting'.

At a subsequent meeting (16 November 2015) the tabling of the matter was withdrawn and the matter and report was considered and resolved to appoint a Planning Panel.

A Directions Hearing was held on 28 January 2016, at Traralgon Service Centre. The Panel Hearing was then held on 10 March 2016 at 131 Commercial Road, Morwell. All 21 written submissions were considered by the panel.

The Panel Report that was received by Council on 5 May 2016, was made available to the public on the 23 May 2016.

Council considered an officer report seeking approval for Amendment C93 and resolved;

That Council:

1. *Defers consideration of the Planning Panel report for Planning Scheme Amendment C93 – Ashworth Drive until the next Council meeting to be held on 22 August 2016; and*
2. *Organises a meeting with the residents of Ashworth Drive, Councillors and Council Officers in the next week.*

A meeting with land owners was organised and undertaken on the 9 August 2016. The meeting was well attended with ten landowners as well as Councillors and Council officers. At the meeting an overview of background, forthcoming process for the implementation plan was given to attendees. Other questions and discussion that was addressed included:

- rates;
- infrastructure issues in the area; and,

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- future (possible) changes to planning scheme amendment and subdivision fees.

This meeting met the intent and purpose of the Council resolution from the 1 August 2016.

KEY POINTS/ISSUES

The Planning Panel report makes one recommendation for Council consideration.

The recommendation was that;

“Amendment C93 to the Latrobe Planning Scheme be adopted as exhibited with the exclusion of Lots 5, 6 and 7 in PS126409”.

This would mean that the following lots indicated in the map below (with stars) would be retained in the Rural Living Zone and the rest would be rezoned to General Residential Zone.



The Panels reasoning for not including the lots in the rezoning is discussed on page 11 and 12 of the report and generally relate to the sites being constrained due to a declared waterway and also drainage lines identified across the sites. This is discussed in further detail below.

A summary of the issues that were outlined in the Planning Panel’s report were;

- Drainage and flooding

Two submitters from the adjoining residential estate to the east submitted that there is insufficient room to accommodate stormwater

between their rear boundary and future development on the subject land. A submitter from within the subject land expressed concern that the drainage easement will be inadequate to cater for the increased stormwater run-off generated by future development.

In its report, the Panel noted that the Drainage Strategy for the Cross's Road precinct includes the subject land in Ashworth Drive. This strategy has been endorsed by the WGCMA, which the Panel considers to be the relevant independent authority on matters pertaining to drainage and flooding. The strategy has also been formulated having regard for the Development Plan prepared for the area.

The Panel identified three lots that were going to be constrained by flooding, required buffers and the declared waterway that flows across the lots. It also identified that the two drainage lines identified within the subject land converge within Lot 7 at the northern end of the subject land.

With 60 metre wide buffers straddling these drainage lines, this lot is severely constrained for development at an urban scale. It is likely that in a major rainfall event this lot would be at risk of inundation, and no evidence was presented to the Panel that would suggest otherwise. Lot 6 is also substantially constrained through the application of the FO and LSIO stemming from the influence of the Latrobe River flood plain. The lot adjoining this on the southern side (Lot 5) is constrained by one of the drainage lines with its associated 60 metre buffer.

The Panel considered that the issue of drainage and flooding has in the main, been adequately investigated as part of the Amendment via preparation of the Development Plan. This along with the drainage and flooding issues goes some way to making the case for excluding these three lots from the General Residential Zone and retaining them in the Rural Living Zone.

On this basis the Panel have recommended that the final Amendment should not include these three lots as part of the rezoning which will mean they are retained in Rural Living Zone.

Preliminary officer comments are that the recommendation from the Planning Panel to exclude lots 5, 6 and 7 from being rezoned, is a good outcome for the area. It will result in the lots being retained in Rural Living Zone and it is not considered that this will constrain future residential development occurring in the remainder of Ashworth Drive.

- Cost of infrastructure

A number of the objecting submitters raised issues related to the cost of infrastructure and development, including:

- the small size of the individual holdings make the cost of development non-viable;

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- residents being forced to contribute to others' infrastructure, (even though they themselves were not intending to develop or use the services) the high cost of providing flood-free access to the land on the east side of Ashworth Drive;
- the cost of waterway rectification protection works from increased drainage flows from adjacent development.

In its report the Panel acknowledged the submitters' concerns regarding the cost of development and the difficulties presented by the fragmented ownership. However, because the Cross's Road Development Plan was previously adopted (in 2012) it was not the role of this Panel, to make an assessment of the practicality of implementing the CRDP or to resolve any future development contribution issues.

At the hearing some of the submitters claimed potential developers had told them that it was too expensive to create small parcels but, there was no formal evidence in this regard. The Panel accepts however that the small lots could present problems for orderly development if not undertaken in a coordinated fashion. The Panel states in its report that it believes that the fragmented ownership is likely to retard development of the area for typical residential allotments, partially due to a lack of economies of scale, access to infrastructure and associated costs. The possible delay in development however, is not a reason to reject the rezoning, and while the Panel notes there will be some cost and apportionment issues to be dealt with in the future, it is satisfied that they will be able to be resolved.

Although not a formal recommendation of the Planning Panel, it is considered important that as part of the rezoning of this area that Council also consider preparation of an implementation plan to assist with the delivery of residential lots in this area. This plan will need to be undertaken in consultation with landowners.

- Traffic

In its submission VicRoads did not object but did propose the requirement of a new Traffic Impact Assessment Report. However, the Planning Panel accepted that this was unnecessary given that one had been prepared and submitted as part of the approval of the Cross's Road Development Plan.

- Heritage

The owner of a restored older residence on Lot 1 (see Figure 1) raised concerns that the heritage value of the property may be detrimentally affected by the future development of the subject land for urban residential purposes. The detriment could involve being 'engulfed' by houses or through demolition to maximise the development potential of the land. The submitter requested that the rezoning of the land should be deferred for 10 years.

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This building does not have any formal heritage protection and has not been identified for heritage protection. Given the location of the house on the lot it was considered by the Panel that it would be possible to design an appropriate response, should the owner seek to develop the site. The Panel also did not consider the issue of heritage, particularly with regard to the property at Lot 1 warrants modification or refusal of the proposed Amendment C93.

- Buffer to Australian Paper Mill at Maryvale

The EPA submitted to Council that the Amendment was not supported, on the grounds that part of the subject land was situated within the default five kilometre buffer for the type of industrial activity undertaken by the Australian Paper Mill at Maryvale (the mill). Council noted that under the EPA guidelines, recommended separation distances between a potentially offensive source and sensitive receivers can be varied if justified by a detailed study of site conditions. The reduced distance then becomes the Adjusted Amenity Buffer.

In its submission to Amendment C93 in September 2015, the EPA acknowledged the agreed C87 TGAR Adjusted Amenity Buffer for the mill but noted that *“Council are yet to adopt any documentation that recognises the ‘Adjusted Urban Amenity Buffer’ in its planning scheme.”* The EPA did not request to be heard at the Panel hearing and were unable to contribute to any discussion on this issue. In the absence of the EPA, the Panel is accepting of the location of the Adjusted Amenity Buffer as recommended by the Panel to Amendment C87.

On this basis the Panel concluded that the issue of the odour buffer to the mill alone does not warrant modification or refusal of the proposed Amendment. However, other issues leading to the retraction of the proposed zoning from the northern end would further distance intensive future urban residential development from the mill. This would reduce, albeit slightly, the number of future residents at risk of odour impacts if the buffer were exceeded.

- Majority landowner objection

This is not an issue raised in submissions but one raised by the Panel. There are 12 independent landowners within the area to which Amendment C93 applies. Of these, eight lodged objecting submissions to the Amendment.

The Panel discussed this at length. It is an important aspect to consider with respect to the report and its recommendations.

As all lots are approximately two hectares in area (the exception is Lot 1 at 3.1 hectares) the proportion of objection to support (73%) across the 11 submitters is more or less the same for land area as it is for number of landowners. Given there is a substantial majority in objection, there is a question as to whether or not this is grounds

alone for abandoning the Amendment, regardless of the planning merits of the proposal.

The Planning Panel concluded that *“Unless there are unforeseen issues arising from the Amendment process that were not considered or have changed since the time of the structure plan preparation or its review, the Panel considers that the adopted strategic position of Council should prevail.”*

It is considered that this is an appropriate approach, particularly since the rezoning of land that has been identified in 2007 as future residential. The panel has agreed with this approach given that the intent has been clear that the site would be required for residential development for 9 years.

- Amenity

This was a common issue raised by a number of submitters to the Amendment both from within and adjoining the subject land. The overall concern of submitters within the subject land in raising this issue is the change to the current semi-rural environment enjoyed by residents that will be brought about by an intensification of residential development.

The Panel’s response confirmed that the rezoning has strategic weight given the subject land has been designated for future urban residential development since 2007. The Panel also noted that it is a held principle in planning law that ‘no-one owns a view’, this means that sight-lines and impact on view sheds are not appropriate reasons to not rezone an area. On this basis the Panel concluded that the issue of amenity does not warrant modification or refusal of the proposed Amendment.

- Rates

Some submitters objected to the Amendment on the basis that the resulting increase in land value will be reflected in an increase in rates. In its report the Panel agreed that this issue is not a planning consideration. It is noted however, that whilst there may be a chance that there would be some increase in rates, this can be offset by the corresponding increase in the value of the asset.

This report recommends that Council adopt the Planning Panels report recommendations. As a result, it is proposed that the Amendment be changed post exhibition to exclude Lots 5, 6 and 7 from the rezoning meaning they will be retained in the Rural Living Zone. A map of this area and its final zoning forms Attachment 1.

It is not considered that the changes to C93 post panel report will impact on *natural justice* rights of the community or result in C93 being *transformed* into a different proposal to that which was exhibited or from what the panel has recommended. It is noted that whilst the community have not had an opportunity to consider the changes because the changes did not form part of the exhibition documents, the owners of these lots presented at Panel and made submissions of objection to their

lots being rezoned. The changes are clearly discussed and the recommendation clearly states out justification for not including these three lots, on the basis of constraints onsite. The changes in accordance with the Panel's recommendation are considered sound and are not considered a transformation of the Amendment post exhibition.

In order for Amendment C93 to proceed, Council must now consider the recommendations of the Planning Panel and decide whether to adopt Amendment C93 as exhibited, adopt Amendment C93 with changes or abandon the amendment.

It is further recommended that in order to ensure that planning and infrastructure delivery in the area is sufficient to meet the demand and development take up, it will be important to commit to undertaking an implementation plan. This is consistent with previous approaches to facilitating development in the area through providing more detail consistent with the intent and purpose of the Cross's Road Development Plan.

RISK IMPLICATIONS

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

Amendment C93 is not significantly transformed from what was exhibited or from what the panel recommend. There is limited risk that the Minister for Planning may not support or refuse to approve C93 and require a new planning scheme amendment to be prepared and re-exhibited.

It should be noted that if Council wish to make substantial changes to C93 or abandon parts of C93, there is a risk that the Minister for Planning may refuse to approve C93 and require a new planning scheme amendment to be prepared and re-exhibited.

Should Council decide to abandon Planning Scheme Amendment C93 then there may be recourse by the proponent to seek to have Ministerial intervention and a possible future planning Ministerial scheme amendment. This is mainly due to the supporting Planning Panel report.

FINANCIAL AND RESOURCES IMPLICATIONS

The prescribed fees for planning scheme amendments are detailed in the *Planning and Environment (Fees) Regulations 2012*. The costs associated with this stage of the planning scheme amendment include the fee for the panel report and the fee for the Minister's approval of an amendment if the amendment is adopted by Council.

Statutory fees associated with this proposed amendment will be met by the proponent.

OPTIONS

The options available to Council are as follows:

1. That Council, after considering the Planning Panel report recommendations for Amendment C93, resolves to adopt and submit

ORDINARY COUNCIL MEETING AGENDA 22 AUGUST 2016 (CM488)

for approval to the Minister for Planning, Amendment C93 without changes from the documents that were exhibited.

Or

2. That Council, after considering the Planning Panel report recommendations for Amendment C93, resolves to adopt and submit for approval to the Minister for Planning, Amendment C93 with changes consistent with Panel's recommendations.

Or

3. That Council, having considered the Planning panel report recommendations for C93, resolves to not adopt the Panels recommendations and abandon Amendment C93 and inform the Minister for Planning.

The recommendation to Council is to support option 2.

CONCLUSION

Amendment C93 seeks to rezone approximately 25 hectares of land held in 12 allotments with frontage to Ashworth Drive, Traralgon from Rural Living Zone – Schedule 3 to General Residential Zone. The Amendment was proposed by one of the landowners who sought a rezoning of all 12 lots on the basis that such a proposal would be consistent with the future use of the land as depicted in the Traralgon Structure Plan.

Council considered an officer report seeking approval for Amendment C93 and resolved to;

'Defer Amendment C93 until the next Council meeting.

As well as a meeting to be organised with all the residents of Ashworth Drive, Councillors and Council officers in the next week'

A meeting with land owners was organised and undertaken at 5:30 to 6:30 pm on Tuesday the 9 August 2016. At this meeting an overview of process for the implementation plan was given to attendees and other questions were addressed. This meeting met the intent and purpose of the Council resolution from the 1 August 2016.

Council now needs to make a decision with respect to the Planning Panel report received 5 May 2016. In its report the Panel stated that they were satisfied that the Amendment is consistent with the broader and specific planning policy framework for Traralgon and the subject land respectively.

The single recommendation is that;

"Amendment C93 to the Latrobe Planning Scheme be adopted as exhibited with the exclusion of Lots 5, 6 and 7 in PS126409".

It is recommended that Council adopt in full the Planning Panel's recommendations as well as support the commencement of an implementation plan for the area.

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)**

SUPPORTING DOCUMENTS

Nil

Attachments

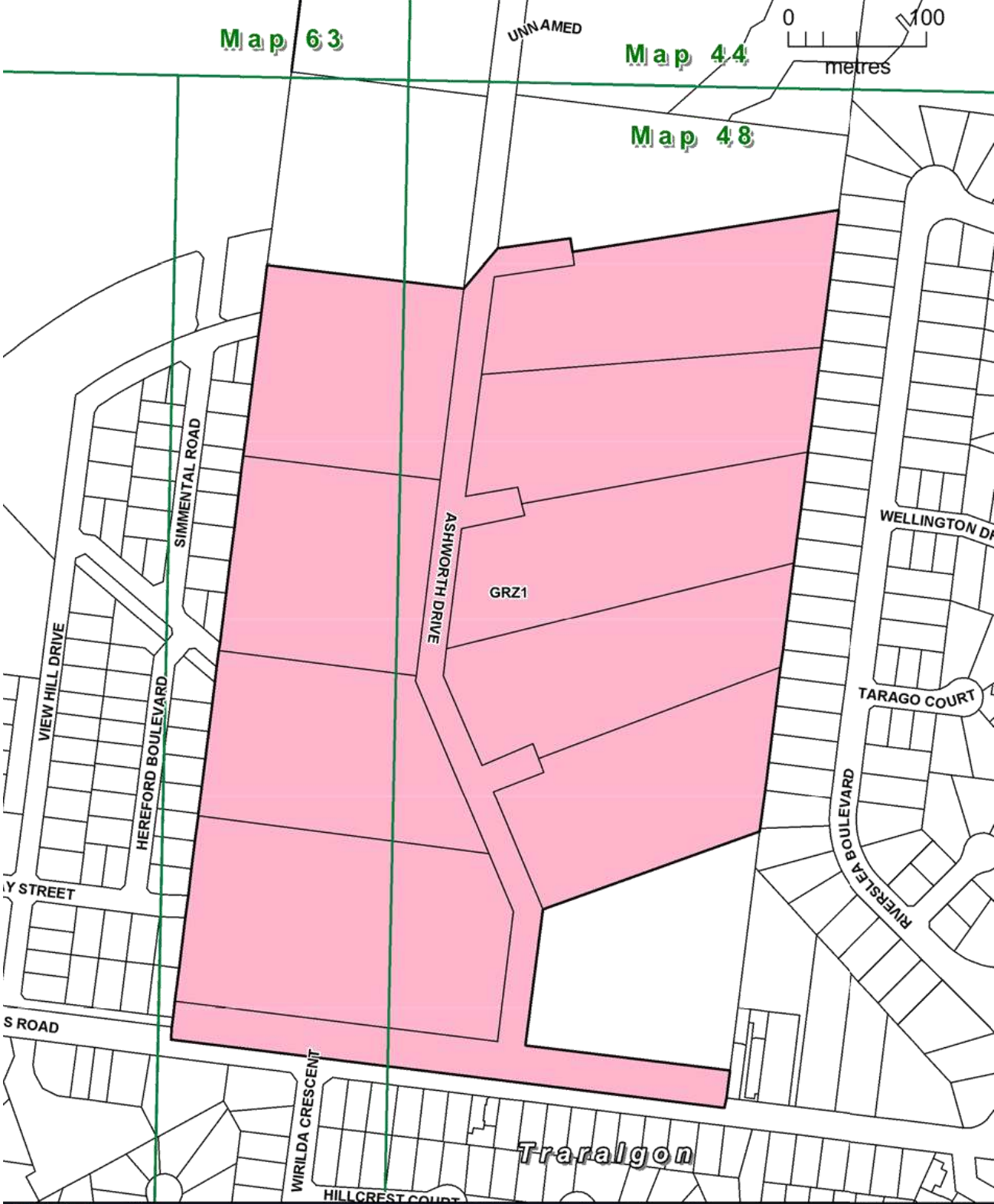
1. Final Zoning Map
2. Cross' Road Development Plan
3. Final Explanatory Report
4. Planning Panel Report

10.3

Consideration of Planning Panel Report for Planning Scheme Amendment C93 - Ashworth Drive

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LATROBE PLANNING SCHEME



LEGEND

GRZ1 GENERAL RESIDENTIAL ZONE - SCHEDULE 1

Part of Planning Scheme Maps 44, 48 & 63

AMENDMENT C93






LATROBE CITY COUNCIL
Plan Approved

Sheet 1 of 49 sheet(s)

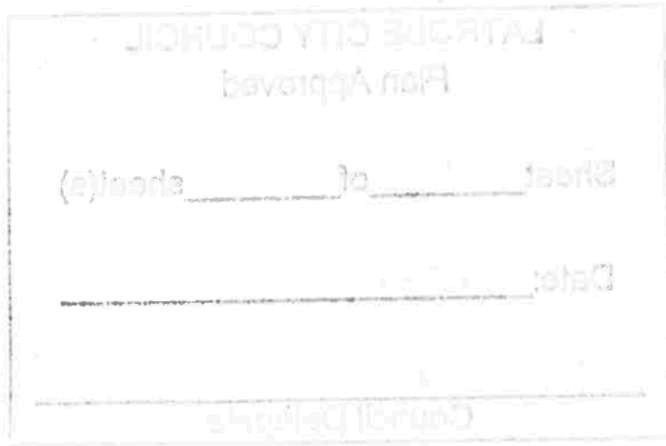
Date: 18-12-12


Council Delegate

**Cross' Road Residential Precinct Development Plan,
Traralgon
31 August 2012**

Prepared by CPG with SMEC on behalf of land owners for approval by Latrobe
City Council





LATROBE CITY COUNCIL
Plan Approved
Sheet 2 of 49 sheet(s)
Date: 18-12-12
B81
Council Delegate

Cross' Road Traralgon

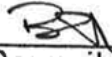
This report has been prepared from the office of CPG

Level 3 469 Latrobe Street PO Box 305 South Melbourne 3205 T 9993 7888

Acknowledgements and Recognition

SMEC

Projectman

LATROBE CITY COUNCIL	
Plan Approved	
Sheet <u>3</u> of <u>49</u> sheet(s)	
Date: <u>18-12-12</u>	
 _____ Council Delegate	

Issue Date	Revision No	Author	Checked	Approved
20/12/2011	V01	JPM	TR	TR
23/12/2011	V02	JPM	TR	TR
18/01/2012	V03	JPM	MG	TR
23/02/2012	V04	TR	TR	TR
18/06/2012	V05	TR	TR	TR
04/07/2012	V06	TR	TR	TR
31/08/2012	V07	TR	TR	TR

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Cross' Road Traralgon

LATROBE CITY COUNCIL
Plan ApprovedSheet 4 of 49 sheet(s)Date: 18-12-12

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Cross' Road Traralgon

LATROBE CITY COUNCIL
 Plan Approved 
 Sheet 6 of 49 sheet(s)

1 Introduction

Date: 18-12-12

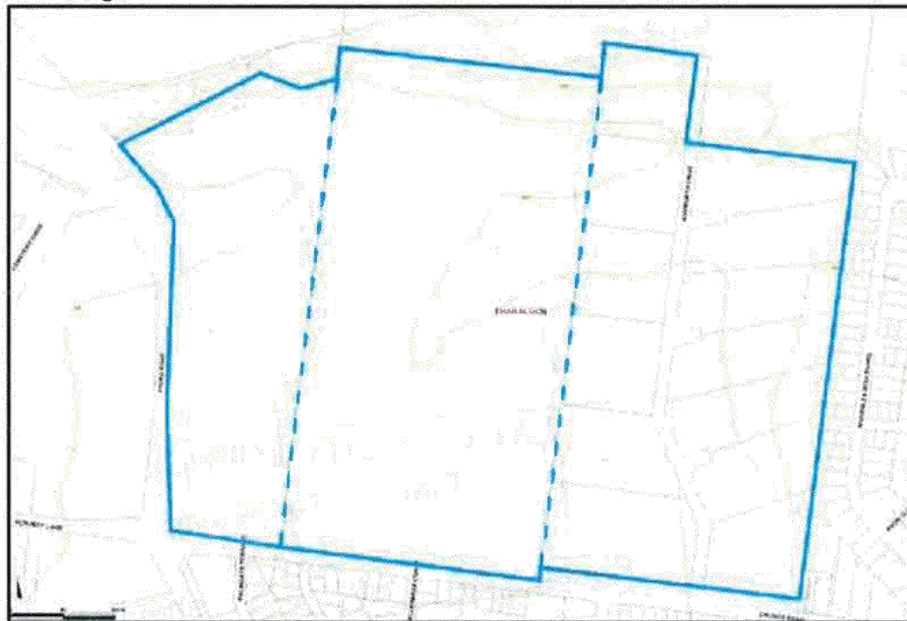
The Development Plan (Plan) has been prepared in accordance with the requirements of Schedule 5 to the Development Plan Overlay (DPO) in the Latrobe Planning Scheme.

BR
 Council Delegate

The Plan covers 75.96 hectares of Council land located on the north-east corner of Cross' Road and Tyers Road, Traralgon. The land is bounded by Tyers Road to the west, Cross' Road to the south, the Riverslea Estate residential subdivision to the east and Latrobe River floodplain to the north.

The Plan covers fifteen properties including land at 150 Tyers Road, 240 Cross' Road and thirteen properties in Ashworth Drive.

Figure 1: Plan Area



Source: <http://services.land.vic.gov.au/maps/interactive.jsp>, accessed 17 November 2011

1.1 Basis for the Development Plan

150 Tyers Road and 240 Cross' Road total 47ha and were rezoned from Farming Zone to Residential 1 Zone as part of Amendment C56 to the Latrobe Planning Scheme on 5 May 2011. The rezoning provides residential land required to meet demand and implement the objectives of the *Traralgon Structure Plan*.

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The thirteen properties in Ashworth Drive total 29.4ha and were not rezoned and remain Rural Living Zone Schedule 3. Amendment C56 applied the DPO to all land in Figure 1.

1.2 The Role of the Development Plan

The Plan has been prepared by consultants CPG and SMEC on behalf of the land owners of 240 Cross' Road and 150 Tyers Road which comprise 61% of the Plan area. It seeks to provide an integrated vision for co-ordinated development of all properties affected by the DPO.

Properties in Ashworth Drive require rezoning (Rural Living Zone Schedule 3 to Residential 1 Zone) before residential subdivision can occur. Nonetheless the Plan sets a framework for staged development which ensures future connections and servicing requirements can be delivered in a flexible and fair manner for all properties if land owners choose to develop.

The Plan has been prepared in consultation with Latrobe City Council, Gippsland Water, West Gippsland Catchment Management Authority, VicRoads, DSE, EPA, SP AusNet and CFA. It addresses land use and subdivision, waterways, infrastructure services, open space, community hubs and meeting places, flora and fauna and cultural heritage.

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2 Site analysis

2.1 Site context

The subject site is located on the north west edge of the Traralgon township as shown in Figure 2. Urban development in this location is contained by Tyers Road which forms the logical western township boundary and a transition to farming land. The Latrobe River floodplain which adjoins the northern boundary of the site limits urban development to the north.

Standard residential subdivision has developed south of Cross' Road and east of the site in the Riverslea Estate.

The site is in proximity to a range of services and facilities listed below:

Commercial /Business Facilities

Traralgon Central Activity Centre 3.8 kilometres south east

Education

St Gabriels Primary RC Primary 1.0 kilometre south
 St Pauls Anglican Primary School 1.4 kilometres east
 Traralgon Secondary College (West Campus) 1.5 kilometres south east
 ABC Traralgon West, Child Care Centre 2.0 kilometres south east
 Lavalla RC Secondary and Primary School 2.4 kilometres south east

Health

Traralgon Medical Centre 3.4 kilometres south east
 Hillcrest Family Medicine 3.6 kilometres south east

Transport

Traralgon Bus Services (Route 1, Rangeview) 1.2 kilometres south east
 Traralgon Railway Station 3.4 kilometres south east
 Princes Highway 3.8 kilometres south east

Recreation

Traralgon West Sports Complex 1.7 kilometres south east
 Traralgon Golf Club 2.5 kilometres south
 Traralgon Showgrounds 4.1 kilometres south east
 Traralgon Racecourse (Glenview Park) 5.6 kilometres southeast

Natural Environment


Wade Creek 1.0 kilometre east
 Latrobe River 1.3 kilometres north

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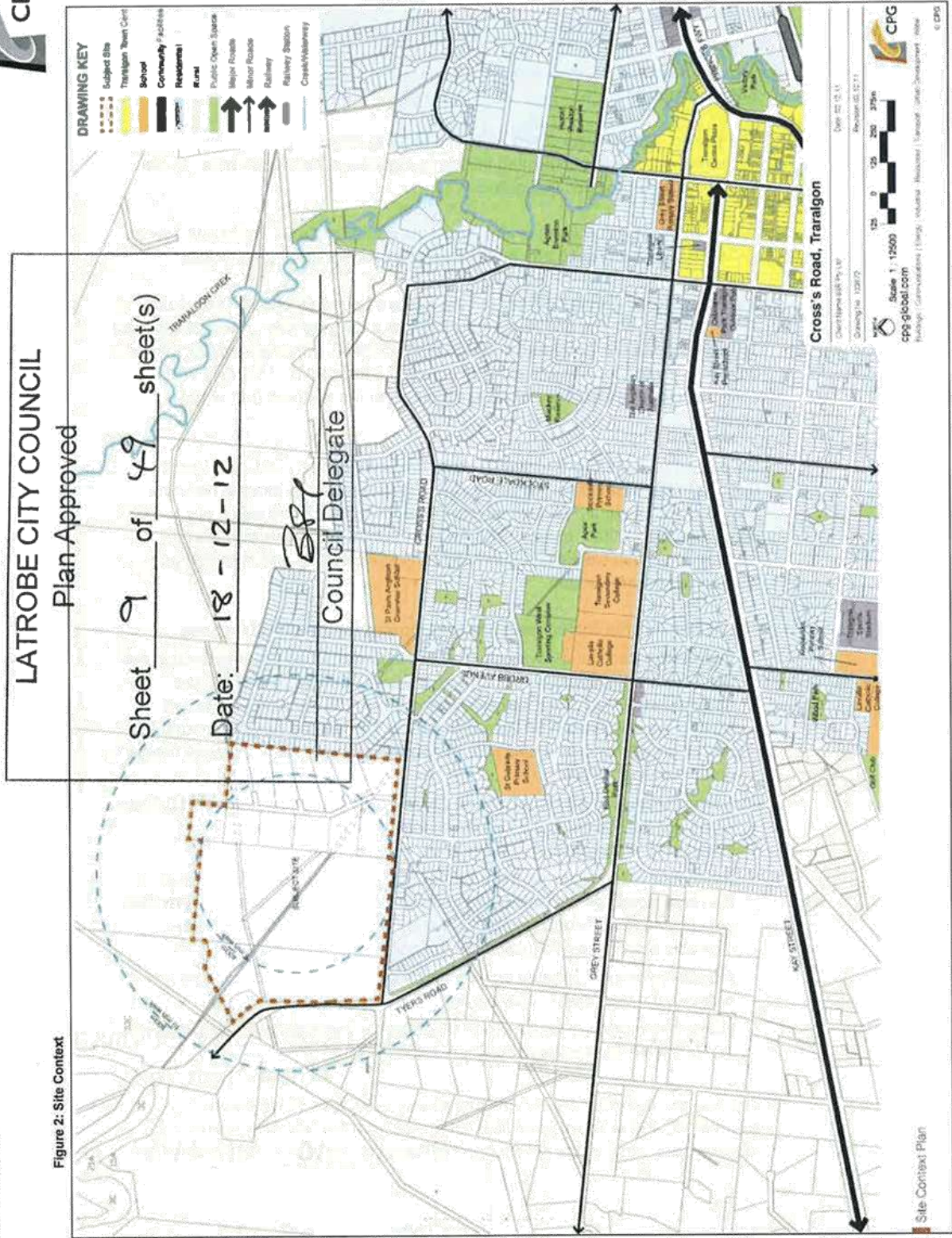


Figure 2: Site Context

Cross' Road Traralgon



2.2 Site description

The subject site consists of two adjoining farming properties and a large lot rural residential subdivision containing thirteen properties in Ashworth Drive. A site analysis plan is provided in Figure 3.

150 Tyers Road ('Yurragar') is located on the corner of Cross' Road and Tyers Road. The property is 15.2ha and is currently used for grazing purposes.

240 Cross' Road ('View Hill') adjoins the eastern boundary of 150 Tyers Road. The property is 31.4ha and is currently used as a dairying farm. The dairy grazes cattle on land in Lot 2 on Plan of Subdivision 424148C which adjoins the northern boundary of the property and extends across the floodplain. The dairy will continue to operate from the existing buildings on the northern part of the property.

Six properties in Ashworth Drive share a common boundary with 240 Cross' Road. On the east side of Ashworth Drive seven properties share a common boundary with standard residential lots in the Riverslea Estate which are approximately 1,000m² in size. The Ashworth Drive properties are rural residential or bush blocks and generally contain a dwelling and outbuildings although some are vacant.

The landform in the subject area has the following topographical features:


- Two designated waterways enter the site at Cross' Road passing through the site before intersecting in the north east corner. One waterway passes through 240 Cross' Road before entering 45 and 55 Ashworth Drive and leaving the site through 60 Ashworth Drive. The second passes through the rear of properties on the east side of Ashworth Drive. The waterways merge on 60 Ashworth Drive.
- A minor waterway enters the site at Cross' Road at the boundary of 150 Tyers Road and 240 Cross' Road and flows north east to meet the western designated waterway in Ashworth Drive.
- A ridgeline extends across the northern boundary of the site. Land south of the ridge slopes gently whilst land north of the ridge slopes steeply away into the Latrobe River floodplain approximately 20m below. Good views are available across the floodplain from the ridgeline.
- A local highpoint is situated immediately south of Cross' Road on a spur between the designated waterways.
- With the exception of land north of the ridgeline the majority of the site slopes gently toward waterways at between 2-8%.

The western designated waterway that enters 240 Cross' Road drains stormwater, and at times, sand filter discharge from the adjoining residential development. Prior to the construction of the adjoining residential development,

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the waterway was an open ephemeral drain. At that time the primary source of input was from Stoddarts Abattoir upstream. The waterway was piped under Cross' Road approximately 40 years ago. The waterway has been cleaned out several times in an effort to confine the discharge however, this maintenance ceased 15 years ago. Rainfall in recent years in conjunction with pugging from livestock has left the area immediately north of the piped section prone to flooding.

150 Tyers Road and 240 Cross' Road have been almost entirely cleared of remnant vegetation during historic agricultural use on the land. The exception is a patch of remnant native vegetation in the riparian zone (EVC 53 Swamp Scrub) of the lower reaches of the western waterway, and two remnant River Red Gums in the southern paddock of 240 Cross' Road adjacent to the waterway.

Several plantations have been planted along boundaries, intermediate fence lines and driveways on properties across the site. Scattered native and exotic vegetation has also been planted on several properties typically around buildings.

Access to the site from the adjoining road network is currently from Ashworth Drive which is a public road, and via private driveways to 150 Tyers Road and 240 Cross' Road from Tyers Road and Cross' Road respectively.

A Gippsland Water water treatment plant is located on a 1.7ha property at 110 Cross' Road in the south east corner of the site. A raw water main supplying drinking water to the township of Tyers extends from the treatment plant and traverses the site diagonally to the north east corner. The pipeline is located within a water supply easement (future reserve) that varies in width from 10m and 17m wide across the site.

A Gippsland Water rising sewer main is located across the front of the site in the Cross' Road reserve. Gippsland Water requires land to be set aside for the future duplication of the existing rising sewer main which requires a 6.8m wide strip of land across the front of 150 Tyers Road and 240 Cross' Road.

A 66KV electricity line traverses the northern part of the site. It is located within a 12.8m wide electricity transmission easement. A second electricity transmission easement also affects the site and SPAusNet, the relevant authority, has advised this easement is redundant and can be removed.

A major gas pipeline passes close to the north west corner of the Plan area. The Latrobe Planning Scheme shows Schedule 1 to the Design and Development Overlay applied to a 200m wide strip of land along the route of the pipeline. This Overlay extends approximately 55m into the north west corner of the Plan area.

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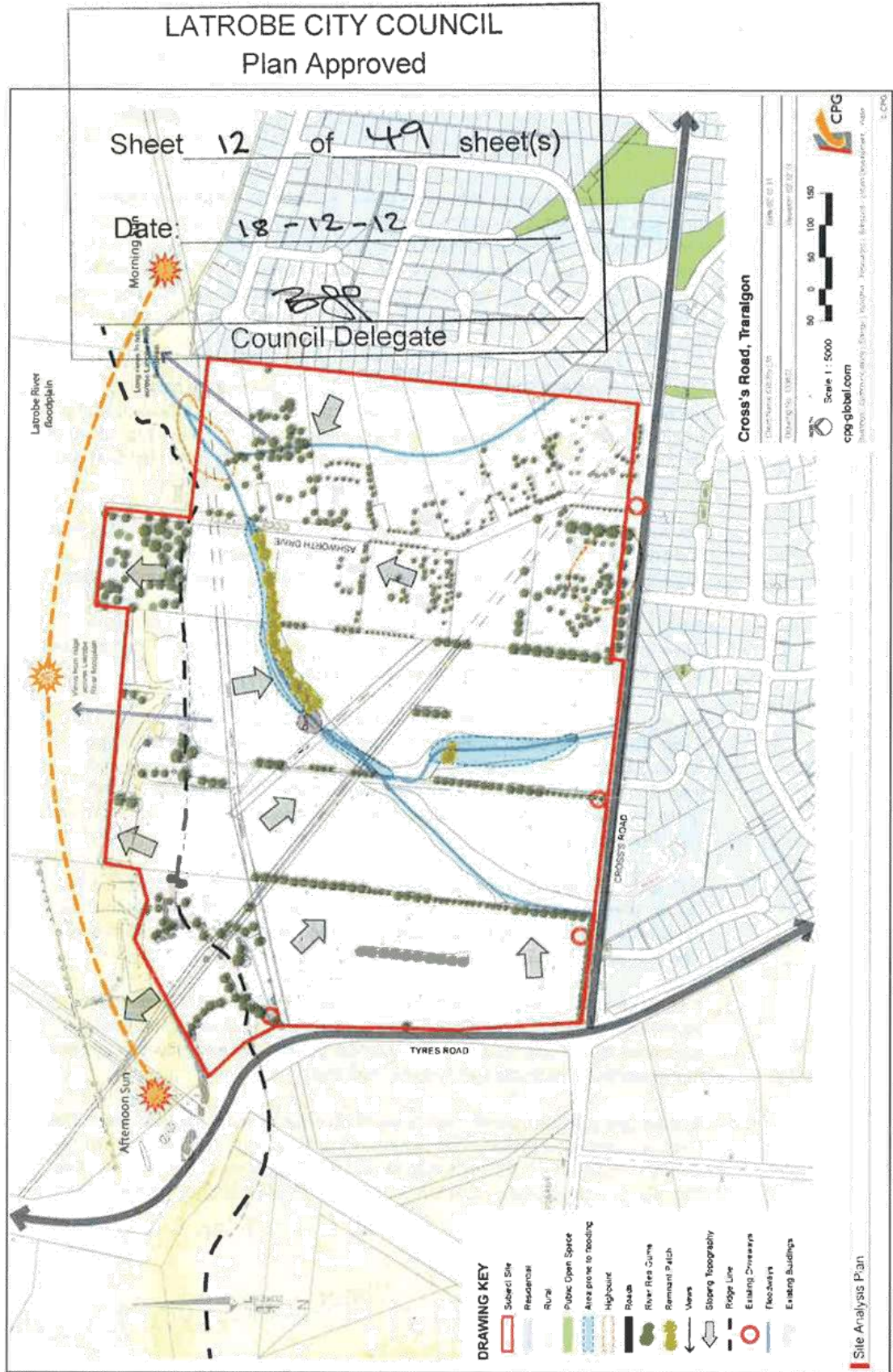


Figure 3: Site Analysis

Cross' Road Traralgon

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3 Key opportunities and constraints

The subject site features opportunities and constraints that have influenced the design response underpinning the Plan. The key opportunities and constraints are summarised below:

3.1 Opportunities

- Provide a well designed urban expansion that responds to the features of the site and surrounds.
- Provide certainty of development potential for properties encumbered by easements.
- Incorporate easements into the open space network where possible.
- Provide an open space network using drainage lines, easements and local parks.
- Provide a sewerage connection to the site.
- Integrate stormwater management and existing hydraulic and ecological features into the proposed urban environment.
- Deliver a holistic drainage strategy for the site which enhances the condition of downstream properties.
- Provide a permeable and legible movement network throughout the site.
- Provide functional east west connections across the site.
- Provide a limited number of access points onto Cross' Road.
- Use views from the ridgeline across the Latrobe River floodplain.
- Provide a mix of lot sizes on the site.
- Provide larger lots north of the ridgeline on constrained land where the escarpment and slope should be protected and reticulated sewerage is not feasible to deliver.
- Maximise lots which address Cross' Road.
- Preserve existing buildings and the amenity of land owners in Ashworth Drive.
- Set a framework for possible future development of properties in Ashworth Drive.
- Remove the redundant electricity easement.
- Provide an urban layout that enables lots to address Tyers Road (where direct street access from private lots is not allowed).

3.2 Constraints

- Fragmented land holdings in Ashworth Drive.
- Intersection access and direct access to Tyers Road from private lots is not permitted by VicRoads.
- Diagonal alignment of the water main easement (future reserve) traversing the site and inability to construct driveway access to private lots across the water main easement.

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- Provision of a 6.8m wide strip of land along Cross' Road to accommodate duplication of the existing rising sewer main.
- Electricity easement containing a 66KV power line traversing the northern part of the site.
- Absence of an existing reticulated sewer connection to the site.
- Unsuitability of steeply sloping land on the escarpment for traditional subdivision.
- Inability to provide a gravity fed sewer connection to lots north of the ridge.
- Boggy land prone to flooding immediately north of the piped drainage outfall on 240 Cross' Road.
- Upstream drainage catchments are not retarded or treated before entering the site.
- Protection of potential habitat for Growling Grass Frogs in the dam on 240 Cross' Road.
- Retention of remnant River Red Gums.
- Arbitrary 30 metre buffer distances from designated waterways.
- The location of a designated waterway midway through properties on the east side of Ashworth Drive.
- Water reserve adjoining the site which runs parallel to Cross' Road and restricts direct access to Cross' Road from potential private lots developed on 124 Cross' Road.
- Schedule 1 to the Design and Development Overlay affecting the north west corner of the Plan area

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<p>4 The Plan</p>	<p>4.1 Design response</p> <p style="text-align: center;"><u>BCC</u> Council Delegate</p>

The design response in Figure 4 demonstrates how the opportunities and constraints of the site inform and influence the design of the new community. This is explained below:

- An open space network is planned around linear corridors along designated waterways intersecting with a continuous green streetscape along the water main easement (future reserve) which terminates on both sides of the site at local parks.
- Two remnant River Red Gums are protected in parkland that is incorporated into the western drainage reserve with additional unencumbered land bolstering the park.
- A local park is located in the south west corner of the site to provide public open space for surrounding residents that are more removed from the central drainage reserve and associated parklands.
- A remnant vegetation patch within the western designated waterway will be enhanced with improvements to the waterway.
- Potential habitat for growling grass frogs located in the dam within the western designated waterway will be enhanced with improvements to the waterway.
- Local parks incorporate land encumbered by easements.
- The water main easement (future reserve) is incorporated into a continuous green streetscape which protects the water pipeline within a 10 metre wide linear park and provides a pedestrian connection from one side of the site to the other.
- As driveways from private lots cannot cross the water main easement (future reserve) modules have been orientated so side fences, not back fences, face the easement.
- An integrated housing site adjoins the south side of the water main easement (future reserve) so future built form can address the linear park within the water main easement.
- Local streets adjoin the open space network on all sides to ensure passive surveillance and activation by dwellings.
- Three connections are provided between 240 Cross' Road and Ashworth Drive to ensure the site develops in an integrated manner over time.
- The 66KV power line has been incorporated into an expanded nature strip within a non-standard access street cross-section.
- The orientation of the street layout seeks to provide logical north south and east west modules whilst responding to site topography to assist with efficient drainage of neighbourhoods.
- The street network has been designed to provide an overland flow path for the minor waterway that enters the site at Cross' Road at the boundary of 150

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- Tyers Road and 240 Cross' Road and flows north east to the western designated waterway.
- A gravity fed rising main will be constructed through the site from the existing sewer pump station in the Riverslea Estate along the western designated drainage reserve to provide sewerage servicing.
- With no intersection access or direct access from private lots permitted to Tyers Road internally accessed loops roads are used to ensure lots address Tyers Road.
- Lots have been orientated to front on to Cross' Road.
- A path is be provided within the Cross' Road reserve as required by Council's Bicycle Plan, 2007.
- A path is provided along Tyers Road, north of Cross' Road as required by Council's Bicycle Plan, 2007.
- Land generally north of the ridgeline is designated as large lot subdivision because the ridgeline, slope and future runoff from development should be sensitively managed to ensure buildings are recessive in the landscape and potential pollutants running into the floodplain are minimised.
- Land affected by Schedule 1 to the Design and Development Overlay is designated as large lot subdivision to provide flexibility in locating buildings and structures.
- A road network is proposed for properties in Ashworth Drive that facilitates integrated development if the land is rezoned and land owners choose to develop their properties.
- The proposed road network in Ashworth Drive does not impact existing dwellings.
- A holistic approach, rather than a property by property approach, to drainage has been adopted which provides a single end-of-line wetland facility for treatment of stormwater from the site on the property immediately downstream.
- 30 metre buffers are provided for designated waterways with the exception of the first section of the western designated waterway where a 15 metre is provided.
- Independent access to Ashworth Drive via access places is provided for all properties on the east side of Ashworth Drive to enable independent development by land owners.
- The layout has been designed to satisfy the requirements of Clause 56 in the Latrobe Planning Scheme and in particular building envelopes, solar orientation, public open space, walking and cycling, street network, tree access and stormwater management,

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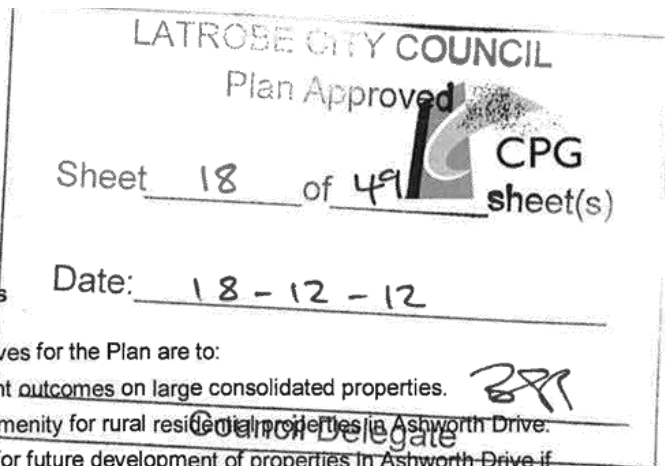
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4.2 Development objectives

The development objectives for the Plan are to:

- Maximise development outcomes on large consolidated properties.
- Protect lifestyle and amenity for rural residential properties in Ashworth Drive.
- Provide a framework for future development of properties in Ashworth Drive if the land is rezoned and land owners choose to develop.
- Minimise development costs through logical design.
- Consider title boundaries to ensure sustainable neighbourhood outcomes.
- Consider title boundaries to ensure independent development of large properties.
- Provide for a mix of residential lot sizes which respond to market expectation.
- Use natural features in the design of the neighbourhood.
- Provide high quality open spaces within convenient walking distance of homes.
- Integrate stormwater management and easements into the open space network.
- Create regular modules and lots acknowledging site constraints.
- Provide highly permeable and legible movement through the site.
- Provide a co-ordinated and holistic approach to drainage that benefits the site and downstream land owners.
- Incorporate Crime Prevention Through Environment Design (CPTED) principles in the neighbourhood design.
- Bring critical services to the site including sewer.

4.3 Overview of the Plan

The Plan is provided in Figure 5. The key elements of the Plan are detailed in the following sections. The land budget for the Plan is provided in Table 1 and a property specific land budget is provided in Table 2.

The gross site area is 75.96ha. The Plan provides a Net Developable Area of 64.37ha excluding encumbered land (11.59ha) and unencumbered public open space (1.34ha).

The Plan includes 14.25ha in road reserves including the existing Ashworth Drive road reserve, leaving 48.83ha as Residential Allotment Area. Different lots sizes will be developed across the site including standard and large lots and an integrated housing site.

A total of 677 lots are provided on the site at a density of 10.5 dwellings per Net Developable Hectare (NDHa)¹. In standard density areas (including integrated

¹ Definition of NDHa from Precinct Structure Planning Guidelines

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housing site) 662 lots are provided at a density of 11.9 dwellings per NDHa based on an average lot size of 625m² for standard lots and 294m² for lots within the integrated housing site.

Encumbered and unencumbered land contributes to the public open space network across the site. This is detailed in Section 7. The Plan requires a public open space contribution of 5% for each property.

4.4 Community hubs, meeting place and activity centre

Traralgon Statistical Local Area has a population of 27,225 and 11,275 households (2006 Census). At full development the site will accommodate approximately 677 dwellings. By assuming an average of 2.41 persons per household consistent with the Traralgon average (2006 Census) the estimated population on the site is 1,632 people.

Planning for Community Infrastructure in Growth Areas (Australian Social & Recreational Research Pty Ltd, April 2008) recommends a process for determining community infrastructure needs in new communities. Table 29 - Analysis of Community Infrastructure Requirements for the Hypothetical Community of Batman North (illustrative purposes only) is an indicative approach to the threshold numbers required for the provision of community infrastructure.

The report identifies a minimum population threshold for the provision of primary schools, Council community centres, kindergartens and equivalent facilities as 1 per 3,000 households. The proposed lot yield for the site of 677 lots is considerably below the indicative threshold of 3,000 households and therefore no community facilities are proposed to be located on the site.

Figure 3 in the Latrobe Structure Plans – Traralgon (2007) designates land within the Plan area as 'future residential'. It also requires a future road connection through land to the west of Ashworth Drive to Cross' Road. The structure plan does not designate a 'possible future neighbourhood activity centre' in the Plan area. Such an activity centre would be the logical location in which to co-locate commercial and community facilities such as retail floor space and a maternal and child health centre. Therefore, no commercial facilities or community facilities are proposed in the Plan.

4.5 Rural and commercial land uses

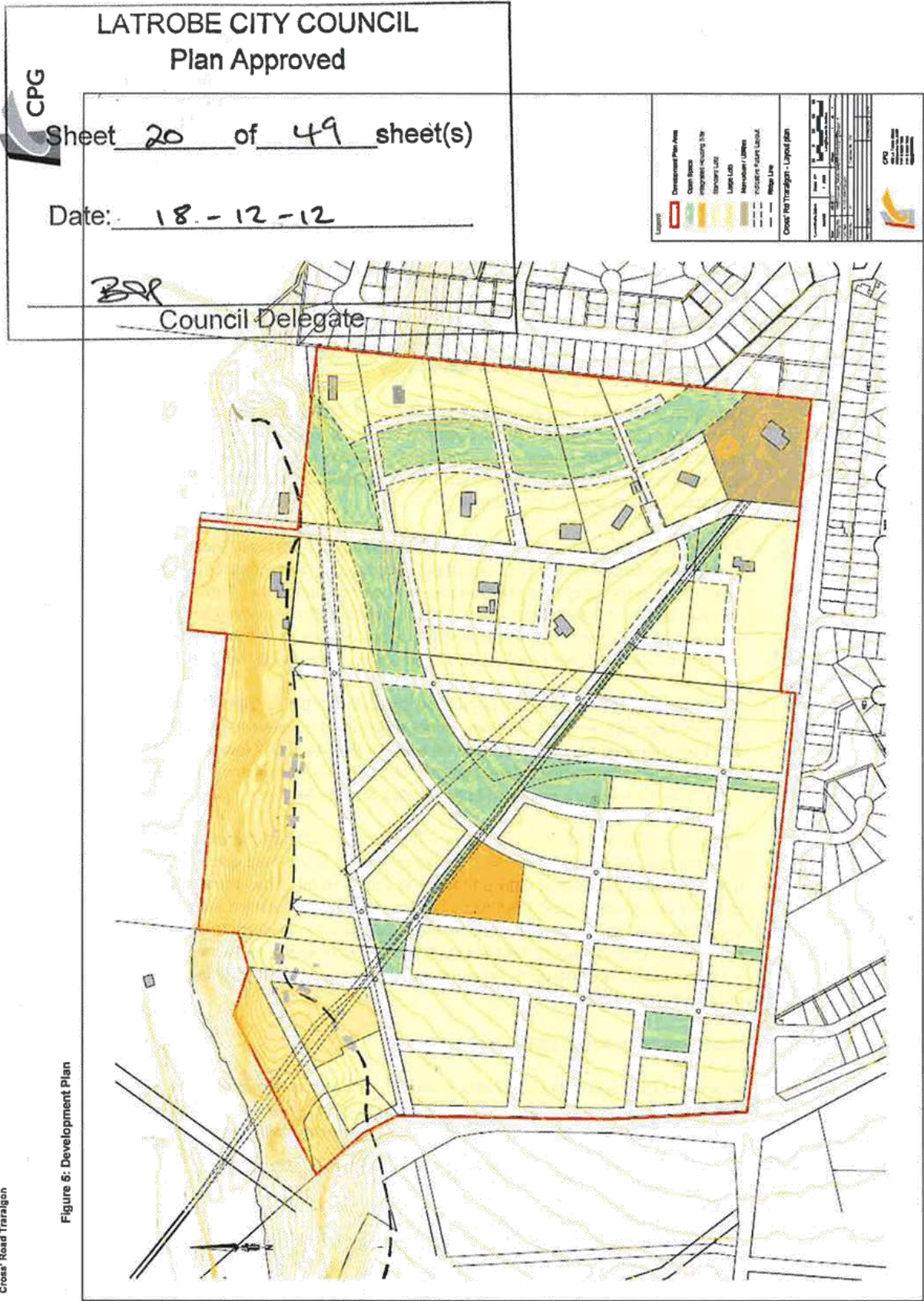
A range of rural and commercial land uses occur within the Plan area. The Plan designates the majority of land for residential subdivision, however existing rural and commercial land uses may continue to lawfully operate within the Plan area.

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Figure 5: Development Plan

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Table 1: Land Budget


1	GROSS AREA	75.96 Ha	
	240 Cross's Road	31.40	
	150 Tyers Road	15.20	
	Ashworth Drive Properties	29.36	
2	ENCUMBERED LAND	11.59 Ha	15.3
	240 Cross's Road Electricity Easement	0.53	
	240 Cross's Road Water Pipe Easement	0.66	
	240 Cross's Road Drainage	2.11	
	240 Cross's Road Cross's Road Widening	0.27	
	150 Tyers Road Electricity Easement	0.27	
	150 Tyers Road Water Pipe Easement	0.52	
	150 Tyers Road Cross's Road Widening	0.11	
	Ashworth Drive Electricity Easement	0.47	
	Ashworth Drive Water Pipe Easement	0.33	
	Ashworth Drive Drainage	4.58	
	Ashworth Drive Utilities	1.73	
3	NET DEVELOPABLE AREA (NDA)	64.37 Ha	
	240 Cross's Road	27.83	
	150 Tyers Road	14.29	
	Ashworth Drive	22.25	
4	OPEN SPACE	1.30 Ha	2.0 % NDA
	240 Cross's Road	0.76	2.7
	150 Tyers Road	0.38	2.7
	Ashworth Drive	0.15	0.7
5	ROAD RESERVE AREA	14.25 Ha	22.1 % NDA
	240 Cross's Road	5.65	
	150 Tyers Road	3.71	
	Ashworth Drive Properties	4.89	
6	RESIDENTIAL ALLOTMENT AREA	48.83 Ha	
	240 Cross's Road Standard	15.99	
	240 Cross's Road Large	4.53	
	240 Cross's Road Integrated	0.90	
	150 Tyers Road Standard	8.21	
	150 Tyers Road Large	1.99	
	Ashworth Drive Standard	15.22	
	Ashworth Drive Large	1.98	
7	LOT YIELD	677 TOTAL	Size m2
	240 Cross's Road Standard	256	625
	240 Cross's Road Large	5	10000
	240 Cross's Road Integrated	31	294
	150 Tyers Road Standard	131	625
	150 Tyers Road Large	8	2500
	Ashworth Drive Standard	244	625
	Ashworth Drive Large	2	10000

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Disclaimer

- A. Areas and yields of lots and roads are approximate only.
- B. A site visit has been undertaken before the preparation of this land budget.
- C. Areas are in hectares unless otherwise stated.
- D. Lot layout, open space allocation and road classification are indicative only and subject to Council approval.
- E. Road linkages to adjoining lands are based on preliminary discussions and are subject to approval from the land owners.
- F. A drainage strategy has been prepared and the plan provides sufficient area for stormwater purposes.
- G. Encumbered land in Ashworth Drive Properties are estimates only, due to feature survey not being available.

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Table 2: Property Specific Land Budget

	Gross Area (ha)	Encumbered (ha) Electricity	Encumbered (ha) Water	Encumbered (ha) Drainage	Encumbered (ha) Road widening	Net Developable (ha)	Open Space (ha)	%	Net Residential (ha)
240 Cross's Road	31.40	0.53	0.66	2.11	0.27	27.83	0.76	2.7%	27.07
150 Tyers Road	15.20	0.27	0.52	0	0.11	14.30	0.38	2.7%	13.91
Ashworth Drive 1	3.06	0	0.10	0	0	2.98	0.15	5.0%	2.83
Ashworth Drive 2	2.11	0	0.20	0	0	1.91	0.07	3.4%	1.84
Ashworth Drive 3	2.02	0	0	0	0	2.02	0	0	2.02
Ashworth Drive 4	1.98	0	0	0.26	0	1.71	0	0	1.71
Ashworth Drive 5	1.98	0.26	0	0.67	0	1.06	0	0	1.06
Ashworth Drive 6	1.98	0	0	0	0	1.98	0	0	1.98
Ashworth Drive 7	2.09	0.26	0	0.86	0	0.98	0	0	0.98
Ashworth Drive 8	2.10	0	0	0.47	0	1.63	0	0	1.63
Ashworth Drive 9	2.09	0	0	0.48	0	1.61	0	0	1.61
Ashworth Drive 10	2.11	0	0	0.48	0	1.63	0	0	1.63
Ashworth Drive 11	2.00	0	0	0.45	0	1.55	0	0	1.55
Ashworth Drive 12	2.00	0	0	0.56	0	1.42	0	0	1.42
Ashworth Drive 13 (Utility site)	2.00	0	1.7	0.27	0	N/A	0	0	N/A
Existing Ashworth Drive Road Reserve	1.80	0.03	0.03	0	0	N/A	1.73	0	N/A
Total	75.95	1.34	3.24	6.63	0.38	64.35	1.36		61.27

Disclaimer

- A. Areas and yields of lots and roads are approximate only.
- B. The land budget has been prepared for preliminary feasibility purposes and the following information was not available:
- C. Preliminary storm sewer and flood assessment has been undertaken. Retaining basins have been provided for on this plan, however these will be subject to further detailed studies.
- D. A site visit has been undertaken before the preparation of this land budget.
- E. Areas are in hectares unless otherwise stated.
- F. Residential lot areas, open space allocation and road classification are indicative only and subject to Council approval of the DP.
- G. Road linkages to adjoining lands are based on preliminary discussions and are subject to approval from the land owners.



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5 Housing

The Plan aims to provide a variety of housing types and lots types to meet the Traralgon market demands. The Plan provides a higher proportion of larger standard residential lots that maintain the sense of openness, and respond to landform and landscape cues valued by the community.

A total of 677 lots are provided on the site. Assuming average household size of 2.41 persons the site will be home to approximately 1,632 people when fully developed.

A breakdown of lot yield is provided in Table 3.

Table 3: Lot yield by type

Lot Type	Lot Size	Total Lots
Standard density	625m ²	631
Integrated housing site	294 m ²	31
Large lot	10,000m ²	15

The density in standard lots areas including the integrated housing site is 11.9 dwellings per NDHa assuming an average lot size of 625m² and 294m² respectively.

5.1 Large lot residential

Large lot residential averaging 10,000m² is proposed north of and adjacent to the ridgeline in the northern part of the site on 240 Cross' Road and 75 Ashworth Drive. Large lots are suited to this location because standard lot sizes on the escarpment would erode the integrity of the slope and increase potential pollutant flow into the floodplain. Buildings located on the slope and ridgeline would also create undesirable visual and landscape amenity impacts.

In terms of servicing this area, there is restricted access to the proposed gravity sewer system south of the ridgeline. An additional sewer pump station would be required to pump sewerage over the ridge into the proposed system which is not considered cost effective given the Plan area will need to fund a new sewer pump station. It is likely larger lots will require septic tanks however a land capability assessment should be undertaken with any planning permit application to ensure these are appropriate to the land.

On 150 Tyers Road larger lots down to 2,500m² are provided subject to Gippsland Water's approval of Low Pressure Pump Systems (LLPS). These systems are installed where a gravity fed sewer system cannot be provided due to grade restrictions. A LLPS will connect to the reticulated sewer system constructed to service standard lots south of the ridgeline.

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Subject to appropriate servicing, the provision of larger lots supports a transition from the urban to rural landscape within the northern part of the site and presents an opportunity for larger lots to be significantly revegetated so that buildings are recessive in the landscape when viewed from surrounding rural land and the slope is stabilised.

5.2 Affordable housing

Opportunities to deliver affordable housing should be considered at planning permit stage in consultations between land owners, developers, Council and Department of Housing.

5.3 124 Cross' Road

The existing dwelling and outbuildings at 124 Cross' Road may have heritage value and the significance of these should be further investigated as part of a planning permit application. The site is suitable for community uses and such activities should be encouraged in future use, management and development of the site.

5.4 Development guidelines

- Standard density areas should achieve an average density of 11.9 dwellings per NDHa.
- Dwellings in the Integrated Housing Site should achieve a minimum average lot size of 294m².
- Design of the Integrated Housing Site should ensure dwellings address the green streetscape within the water main easement (future reserve). Specifically, fencing along the green streetscape should be semi-transparent.
- Applications to subdivide land affected by Schedule 1 to the Design and Development Overlay should have regard to the relevant provisions in the planning scheme.
- Investigate the heritage significance of the dwellings and outbuildings at 124 Cross' Road as part of a planning permit application.
- The ultimate configuration of access to large lots north of the ridge and standard density lots north of the east west access street along the electricity easement on 240 Cross' Road should be investigated at planning permit stage.
- Design guidelines should be prepared to guide subdivision and development of land on 240 Cross' Road adjoining the western boundary of the drainage reserve south of the local park protecting remnant native vegetation. Guidelines should be registered as a restriction on title for this land and ensure:
 - o Dwellings do not present "back fences" to the drainage reserve.

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- Dwellings positively address the drainage reserve to the east and access place to the west.
- Building setbacks and design, garaging, fencing and landscaping are appropriate to activate both frontages of new lots created.

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<p>LATROBE CITY COUNCIL Plan Approved</p> <p>Sheet <u>26</u> of <u>49</u> sheets</p> <p>Date: <u>18-12-12</u></p>	<p>Integrated stormwater management</p> <p>A drainage strategy has been prepared by CPG to inform the stormwater quantity and quality controls required to service development of the site. The strategy is located in Attachment 1.</p> <p>The strategy has been prepared in consultation with West Gippsland Catchment Management Authority (CMA) and Council. The CMA and Council have approved the drainage strategy. Details of the tenure and maintenance of the downstream wetland will be resolved by Council with relevant land owners prior to construction of the facility.</p> <p>The subject site is characterised by the following key water management issues:</p> <ul style="list-style-type: none"> - Two designated waterways; - 150 Tyers Road drains into 240 Cross' Road along with Ashworth Drive properties due to the topographical characteristics; - Wetland delivery on Lot 2 on PS 424148C downstream of the site; - Management and maintenance of the wetland; - Cost for land owners of 150 Tyers Road to connect to 240 Cross' Road drainage reserve; and, - Management and transfer of upstream flows through the site.
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The options for stormwater management include:

- a) On-site treatment for each property (150 Tyers Road, 240 Cross' Road and Ashworth Drive properties).
- b) On site end of line treatment.
- c) Holistic treatment for the entire Development Plan area downstream and offsite.
- d) Additional treatment of upstream catchments.

The drainage strategy recommends *Option c)* as the preferred option.

6.1 Stormwater conveyance and treatment

The drainage strategy is a holistic response which takes into consideration the 434ha catchment which outfalls to the Latrobe River floodplain, of which the Plan area contributes approximately 76ha.

The strategy addresses stormwater conveyance and treatment. The strategy assumes no retardation of developed flows, water quality treatment and waterway corridor link being provided within the flood plain outside the Plan area.

Modelling undertaken to inform the drainage strategy shows the vast majority of stormwater to be conveyed through 240 Cross' Road and in turn through 45, 60

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and 65 Ashworth Drive is generated in the existing urban areas upstream of the Plan area, south of Cross' Road. Additional stormwater produced by the subdivision of 240 Cross' Road and 150 Tyers Road will be minimal by comparison and the strategy recommends against the provision of on-site retardation on 240 Cross' Road. Development of retardation on 240 Cross' Road will extend the period of stormwater flows through 45, 60 and 65 Ashworth Drive which is not considered desirable.

As shown in Figure 6 the drainage strategy consists of:

- Underground stormwater drainage with associated overland flow paths via road reservation for minor catchments.
- A 15 metre drainage reserve and road reservation with under ground drainage within 240 Cross' Road between Cross' Road and water main easement (future reserve) to allow for stormwater conveyance upstream of Cross' Road (Figure 7, Section B).
- 60 metre drainage reservations on 240 Cross' Road and in Ashworth Drive to protect the existing designated waterways (Figure 7, Section A).
- A sediment basin and wetland system external to the site in the flood plain on Lot 2 on PS 424148C downstream of the site.
- A 20 metre drainage reserve connecting the site to the existing St Paul's wetland.
- Minor alterations to the existing St Paul's wetland.

The drainage strategy requires 6.69ha of land on the site for drainage purposes.

As development of 240 Cross' Road occurs stormwater will be conveyed through 45, 60 and 65 Ashworth Drive. The existing drainage channels through these properties perform well during normal and higher flow events and will continue to do so once upstream land is fully developed. It is recommended that disturbance of these drainage channels is avoided as this can lead to erosion.

Figure 6 shows a section of land for drainage purposes traversing land at 110 Cross' Road owned by Gippsland Water. An existing easement for drainage purposes in favour of Council (as drainage authority) is in place and shown on Lot 13 in LP126409. Council and Gippsland Water have agreed this land will not be set aside in a reserve or vested in Council.

Properties on the east side of Ashworth Drive are periodically impacted by stormwater flows from upstream catchments, generally south of Cross' Road. Council will work with land owners to reduce the impact on these properties during and after rainfall events.

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6.2 Development guidelines

- Drainage reserves as shown on the Plan should be shown on planning permit applications.
- Drainage reserves should be transferred to Council as responsible authority at subdivision stage.
- Land required to accommodate a wetland on Lot 2 on PS 424148C should be within a reserve vested to Council to the satisfaction of Council.
- A Waterway Management Plan is required to demonstrate the protection of waterways and minimise maintenance.

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Figure 6: Drainage Strategy

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Cross' Road, Traralgon - Road Cross Sections

Scale A3 2 0 2 4 0
1:200
Lengths are in metres

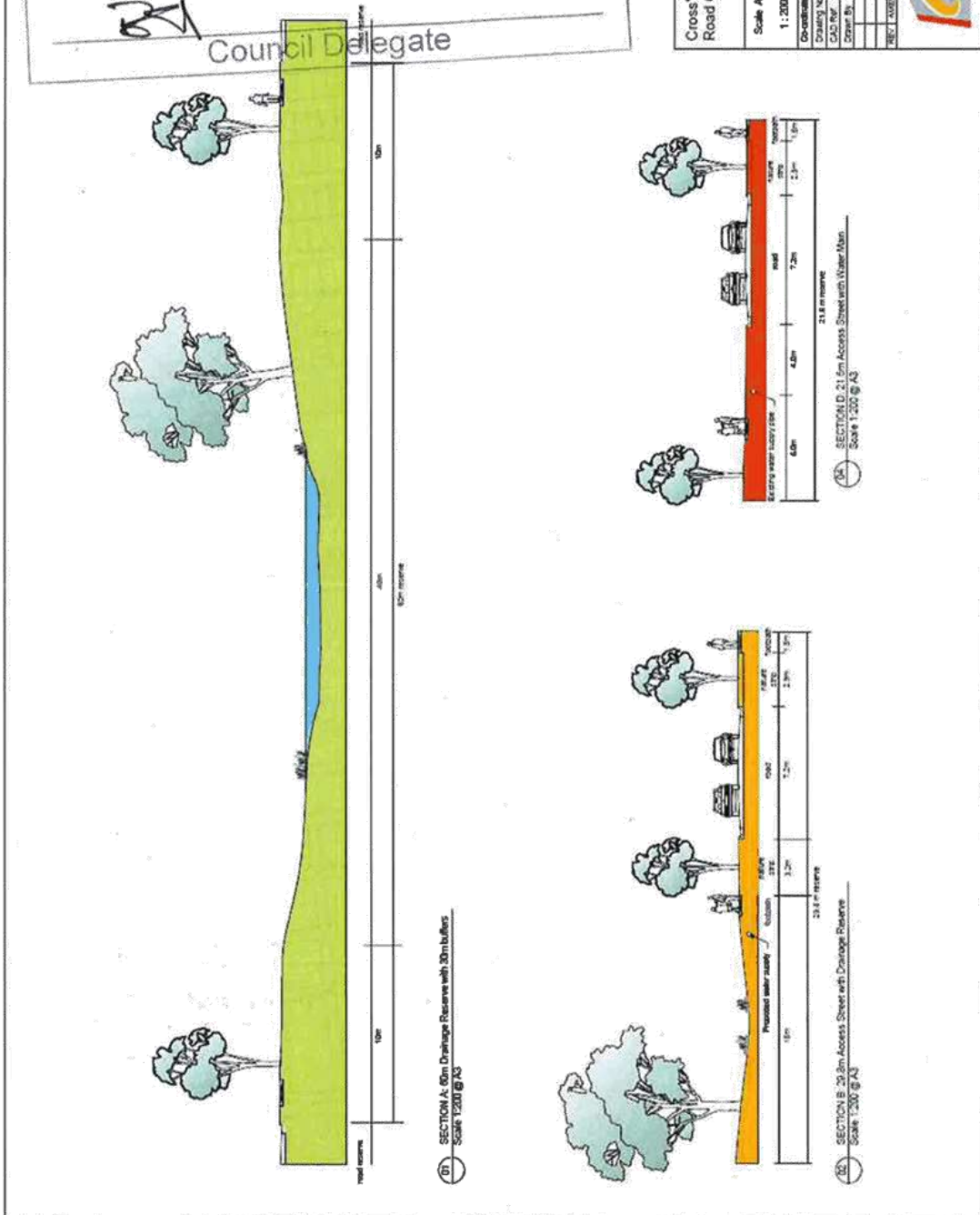
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Drawn By: JF | Checked By: DD | Date: 31.08.12

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Figure 7: Drainage and road cross sections (Note: Section D below relates to Section 9 and Figure 9)



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7 Open Space

The site has strong natural and man-made features which have determined the configuration of the open space network for the site shown in Figure 8. These include:

- Designated drainage lines
- Water main easement (future reserve)
- Remnant River Red Gum trees
- Locations where water main easement and electricity easement converge

Within in the open space network, continuous open spaces are proposed along drainage lines and two local parks in the north west and south east of the site. An expanded green streetscape is proposed along the water main easement (future reserve), containing a linear trail with a shared path connecting local parks on each side of the proposed community (Figure 7, Section D). A green link path is provided within all sections of the open space network.

A further local park is provided in the south west corner of the Plan area where homes are not within 500m walking distance of the open space network. With this park, all homes are within 500m walking distance of public open space.

Figure 8 nominates five open spaces nodes across the Plan area within the open space network. These nodes provide a suitable location for community facilities such as playgrounds, barbeques, shelters and seating.

Public open spaces are adjoined by local streets to activate the spaces and provide passive surveillance. The exception is along the southern boundary of the water main easement (future reserve) where driveways are not permitted to cross the water main pipe. Here, semi-transparent boundary fences will adjoin the green streetscape. To manage a section of this interface an integrated housing site is proposed on 240 Cross' Road.

Gippsland Water has confirmed the raw water main within the expanded green streetscape will be duplicated in the future, and the 10m wide easement (future reserve) shown in Figure 7, Section D is sufficient for the existing and duplicated asset.

7.1 Open space contribution

At subdivision stage each property is required to provide a public open space contribution of 5%. The contribution can be made as land or cash or a combination of land and cash. The open space network is shown in Figures 7 and 8 and planning permits should set aside land as public open space generally in accordance with the plans.

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Table 2 provides a property specific land budget for all properties in the site. It shows the public open space contribution to be set aside as land on each property. Where the land contribution is less than 5% a cash contribution for the balance amount up to 5% must be paid to Council at subdivision stage.

Cash contributions collected by Council will be used to embellish public open spaces in accordance with Council's funding priorities as outlined in Council's Open Space Strategy.

The open space network includes encumbered and unencumbered land. Council will not credit encumbered land towards the 5% public open space contribution.

7.2 Development guidelines

- Any variation to the provision of public open space must be approved by, and is at the discretion of, Council having regard to the objective of the Plan.
- All parks and drainage reserves must be transferred to Council at subdivision stage.
- Fencing around the perimeter of open spaces should be discouraged to maximise surveillance of spaces.
- Where private lots adjoin public open spaces and drainage reserves boundary fencing should be semi-transparent to encourage surveillance of public spaces and interaction between private and public areas.

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8 Biodiversity and Landscape

An ecological assessment was undertaken by CPG to inform the Plan. The report is located in Attachment 2.

8.1 Flora

The key findings are described below.

- It is unlikely the site contains significant habitat for threatened species due to intensive historic land uses (heavily grazed and fertilized), high density of weeds (pasture grasses) and the level of soil disturbance caused by cattle grazing.
- Native vegetation associated with Wades Creek, below the dam on 240 Cross' Road, is a remnant patch of native vegetation despite its low species richness, low floristic and structural diversity and high density of weeds.
- Two scattered trees (River Red Gums) were recorded within the site.
- The vegetation prior to settlement was EVC 53 – Swamp Scrub. However, the historic land use including grazing, pasture improvement and more regular and concentrated inundation, has considerably altered the vegetation quality of this area. It is considered that EVC 53 - Swamp Scrub on the site is now extinct and has been replaced by a relatively new community of exotic plants.
- Under the Native Vegetation Framework, the West Gippsland Vegetation Plan and the Latrobe Planning Scheme the site is a disturbed area, and as such, the principles of net gain are not applicable.

Recommendations of the assessment include:

- The conservation values of the remnant Swamp Scrub below the dam could be greatly improved by supplementary revegetation and intensive weed control.
- The removal of the low lying, shallow saturated area in 240 Cross' Road immediately north of the piped drainage outfall under Cross' Road is not considered to significantly reduce the biodiversity values of the site particularly if it is replaced by an on site stormwater management system.
- The incorporation of the waterway and Wades Creek into such a water treatment facility which includes extensive revegetation would greatly improve the contribution the site makes to sustainable biodiversity conservation.

The alignment of a potential north south access street in the north east corner of 240 Cross' Road is shown crossing the western drainage reserve which includes an area of emergent EVC 53 – Swamp Scrub along the existing waterway. The potential suitability of the alignment of the access street in this location should be examined in the planning permit stage in consultation between Council, DSE and the permit applicant.

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8.2 Fauna

The key findings are described below.

- The assessment identified it is unlikely the subject land contains significant habitat for threatened species. It is noted that the habitat in the dam on 240 Cross' Road may be suited to the breeding of the Growling Grass Frog (GGF). No frogs, other than the Common Froglet (*Crinia signifera*) were heard during the site assessment.
- The assessment also identified that Wades Creek may provide a marginal habitat for Dwarf Galaxias and, further downstream, the Australian Grayling. It is considered the current contribution Wades Creek makes to the sustainable conservation of both species of fish is marginal given the current quality of habitat.

Recommendations of the assessment include:

- An assessment of the waterway on the site for Dwarf Galaxias and Australian Grayling is not considered to be essential however, such an assessment is required by the DPO.
- There is potential for the GGF to utilise the marginal habitat of the dam on 240 Cross' Road. An assessment to determine the presence and significance of the site to the GGF should be carried out (October – November 2011). A survey was conducted in December 2011.

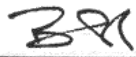
In December 2011 a targeted survey of GGF was undertaken and no GGF were recorded or seen on the site. Consequently it is considered unlikely that they inhabit the site. The water test results also support this conclusion. The report is located in Attachment 3.

8.3 Landscape

In addition to the open space network proposed in Section 7 landscape development will be supported by street tree planting as shown in the Concept Landscape Masterplan (Figure 8). A hierarchy of planting will be provided across the site and an indicative planting schedule for street trees, riparian planting areas and open space planting is provided in Attachment 3.

Within the hierarchy, signature planting is proposed along access streets with different plantings schemes proposed along access places and lanes and within public open spaces.

Figure 8 shows five open space nodes within the open space network. Playgrounds and other community recreational infrastructure such as barbeques and shelters are nominated within three of the park nodes in Figure 8. These nodes as well as the drainage reserves are suitable locations for public art and community events.

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8.4 Cultural heritage

An Aboriginal and Historical Heritage Assessment provided in Attachment 4 was undertaken by Ecology and Heritage Partners and informed development of Plan. The assessment included desktop research and site survey. It found no Aboriginal or historical sites on the site.

One Aboriginal place was located in the north east corner of 240 Cross' Road consisting of stone artefacts which triggers the need for a complex Cultural Heritage Management Plan (CHMP). The CHMP should target areas of cultural heritage sensitivity located along the ridgeline of the site.

8.5 Development guidelines

- A landscape masterplan must be submitted with planning permit applications to subdivide land.
- Streetscapes and public open spaces must be planted with species from the planting schedule in Attachment 5.
- Revegetation and intensive weed control in the remnant patch of native vegetation below the dam in the western drainage reserve should be undertaken to improve conservation values.
- A CHMP should be prepared for 240 Cross' Road targeting land along the northern ridgeline.
- A management plan should be provided in the event that Growling Grass Frog or Dwarf Galaxias are detected on site following commencement of works.





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9 Access and movement

The movement network is planned around paths in the open space network and a distorted grid street network to provide legible connections in a highly permeable street network within the site. Figure 9 shows the street hierarchy and internal and external active path network.

9.1 Pedestrian pathways

Figure 9 shows shared paths through the open space network including a shared path within the green streetscape of the water main street. Off road paths within drainage reserves should be constructed on both sides of the waterway.

A footpath is provided on the north side of Cross' Road and will be accommodated within a widening of the existing road reserve. A footpath is also provided within the existing Tyers Road reservation.

9.2 Public transport

Public transport in Traralgon is provided by Latrobe Valley Buses. There are currently eight designated bus routes of which Route 1 Rangeview and Route 2 Freeman Park serve the north west of Traralgon. Neither of these routes travels near the site or along Cross' Road.

Consultation with the DOT and busline should be held to investigate an extension of service area to cater for residents on the site and in the adjoining Riverslea Estate and along Cross' Road. A potential bus route and indicative locations for bus stops are shown on the site in Figure 9.

The proposed street network has considered the potential for a future bus network through the site. Specifically, the access streets have been designed to allow for east to west bus travel through the site, in walkable proximity to most future residential lots.

9.3 Cross' Road widening

According with the requirements of Gippsland Water and Council, the reservation accommodating Cross' Road will be widened by 6.8m to accommodate:

- Appropriate offsets from the existing rising sewer main in the verge.
- Appropriate offsets from a future duplication of the rising sewer main,
- Appropriate offsets from new services required by future subdivision.
- A standard connector street cross section including parallel parking and street trees.

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9.4 Traffic volumes and intersections

A traffic impact assessment for the Plan has been prepared by SMEC and is located in Attachment 6. The assessment has been undertaken to determine the:

- Impact of development on adjoining streets/roads
- Intersection locations and treatments
- Internal road hierarchy

VicRoads advised that no access can be provided from the site to Tyers Rd. This requires all access to the site to come from Cross' Road. A street hierarchy has been established where the three connections into the site from Cross' Road are designated as access streets. The layout provides two key east-west routes within the site that integrate across the precinct.

Full development of the site will generate approximately 5,800 vehicle trips per day. The assessment shows:

- Impact of additional trips on the capacity of Cross' Road and Tyers Road is acceptable.
- Location of proposed access points onto Cross' Rd are suitable.
- Each of the three intersections on to Cross' Road should provide an auxiliary left turn and channelized right turn treatment.
- The Cross' Road reserve width needs localised widening by 2.4m to accommodate the proposed intersection treatments into 150 Tyers Road and 240 Cross' Road.

In summary, the layout, road hierarchy and intersection treatments to adjoining roads are considered acceptable.

9.5 East side of Ashworth Drive

Properties on the east side of Ashworth Drive are provided with independent access to Ashworth Drive via access places to enable development of their properties without reliance on other land owners.

9.6 Development guidelines

- Cross sections for the road types proposed in the road hierarchy for the site are to comply with Latrobe City Council requirements:

- o Connector Street, 20m
- o Access Street, 16-18m
- o Access Place, 16m
- o Access Lane, 3-8m

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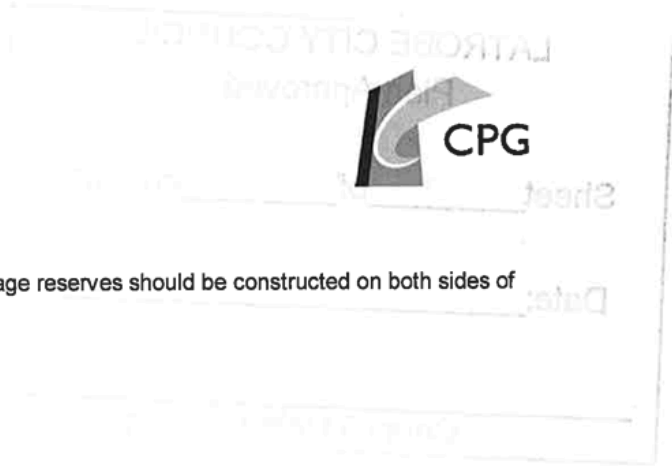
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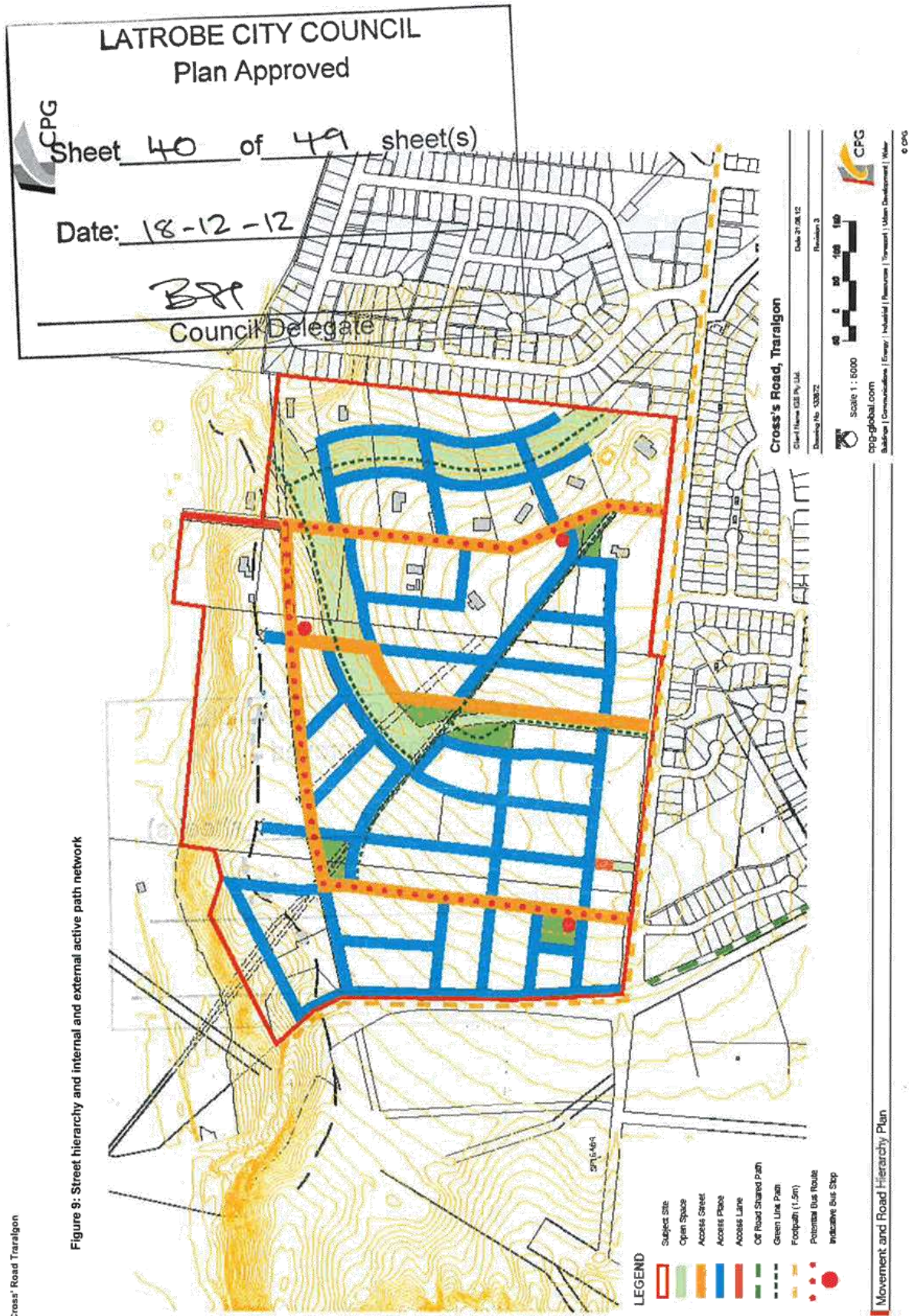
- Off road paths within drainage reserves should be constructed on both sides of the waterways.

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10 Infrastructure Services and Development Staging

10.1 Sewer

Land in Ashworth Drive requires rezoning to Residential 1 zone before conventional subdivision can occur. Land at 240 Cross' Road and 150 Tyers Road areas is zoned for subdivision and requires a sewer connection through Ashworth Drive properties to service new development.

It is proposed that a gravity fed sewer will be brought to the site from the existing network to the east of the site. Recommendations identified in Gippsland Water's review of the Traralgon sewer network are also to be considered once final.

There are two principal options:

- a) Upgrade the existing sewer pump station in Riverslea Estate with gravity sewer to site; or
- b) Construct a new sewer pump station with gravity sewer and rising main.

The preferred option is *Option b*).

The rising main to 240 Cross' Road and 150 Tyers Road will be constructed along the low point in the western waterway through three properties in Ashworth Drive. Consent will be required from the affected land owners. The provisional route for the rising main is shown in the Shared Infrastructure Plan in Figure 10. It will connect to two existing sewer pump stations on the south side of Cross' Road.

The rising main will be a shared sewer to service the entire site and it will service land in Ashworth Drive if and when that is rezoned. Until such a time, the delivery of the rising main will be co-ordinated by the land owners of 150 Tyers Road and 240 Cross' Road. The staging of access to the rising main for each of these properties will be agreed between land owners.

10.2 Sewer on large lots

Due to the steep slope on land north of the ridgeline designated as "large lot" on 240 Cross' Road and 75 Ashworth Drive it is not feasible to provide reticulated sewerage to this part of the site. In addition, this part of 240 Cross' Road will continue to operate as a dairying property for the foreseeable future. All land south of the ridgeline, designated as standard lots, will have access to reticulated sewerage. Therefore it is not considered necessary for a land capability assessment to be undertaken on this part of the site.

The Plan requires all large lots on 240 Cross' Road and 75 Ashworth Drive to have a minimum area of 10,000m² and require a land capability assessment with a planning permit application consistent with the EPA Code of Practice - Onsite Wastewater Management.

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The Plan also shows large lots on land generally north of the ridgeline on 150 Tyers Road with an average size of 2,500m². The size of these lots is not likely to be sufficient to sustainably treat and contain all wastewater on site as above. Therefore the developer will be required to use low pressure pump systems on large lots on 150 Tyers Road to connect these lots to the reticulated sewerage system to be built south of the ridgeline on the property. This will negate the need for on-site treatment of wastewater and also the need for a land capability assessment.

The suitability of low pressure pump systems will be assessed by Gippsland Water during the planning permit application process. In the event that use of a low pressure pump system is not supported and land designated as large lots on 150 Tyers Road cannot be connected to reticulated sewer, subdivision of this land will be required to provide lots with a minimum area determined by a land capability assessment prepared to the satisfaction of the EPA and Council.

10.3 Drainage

As described in Section 6, an integrated stormwater management strategy is proposed for the entire site. Development of 240 Cross' Road and 150 Tyers Road requires conveyance of stormwater through three properties in Ashworth Drive. The extent of stormwater to be conveyed through these properties does not warrant on-site retardation.

The eastern and western drainage reserves will be shared infrastructure servicing multiple properties within the site. Each drainage reserve can be built progressively to the satisfaction of Council, and their delivery will be co-ordinated by the land owners of the corresponding catchments.

The treatment of stormwater from the entire site will occur downstream in a wetland to be constructed on Lot 2 in PS424148C. Prior to construction of the wetland, interim stormwater treatment works should be constructed on-site to the satisfaction of Council.

10.4 Electricity, gas and telecoms

These services are available adjacent to the site and connections will be provided with the initial stage of development.

SP AusNet has advised that the existing 66KV electricity line traversing the northern part of the site must be retained within an easement. The Plan proposes to retain the electricity line within an expanded nature strip in a road reserve. SP AusNet advised that the easement may be entirely within the future road reserve or may partially overlap private lots adjacent to the road reserve.

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10.5 Development staging

Properties in Ashworth Drive require rezoning to Residential 1 Zone to enable conventional subdivision, therefore initial development of the site will occur on 240 Cross' Road and 150 Tyers Road.

Given the route of the rising sewer main along the western drainage reserve, 240 Cross' Road will be serviced by sewer before 150 Tyers Road. The initial development front is likely to be on Cross' Road in the south east corner of 240 Cross' Road. The development front is likely to progress west along Cross' Road towards Tyers Road as the western leg of the rising sewer main is developed.

Development staging is not fixed and development of land in the south west corner of the site can be brought forward with early delivery of the western leg of the rising sewer main and shared drainage infrastructure. The delivery of shared sewer and drainage infrastructure will be mutually agreed between land owners.

10.6 Infrastructure requirements

Development will require a range of infrastructure projects to be delivered in the Plan area. An outline of these projects is provided in Table 5.

Table 5: Infrastructure projects

Project	Timing	Responsibility
Cross' Road widening (land and urbanisation of rural verge)	Subdivision stage	Land owners to vest land for widening in Council in Plans of Subdivision and construct kerb and channel
Temporary stormwater treatment	Required on a staged basis prior to a Statement of Compliance for each stage	Land owners
Footpath between Rostrevor Close and Wirilda Crescent on south side of Cross' Road	At Council's discretion	Council
Footpath on north side of Cross' Road adjacent to Plan area	Required on a staged basis for stages with frontage to Cross' Road prior to a Statement of Compliance for each stage	Land owners

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Intersections into 150 Tyers Road and 240 Cross' Road	Required on a staged basis for stages containing intersections with Cross' Road prior to a Statement of Compliance for each stage	Land owners
Drainage reserves with paths on both sides of waterways	In accordance with a site stormwater management plan to the satisfaction of Council	Land owners
Rising sewer main	As agreed between land owners in cost sharing agreement	Land owners

Have regard to additional stormwater likely to be generated by development of land in the Plan area and in existing upstream catchments, temporary retardation of stormwater on lots on the east side of Ashworth Drive is not recommended as discussed in Section 6.1.

The Traffic Impact Assessment (Appendix 6) does not recommend an upgrade to the intersection of Tyers Road and Cross' Road as a result of additional traffic generated by development in the Plan area.

10.7 Development guidelines

- All lots within the Plan area, unless greater than 10,000m² in area, must be connected to reticulated sewerage. A planning permit application to subdivide land at 240 Cross' Road and 75 Ashworth Drive into large lots must be accompanied by a land capability assessment to the satisfaction of the EPA and Council.
- Large lots created on 150 Tyers Road must be connected to reticulated sewerage via the use of low pressure pump systems approved by Gippsland Water at the time of a planning permit application. In the event that use of low pressure pump systems is not supported by Gippsland Water and land designated as large lots on 150 Tyers Road cannot be connected to reticulated sewer, subdivision of the land must provide lots with a minimum area determined by a land capability assessment prepared to the satisfaction of the EPA and Council.

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Figure 10: Shared Infrastructure

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Cross's Road Development Plan – Implementation Plan

The Implementation Plan has been prepared to facilitate a co-ordinated development of the properties that are zoned residential in support of the approved Cross's Road Development Plan (dated August, 2012) (the 'Development Plan') and is intended to provide a consolidated list of requirements and implementation actions which are necessary to deliver the outcomes of the Development Plan.

This Implementation Plan has been prepared in accordance with Development Plan Overlay Schedule 5 of the Latrobe Planning Scheme and the approved Development Plan. Once endorsed, it is expected that the Implementation Plan will form part of the approved Development Plan and all development occurring within the Cross' Road Precinct (the 'Precinct') must be carried out in accordance with this Plan.

Development Sequencing Plan


While staging will largely be determined by the development program of landholders, sequencing has been established in the Implementation Plan to reflect the key landholdings in the precinct and allow for co-ordination of key requirements that will enable the vision of the Development Plan to be achieved.

The Implementation Plan (attached) identifies that development will generally occur in three 'Area' phases. Each Area may commence development independently of one another, however delivery of shared infrastructure and zoning will largely determine the logical progression of development through the Precinct. Areas are further broken down into stages to indicate the potential infrastructure progression within each individual area.

Implementation Projects and Actions

Section 10 (Infrastructure Services and Development Staging) of the Development Plan identifies a number of requirements and implementation actions which are required to realise the outcomes of the Plan. These projects and actions are summarised in the Implementation Plan along with specific timing requirements to ensure co-ordinated delivery of projects is achieved.

The Implementation Plan submitted to Council is intended to provide Council with clarity and understanding of how development across the Cross' Road Precinct will be realised. In doing so, the Plan will establish a framework for development sequencing and the provision of efficient and logical infrastructure through the Precinct.

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Plan originally prepared by CPG

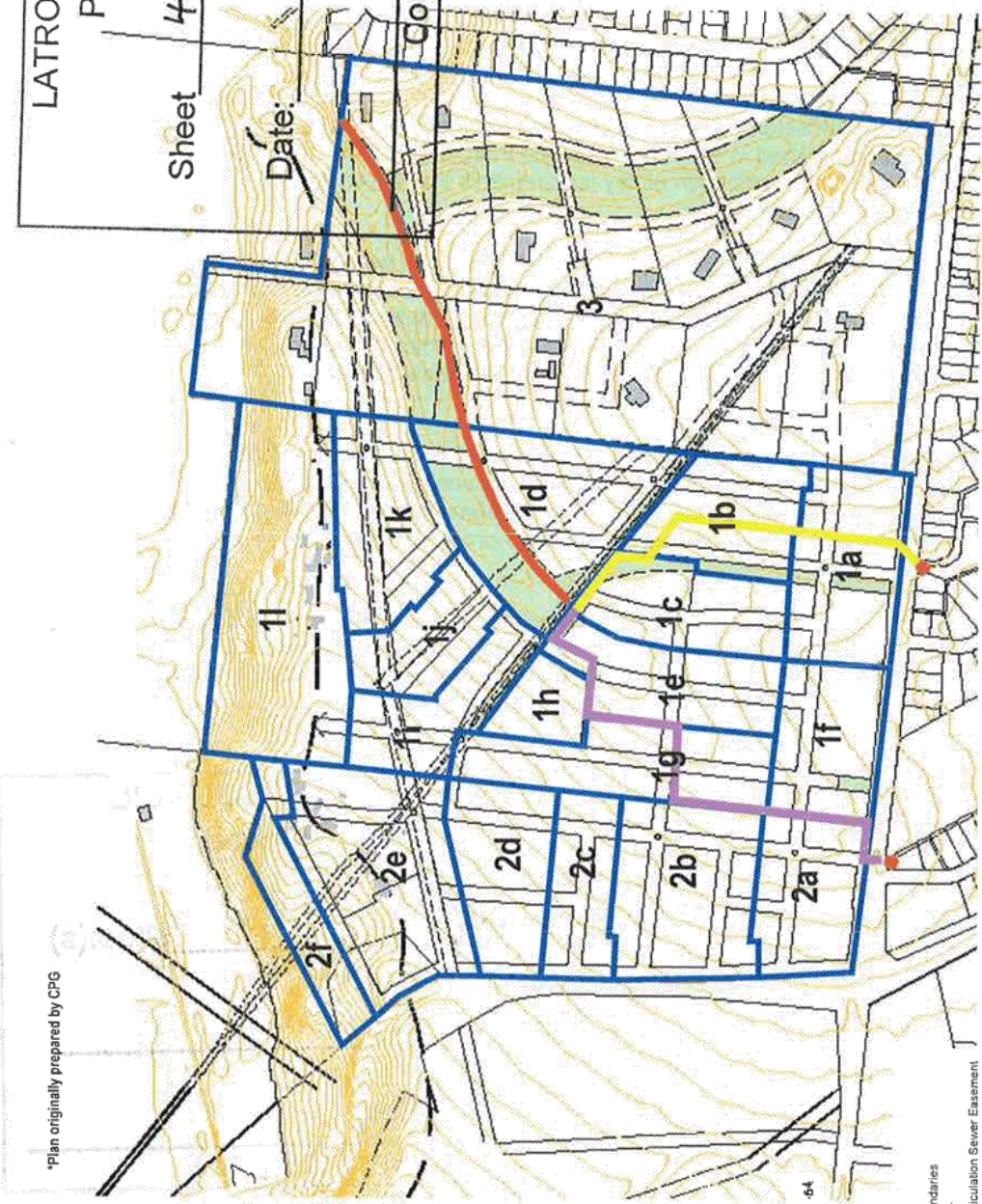


Table - Cross' Road Development Plan Implementation Projects

Project	Timing	Implementation	Responsibility
Construction of trunk sewer main	At issue of title for the first stage of subdivision of 240 Cross's Road, Traralgon	Condition on planning permit	Relevant land owners
Registration of western reticulation sewer easement	At issue of title for the first stage of subdivision of 240 Cross's Road, Traralgon to the trunk sewer main	Condition on Road Planning Permit	Relevant land owners
Cross's Road (unsealed verge)	Prior to issue of planning permit for the first stage of subdivision of 240 Cross's Road, Traralgon (area 1a, 1i and 1j)	Condition on planning permit	Land owners to vest land in Council; Plans of Subdivision and construct, pave and channel
Temporary stormwater treatment	Required on a staged basis prior to a Statement of Compliance for areas 1a, 1i and 1j	Condition on planning permit	Relevant land owners
Footpath between 11/12 and 11/13a Cross's Road on south side of Cross's Road	Prior to issue of the Statement of Compliance for areas 1a, 1i and 1j	Condition on planning permit	Relevant land owners
Intersection 1150 Tyers Road	Prior to issue of the Statement of Compliance for area 2a	Condition on planning permit	Relevant land owners



Implementation Plan
Cross Road, Traralgon

rel: 34209949
date: 3 Dec 2012
drawn: DMUC
checked: WIG

Elaborator note:
This plan is based on preliminary information only and may be subject to change as a result of formal Council/Adviser discussions and consultation by parties.



Table – Cross's Road Development Plan Implementation Projects

Requirement	Timing	Implementation	Responsibility
Construction of trunk sewer main	At issue of titles for the first stage of the subdivision of 240 Cross's Road, Traralgon	Condition on planning permit	Relevant land owners
Registration of western reticulation sewer easement connecting 150 Tyers Road, Traralgon to the trunk sewer main	At issue of titles for the first stage of subdivision of 240 Cross's Road, Traralgon	Condition on 240 Cross's Road Planning Permit	Relevant land owners
Cross's Road widening (land and urbanisation of rural verge)	Prior to issue of the relevant Statement of Compliance for areas 1a, 1f and 2a	Condition on planning permit	Land owners to vest land for widening in Council Plans of Subdivision and construct kerb and channel
Temporary stormwater treatment	Required on a staged basis prior to a Statement of Compliance for each area	Condition on planning permit	Relevant land owners
Footpath between Rostrevor Close and Wirilda Crescent on south side of Cross's Road	At Council's discretion	N/A	Council
Footpath on north side of Cross's Road adjacent to Plan area	Prior to issue of the relevant Statement of Compliance for areas 1a, 1f and 2a	Condition on planning permit	Relevant land owners
Intersection into 240 Cross's Road	Prior to issue of Statement of Compliance for areas 1a	Condition on planning permit	Relevant land owners
Intersection into 150 Tyers Road	Prior to issue of Statement of Compliance for areas 2a	Condition on planning permit	Relevant land owners

LATROBE CITY COUNCIL
Plan Approved

Sheet 49 of 49 sheet(s)

Date: 18-12-12



Council Delegate



Cross's Road Traralgon
Development Plan
Drainage Strategy

10 November 2011

CPG

Cross' Road Development Plan
Drainage Strategy

This report has been prepared from the office of CPG
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Acknowledgements and Recognition

Latrobe City Council
West Gippsland Catchment Management Authority
Colin Stockdale (Downstream landowner)

Issue Date	Revision No	Author	Checked	Approved
10/11/2011	A (Draft / Client Review)	John Koehler	Jonathon McLean / Travis Reid	Jonathon McLean

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**Cross' Road Development Plan
Drainage Strategy**

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1 Introduction

CPG has been engaged by IGB Pty Ltd to formulate a drainage strategy for the Cross' Road Traralgon Development Plan.

– Figure 1.0 Preliminary Development Plan



The development plan is bound by Cross's Road to the south, Riverslea Estate to the east, Tyers Road to the west and Latrobe River flood plain to the north.

This drainage strategy responds to the development plan area in a holistic manner and considers both conveyance and water quality objectives.

2 Site Characteristics

The topography of the site is undulating with grades typically in the order of 1 in 10 to 1 in 100. The site falls generally from south to north.

Two designated waterways traverse the proposed development site on route to the Latrobe River. The subject site is divided into three distinct sub-catchments.



3 Objectives

The Development Plan has been based upon WSUD principles and the stormwater management strategy has considered the two main issues and impacts relating to:

- Stormwater quantity
- Stormwater quality

3.1 Methodology

The drainage strategy was formulated by undertaking the following work:

- Desktop catchment analysis based on GIS and contour information supplied by Latrobe City Council.
- Site Visit (conducted during a rainfall event, to confirm desktop catchment analysis).
- Creation of a hydrologic model (a RORB model calibrated to Rational Flows)
- Creation of a hydraulic model (HECRAS)
- Creation of a stormwater quality model (MUSIC)
- Meetings and discussions with various stakeholders (eg Latrobe City Council (LCC), West Gippsland Catchment Management Authority (WGCMA), Colin Stockdale (adjacent landowner), land owners in Ashworth Drive
- Consideration of the above to determine conveyance and water quality treatment requirements and locations in a holistic manner for the development plan.

4 Catchment Analysis / Site Visit – Stormwater Quantity

A desktop catchment analysis was undertaken based on GIS and contour information provided by Latrobe City Council. This assessment was supplemented with a site visit to confirm the catchment extent and boundary conditions (refer to plan 133872D01 in appendix 1.0.)

An overall catchment area of 434.6 hectares outfalls to the Latrobe River, of which the development plan contributes 16% (69.8 ha).

4.1 Hydrologic Model

A hydrologic RORB model was produced to estimate runoff generated by the catchment. This RORB model was calibrated to the rational method as it is an ungauged catchment.

The calibration process has not been provided in this report.



4.2 Overall Catchment

Plan 133872D02 in appendix 2.0. shows the location of runoff estimated for the development plan provided in table 1.0 below.

– Table 1 Runoff Estimates for the Development Plan

Location	Pre Development Runoff (m ³ /s)	Post Development Runoff (m ³ /s)	% Increase
A	4.3	4.5	4.6
B	13.5	13.5	0
C	16.0	16.2	1.3
D	19.2	20.0	4.2
E	19.6	20.8	6.1
F	16.4	17.4	6.1
G	36.6	38.0	3.8

The difference between pre and post development runoff magnitudes is minimal, this makes logical sense as the development plan area is at the outlet of the catchment.

As a result CPG recommends that retardation is not required as part of the development plan (other than to meet downstream land owner expectations, Colin Stockdale).

4.3 Stormwater Conveyance

External runoff entering at point A will be conveyed via road reserves and under ground pipe drainage to the start of the drainage reserve at point D.

External runoff entering at point B will be conveyed via road, open channel and under ground pipe drainage to the start of the drainage reserve at point D.

Runoff from point D to G will be accommodated by a drainage reserve.

External and Internal runoff from C to G will be accommodated by a drainage reserve.

Runoff generated by the internal development will be conveyed to the drainage reserves via road reserves and underground drainage.



The design approach is for the under ground drainage to be design to convey the 1 in 5 year ARI storm events with the remainder of flow up to the 1 in 100 year ARI event been conveyed via road reserve, channel and or drainage reserve.

4.4 **Hydraulic Model (or incorporate under the relevant catchment above)**

A hydraulic HEC-RAS model was produced for the main drainage lines shown in the RORB catchment plan to estimate the extent of inundation caused throughout the development plan area for post development conditions.

A plan with extent of inundation 133872D03 can be found in appendix 3.0.

This modelling was used to confirm drainage reserve boundary extents and facilitate discussions with land owners within the development plan. The inundation plan showed that the flood extent was contained within the 60m width required by the WGCMA associated with a designated waterway.

The model was utilised to estimate the change in flood level between pre and post development scenarios for the properties in Ashworth Drive. The modelling between pre and post development flows in Ashworth drive showed an increase in flood level of between 10 to 30mm which could be described as minimal. The results from this analysis can be found in appendix 4.0.

It is intended to re establish the drainage reserve to imitate a natural waterway, this may required the incorporation of rock and riffle structures at key locations to provide grade and scour control.



5 Stormwater Quality

A "masterplan" treatment strategy has been prepared for the development plan based on meeting the best practice pollutant reduction targets, namely:

- 80% removal of total Suspended Solids
- 45% removal of total Nitrogen
- 45% removal of total Phosphorus

The water quality treatment train considers the proposed Development Plan as one entity. That is the objective is to meet the overall pollutant reduction targets prior to discharge to the Latrobe River.

A MUSIC (Model for Urban Stormwater Improvement Conceptualisation) modelling approach has been used to establish the proposed treatment train strategy. The model estimates the amount of pollutants the catchment produces, the performance of treatment measures and the pollutant load generated once the catchment is treated.

The proposed stormwater quality strategy is based on the use of a wetland treatment system. To meet the minimum stormwater quality requirements a 0.94 hectare wetland system is required.

This wetland consists of:

- 1200m² sedimentation pond.
- 8500m² of emergent aquatic macrophyte plants, with a 400mm extended detention depth.

This wetland is proposed to be located within the floodplain on Colin Stockdale's land.



6 Stakeholder Negotiations

6.1 Latrobe City Council

Meetings with Latrobe City Council to date have involved obtaining desktop GIS data and high level discussions around a possible drainage strategy.

6.2 West Gippsland Catchment Management Authority

Meetings with West Gippsland Catchment Management Authority have involved discussions relating to:

- Pre development conditions, predominantly around residents concerns in Ashworth Drive, and Colin Stockdales concerns with regard to utilising his and leased land within the flood plain.
- Designated drainage line requirements.
- The possibility of a wetland retarding basin facility been located on Colin Stockdales property within the flood plain with a corridor linking it to the existing St Pauls wetland to address Colin's concerns.
- The possibility of reducing the width of a section of designated waterway within the development plan area.
- The possibility of incorporating a low flow pipe within the drainage reserves such that low flow rain fall events that contain the majority of pollutants can be conveyed to the wetland, hence possibly addressing residents concerns in Ashworth Drive.
- WGCMA requirements pertaining to "net no change or zero afflux modelled", or in short that the upstream development must retard flows back to predevelopment levels and demonstrate via hydrologic and hydraulic models.
- WGCMA requirements relating to water quality requirements.
- WGCMA aspirations for the designated drainage lines.
- How the Latrobe River flood plain operates.

CPG's understanding of the WGCMA's current position is:

- The WGCMA would be in favour of a wetland / retarding basin linked to the St Pauls wetland being located on Colin Stockdales property within the flood plain subject to land owner written agreements, and that flood plain storage is maintained.
- The WGCMA require a 30m offset from designated drainage line on both sides (60m drainage reserve).
- The WGCMA would negate the zero afflux modelled requirements for the development plan for flows entering the flood plain if and only written agreement from effected land owners within Ashworth drives (who are within the Development Plan) can be provided.
- The WGCMA will require water quality treatment in accordance with Clause 56 for the development plan.
- The WGCMA would like to see the designated drainage line revegetated.



- The WGCMA may consider reducing the width of a section of designated waterway if an offset downstream which can enhance waterway objectives can be found. There was mention of a 150% offset; however this conversation was not taken further.
- The WGCMA would not be in support of a low flow pipe within the drainage reserve.

At the time of writing this report CPG is in the process of obtaining Lidar information from the WGCMA for the flood plain.

6.3 Colin Stockdale

Colin Stockdale's concerns relate to his ability to utilise the land within the floodplain for cattle grazing.

A site visit was carried out after a rainfall event, which demonstrated Colin's concerns. The visual conclusion of the site visit was that the St Pauls wetland, when operating at extended detention depth, appeared to be causing at least localised flooding of the land Colin is utilising for stock grazing.

Lidar information from the WGCMA will hopefully enable this to be reviewed.

6.4 Ashworth Drive Landowners

Anecdotal information would suggest that the main concerns that the Ashworth Drive landowners have are:

- The rubbish and sediment load conveyed through their properties during a rainfall event.
- The frequent inundation of their property.

A low flow pipe would enable the majority of rainfall events and rubbish and sediment to bypass the Ashworth Drive resident's land, whilst also directing all the pollutants to one location for ongoing maintenance.



7 Historic / Financial Obligations

The Cross' Road Traralgon Development Plan has to convey drainage flows from the existing upstream catchment; the historic and financial obligations of this are discussed in this section.

7.1 Stormwater Conveyance

Development upstream of the Cross' Road Traralgon Development Plan has historically occurred without the need for onsite storm water detention and or storm water quality treatment.

As such increased drainage flow in (magnitude and volume) along with an increase in storm water pollutant load (litter and sediment) has been experienced by the downstream properties. This has no doubt altered the waterway characteristics of the downstream properties overtime. How this relates to the designation of the waterways by the WGCMA is unknown or tested.

A 60m drainage reserve is required within the development plan to comply with WGCMA requirements. As the conveyance of the upstream and development plan flow can be contained within this reserve no obligation for conveyance can be contributed to Council as the drainage authority.

There is however an argument that:

- A proportion of costs associated with providing an outfall for low flows through the Colin Stockdale land (land acquisition and construction cost) should be borne by Council.
- A portion of costs associated with the construction of the retarding basin to meet Colin Stockdale's needs should be borne by Council.
- A portion of costs associated with upgrading the culverts on Ashworth Drive if required should be borne by Council.
- A portion of the cost associated with providing a low flow pipe throughout the development plan if required should be borne by Council.

7.2 Stormwater Quality

The proposed wetland treatment facility will treat the development plan area only and as such the costs associated with wetland and land acquisition are to be borne wholly by the development plan.



8 Drainage Response to the Development Plan

The holistic drainage response to the development plan is based on:

- Conveying developed runoff through the development plan area to a wetland / retarding basin within the floodplain on Colin Stockdales land.
- The wetland in the flood plain being suitably sized to comply with Clause 56 of the Victorian Planning Provisions.
- The retarding basin, drainage corridor and modifications to the St Pauls wetland within the flood plain being sized to convey nuisance flows such that Colin Stockdales land can be managed better.
- Providing a 60m drainage reserve within the development plan to cater for designated waterways as per WGCMA requirements.
- Reducing the width of a section of designated waterway with approval from the WGCMA.
- The possible adoption of a low flow pipe within the drainage reserves.

To enable this to occur:

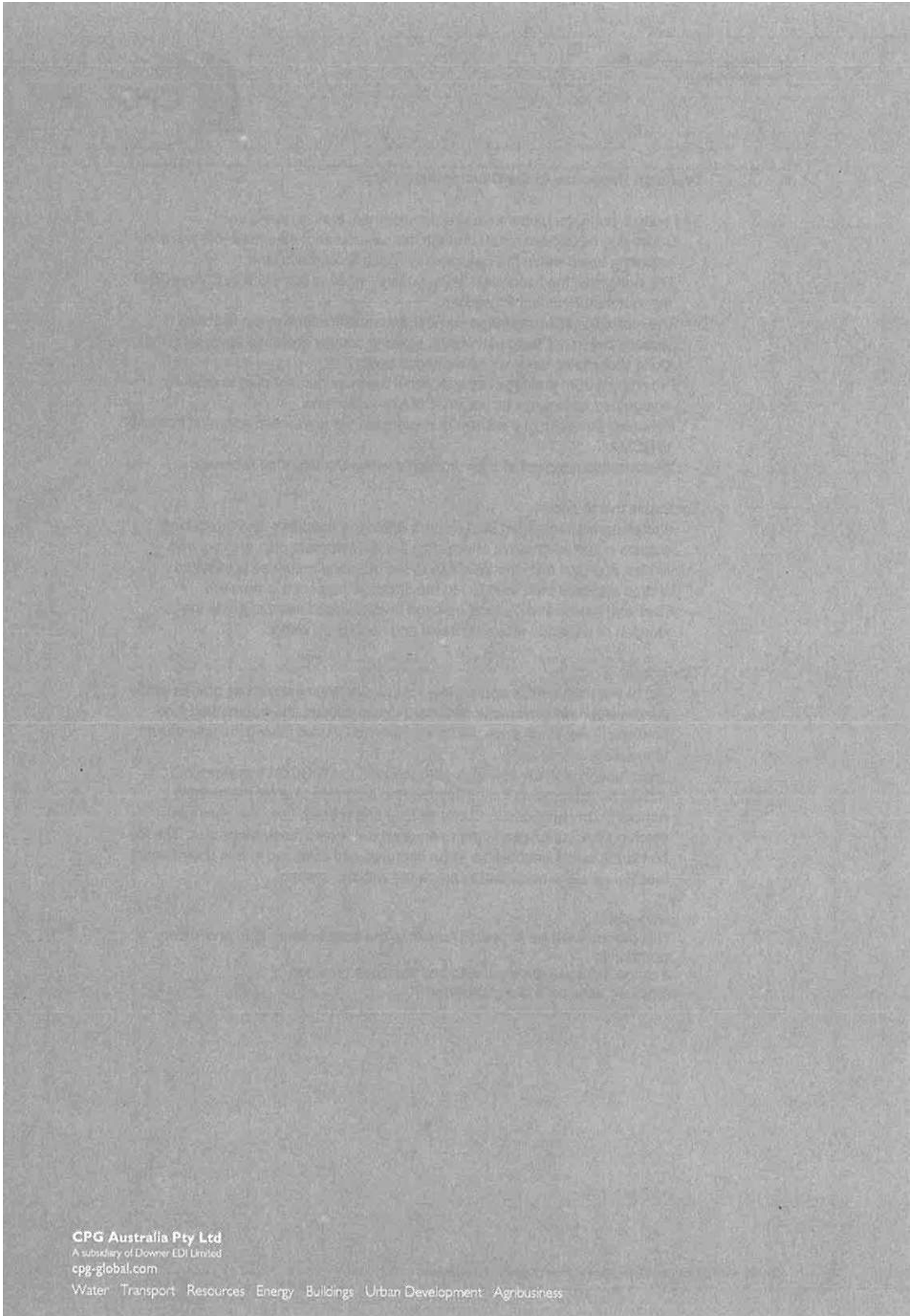
- Written agreements from land owners within the floodplain and those land owners in Ashworth drive affected by the development plan are required.
- Written approval from the WGCMA to the drainage response is required.
- Written approval from the LCC to the drainage response is required.
- Flora and Fauna and Cultural heritage investigations need to guide the location of wetland / retarding basin and flood plain works.

Comments:

- End of line treatment is appropriate for this development plan as grades within the development plan make treatment onsite difficult, the fragmented land holdings in Ashworth drive would also lead to Council having multiple assets to maintain.
- The adoption of a low flow pipe (although not the WGCMA's preference) should be explored as it may improve the amenity value for the existing Ashworth Drive residents. Currently litter and rubbish from the upstream catchment accumulates in the open drain that fronts these properties. The low flow drain would enable litter to be captured and collected in one downstream location as a pre-treatment to proposed wetland system.

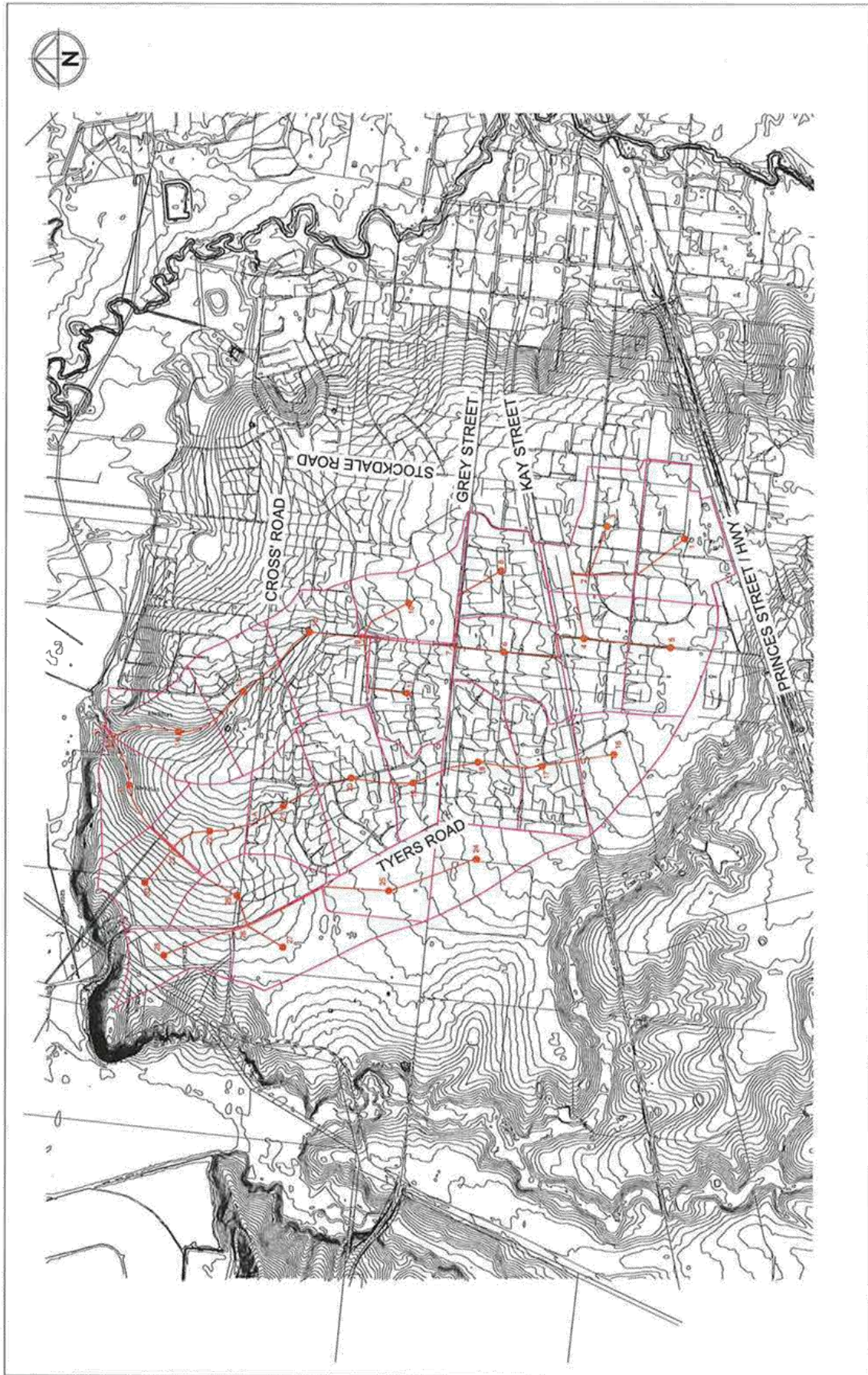
In conclusion:

- This proposal will be of overall benefit to the development plan and wider community.
- A range of issues are dealt with and solutions provided.
- A holistic solution is being provided.



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Water Transport Resources Energy Buildings Urban Development Agribusiness

Appendix 1



Designed	25/02/11
Drawn	TKA
Authorised	TKA
Map Reference	CPG A94 S5 02 03 05
Sheet Number	21 Albert Road South Melbourne View 2025, Aunabli 1 S1 3 002 788 F 61 3 002 788
Dwg Status	DRAFT

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 21 Albert Road South Melbourne View 2025, Aunabli 1 S1 3 002 788 F 61 3 002 788
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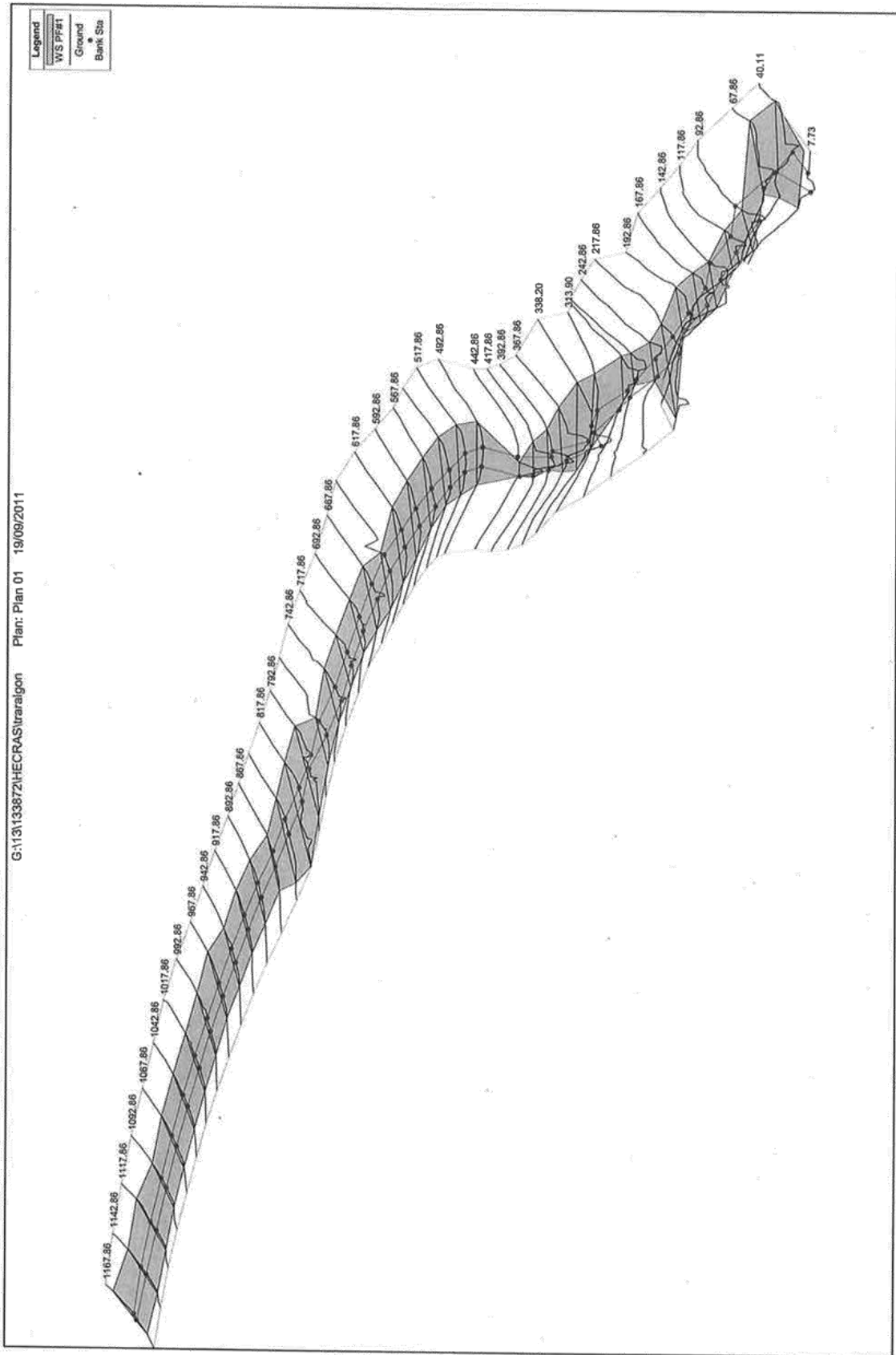
Cross' Road Teralgon
 Development Plan
 RORB Catchment Plan
 ICS Pty Ltd
 Latrobe City Council
 Rev A
 Dwg No. 132872001

Appendix 2

Appendix 3

Appendix 4





EXISTING CONDITIONS

JK 02/10/11

HEC-RAS Plan: Plan 01 River: main Reach: 8 Profile: PF#1

Reach	River Sta	Profile	Q Total (m3/s)	Min Ch El (m)	W.S. Elev (m)	Crit W.S. (m)	E.G. Elev (m)	E.G. Slope (m/m)	Vel Chnl (m/s)	Flow Area (m2)	Top Width (m)	Froude # Chl
8	1167.86	PF#1	4.50	40.60	40.69	40.84	40.91	0.010228	0.72	7.84	67.38	0.54
8	1142.86	PF#1	4.50	40.41	40.56	40.53	40.59	0.017420	0.74	6.42	59.04	0.66
8	1117.86	PF#1	4.50	40.08	40.22		40.24	0.010975	0.62	7.56	60.56	0.53
8	1092.86	PF#1	4.50	39.75	39.95		39.98	0.010988	0.75	6.67	46.50	0.56
8	1067.86	PF#1	4.50	39.50	39.69		39.71	0.010562	0.74	7.04	49.36	0.55
8	1042.86	PF#1	4.50	39.22	39.42		39.44	0.011303	0.76	6.84	48.64	0.57
8	1017.86	PF#1	4.50	38.94	39.15		39.18	0.010571	0.76	6.92	46.95	0.55
8	992.86	PF#1	4.50	38.71	38.93		38.95	0.008086	0.66	7.59	47.51	0.46
8	967.86	PF#1	4.50	38.50	38.71		38.73	0.009467	0.73	7.32	49.36	0.53
8	942.86	PF#1	4.50	38.26	38.49		38.51	0.009250	0.75	6.93	42.24	0.53
8	917.86	PF#1	4.50	37.96	38.23	38.18	38.26	0.011876	0.83	6.51	44.24	0.59
8	892.86	PF#1	4.50	37.77	38.01		38.03	0.007763	0.73	7.37	43.51	0.49
8	867.86	PF#1	4.50	37.38	37.61	37.61	37.67	0.035037	1.19	4.35	37.01	0.97
8	842.86	PF#1	4.50	37.20	37.68	37.31	37.59	0.00635	0.29	17.55	57.42	0.15
8	817.86	PF#1	4.50	36.89	37.57		37.58	0.000229	0.25	25.26	72.65	0.10
8	792.86	PF#1	19.61	36.73	37.47		37.52	0.008151	0.84	20.76	64.26	0.51
8	767.86	PF#1	19.61	36.42	37.13		37.24	0.015432	1.62	13.16	33.99	0.77
8	742.86	PF#1	19.61	35.74	36.87		36.96	0.008238	1.53	16.35	39.16	0.60
8	717.86	PF#1	19.61	35.62	36.69		36.76	0.007488	1.39	17.08	38.46	0.56
8	692.86	PF#1	19.61	35.61	36.38		36.50	0.015191	1.75	13.69	37.69	0.78
8	667.86	PF#1	19.61	34.90	36.21		36.27	0.005490	1.31	19.01	42.03	0.49
8	642.86	PF#1	19.61	35.44	35.96		36.06	0.013466	1.43	14.03	35.41	0.71
8	617.86	PF#1	19.61	35.16	35.73		35.80	0.007969	1.32	17.66	43.81	0.57
8	592.86	PF#1	19.61	34.82	35.54		35.61	0.007649	1.34	17.81	43.85	0.56
8	567.86	PF#1	19.61	34.63	35.26		35.36	0.013096	1.65	14.58	39.73	0.73
8	542.86	PF#1	19.61	34.40	35.00		35.09	0.008917	1.48	16.01	37.92	0.61
8	517.86	PF#1	19.61	34.16	34.79		34.87	0.006180	1.42	16.34	37.42	0.59
8	492.86	PF#1	19.61	33.87	34.39	34.37	34.55	0.022359	2.00	11.44	32.77	0.93
18	442.86	PF#1	36.60	31.16	31.50	33.01	33.48	0.019385	2.77	7.07	7.35	0.89
17	417.86	PF#1	36.60	31.23	31.57		33.17	0.005172	1.55	14.14	18.37	0.49
16	392.86	PF#1	36.60	30.81	31.25		33.05	0.004843	1.59	13.97	21.34	0.47
15	367.86	PF#1	36.60	30.65	31.00		32.97	0.000953	0.85	28.85	34.00	0.23
14	338.20	PF#1	36.60	30.12	30.74		32.95	0.000304	0.57	45.65	45.19	0.13
13	313.90	PF#1	36.60	32.32	32.65	32.76	32.91	0.026960	1.91	11.73	39.76	0.99
12	283.30	PF#1	36.60	31.04	31.35	31.15	31.53	0.006469	0.67	14.42	23.66	0.45
11	287.86	PF#1	36.60	30.92	31.22	31.10	31.37	0.020366	0.69	9.11	17.92	0.69
10	242.86	PF#1	36.60	30.29	30.66	30.66	30.67	0.018786	1.50	10.11	22.31	0.81
9	217.86	PF#1	36.60	29.43	30.70	30.14	30.71	0.000974	0.72	36.15	55.83	0.22
8	192.86	PF#1	36.60	29.16	30.35		30.59	0.016963	2.37	16.96	27.70	0.87
7	167.86	PF#1	36.60	28.61	30.06		30.24	0.010874	2.11	20.14	29.67	0.71
6	142.86	PF#1	36.60	28.44	28.53		30.01	0.006858	1.60	22.89	27.96	0.55
5	117.86	PF#1	36.60	27.92	28.52	29.41	29.72	0.019614	2.69	15.75	26.07	0.92
4	92.86	PF#1	36.60	27.32	28.55	29.03	29.28	0.014781	2.61	17.82	28.67	0.82
3	67.86	PF#1	36.60	27.15	28.50	28.47	28.72	0.038457	3.05	15.90	46.19	1.24
2	40.11	PF#1	36.60	26.91	28.55	27.96	28.30	0.007717	1.53	24.70	38.38	0.58
1	7.73	PF#1	36.60	26.45	28.53	27.63	27.81	0.017497	2.60	16.94	30.65	0.91

DEVELOPED CONDITIONS JK 02/10/11

HEC-RAS Plan: Plan 01 River: main Reach: B Profile: PF#1

Reach	River Sta	Profile	Q Total (m3/s)	Min Ch El (m)	W.S. Elev (m)	Crit W.S. (m)	E.G. Elev (m)	E.G. Slope (m/m)	Vel Chnl (m/s)	Flow Area (m2)	Top Width (m)	Froude # Chl
8	1167.86	PF#1	4.50	40.60	40.89	40.84	40.91	0.010228	0.72	7.84	67.38	0.54
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8	1117.86	PF#1	4.50	40.06	40.22		40.24	0.010975	0.62	7.56	60.56	0.53
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8	1067.86	PF#1	4.50	39.50	39.69		39.71	0.010562	0.74	7.04	49.38	0.55
8	1042.86	PF#1	4.50	39.22	39.42		39.44	0.011303	0.76	8.84	48.64	0.57
8	1017.86	PF#1	4.50	38.94	39.15		39.18	0.010571	0.76	8.92	46.95	0.55
8	992.86	PF#1	4.50	38.71	38.93		38.95	0.008066	0.66	7.59	47.51	0.48
8	967.86	PF#1	4.50	38.50	38.71		38.73	0.009467	0.73	7.32	49.36	0.53
8	942.86	PF#1	4.50	38.26	38.49		38.51	0.009250	0.75	6.93	42.24	0.53
8	917.86	PF#1	4.50	37.96	38.23	38.18	38.26	0.011876	0.83	6.51	44.24	0.59
8	892.86	PF#1	4.50	37.77	38.01		38.03	0.007763	0.73	7.37	43.51	0.49
8	867.86	PF#1	4.50	37.38	37.61	37.61	37.67	0.035037	1.19	4.35	37.01	0.97
8	842.86	PF#1	4.50	37.20	37.60	37.31	37.60	0.000553	0.27	18.39	58.18	0.14
8	817.86	PF#1	4.50	36.89	37.59		37.59	0.000201	0.23	26.40	72.93	0.09
8	792.86	PF#1	20.78	36.73	37.49		37.53	0.007889	0.84	21.87	65.50	0.50
8	767.86	PF#1	20.78	36.42	37.14		37.26	0.015367	1.65	13.71	34.43	0.77
8	742.86	PF#1	20.78	35.74	36.89		36.98	0.008224	1.55	17.06	39.77	0.60
8	717.86	PF#1	20.78	35.62	36.70		36.78	0.007681	1.43	17.71	39.00	0.56
8	692.86	PF#1	20.78	35.61	36.40		36.52	0.014897	1.77	14.35	38.50	0.77
8	667.86	PF#1	20.78	34.90	36.22		36.29	0.005526	1.33	19.79	42.70	0.49
8	642.86	PF#1	20.78	35.44	35.98		36.06	0.013535	1.46	14.55	35.71	0.72
8	617.86	PF#1	20.78	35.16	35.75		35.82	0.007967	1.35	18.37	44.31	0.57
8	592.86	PF#1	20.78	34.92	35.56		35.62	0.007866	1.36	18.52	44.33	0.57
8	567.86	PF#1	20.78	34.63	35.27		35.36	0.012921	1.67	15.24	40.23	0.73
8	542.86	PF#1	20.78	34.40	35.02		35.11	0.008923	1.51	16.65	38.40	0.62
8	517.86	PF#1	20.78	34.16	34.60		34.89	0.008576	1.47	16.73	37.65	0.60
8	492.86	PF#1	20.78	33.87	34.42	34.39	34.57	0.019678	1.96	12.44	33.55	0.89
18	442.86	PF#1	20.78	31.16	33.11	+0.0233.04	33.63	0.020763	2.89	7.20	7.47	0.93
17	417.86	PF#1	20.78	31.23	33.09	+0.02	33.21	0.005345	1.60	14.62	19.71	0.50
16	392.86	PF#1	20.78	30.81	32.94	+0.01	33.07	0.005158	1.85	14.34	22.00	0.49
15	367.86	PF#1	20.78	30.65	32.96	+0.02	32.99	0.001015	0.86	29.48	34.52	0.23
14	338.20	PF#1	20.78	30.12	32.96	+0.02	32.97	0.000326	0.60	46.49	45.54	0.14
13	313.90	PF#1	20.78	32.32	32.78	+0.0132.78	32.93	0.026555	1.94	12.28	40.38	0.99
12	283.30	PF#1	20.78	31.04	31.46	+0.0531.18	31.56	0.006480	0.70	15.09	24.31	0.45
11	267.86	PF#1	20.78	30.92	31.15	+0.0531.12	31.40	0.020165	0.75	9.56	18.44	0.70
10	242.86	PF#1	20.78	30.29	30.67	+0.0130.67	30.90	0.018548	1.57	10.39	22.45	0.84
9	217.86	PF#1	20.78	29.43	30.72	+0.0230.15	30.74	0.001001	0.74	37.39	56.85	0.23
8	192.86	PF#1	37.95	29.16	30.36	+0.01	30.61	0.017013	2.41	17.99	28.00	0.87
7	167.86	PF#1	37.95	28.61	30.08	+0.02	30.26	0.010791	2.13	20.69	29.86	0.71
6	142.86	PF#1	37.95	28.44	29.90	+0.02	30.03	0.006881	1.63	23.40	28.12	0.56
5	117.86	PF#1	37.95	27.92	29.43	+0.0129.43	29.74	0.019511	2.72	16.16	26.26	0.92
4	92.86	PF#1	37.95	27.32	29.04	+0.0129.04	29.30	0.015082	2.64	18.18	28.83	0.83
3	67.86	PF#1	37.95	27.15	28.40	+0.0128.49	28.74	0.036222	3.07	16.34	46.49	1.24
2	40.11	PF#1	37.95	26.91	28.20	+0.0127.98	28.32	0.007736	1.55	25.29	38.85	0.58
1	7.73	PF#1	37.95	26.45	27.65	+0.0227.65	27.93	0.017080	2.61	17.56	31.45	0.90



Crosses Road, Traralgon
Ecological Assessment

24th July 2011
Prepared by Paul Kelly



Crosses Road, Traralgon
Ecological Assessment

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1 Introduction

1.1 Project Brief

CPG Australia was commissioned by IGB Pty Ltd to conduct an ecological assessment of the flora and fauna within the Subject Site located at Crosses Road, Traralgon North. This report outlines the findings of the ecological assessment and identifies potential ecological constraints to the proposed development.

1.2 Objectives

The objectives of the flora and fauna assessment were to undertake:

- An analysis of the databases interrogated as part of the initial review;
- An assessment of the quality of the vegetation on the site including the presence of any remnant patches; and
- Advice as to the potential presence of listed threatened species of flora and or fauna or other ecological constraints to development of the site;

1.3 Subject site

The subject site contains all that land captured by the Development Plan Overlay (DPO5) on the corner of Crosses Road and Tyers Road, Traralgon. This area consists of two adjoining farming properties and a large lot rural residential development associated with Ashworth Drive.

'Yurragar' (150 Tyers Road) is the property of MB and JA Saunders and is located on the corner of Crosses Road and Tyers Road. This property is approximately 23 hectares in area and is currently grazed.

'View Hill' (Lot 1 PS 424148C) is the property of Colin Stockdale, and adjoins the eastern boundary of the Saunders property. This property is approximately 33 hectares in area and is a current dairy farm.

The majority of the site is zoned Residential 1 with a Development Plan Overlay (DPO5).

DPO5 contains specific requirements for flora and fauna namely:

- In consultation with the Department of Sustainability and Environment, a flora and fauna survey, prepared by a suitably qualified expert, which includes but is not limited to species surveys for Growling Grass Frog (*Litoria raniformis*) and Dwarf Galaxias (*Galaxiella pusilla*), and measures required to protect the identified species.
- An assessment of any native vegetation to be removed having regard to Victoria's Native Vegetation Management: A Framework for Action, including how it is proposed to protect and manage any appropriate native vegetation.
- Regard must be had to the West Gippsland Native Vegetation Plan 2003.
- Any management plan should take into account that the Strzelecki Bioregion is one of Victoria's most fragmented Bioregions and address this as a consideration.

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1.4 Land Use History

'Yurragar' has been operating as a dairy farm for over 40 years. Dairying has recently ceased but the property continues to be grazed by cattle.

'View Hill' has also been operating as a dairy farm for over 40 years and continues today (Jenny Saunders, Landowner 16th June 2011 pers. comm.).

The waterway that enters the Stockdale property in the south east corner drains storm water and at times, sand filter discharge from the adjoining residential development. Prior to the construction of the adjoining residential development, the waterway was an open ephemeral drain. At that time the primary source of input was from Stoddarts Abattoir upstream. The waterway was piped under Crosses Road approximately 40 years ago. (Colin Stockdale, Landowner and long time Traralgon resident. 16th June 2011 pers. comm.). The waterway has been cleaned out several times in an effort to confine the discharge.

All paddocks have been regularly fertilised and heavily grazed. Several boundary and intermediate fence line plantations have been planted on both properties.

The Subject site is within the Latrobe City Council local government area and the Gippsland Plain Bioregion.

2 Methods

2.1 Literature and Database Review

Several databases and reports were interrogated and reviewed. These include:

- The Flora Information System (FIS) (Viridans 2011a);
- The Atlas of Victorian Wildlife (AVW) (Viridans 2011b);
- The DSE Biodiversity Interactive Map (DSE 2011); and
- The EPBC protected matters search tool, using a 5km radius search (EPBC 2011).

2.2 Site Assessment

The Subject site was assessed on foot on the 16th June 2011.

The habitat of those threatened species of flora and fauna revealed during the analysis of the databases were actively target searched. Records of flora and fauna sighted during the site investigation were made and occur in Appendix 2 and Appendix 3 respectively.

The site assessment was carried out in winter. Winter is not considered to be the best season to carry out an assessment of the flora and fauna of a site. Many plants are not flowering making it difficult to accurately determine the identification. Fauna are not as active during winter and as such may not readily be observed. Late Spring/ early Summer is considered the most appropriate season.



We consider that our extensive interrogation of the data; interviews with landowners; research of available documents and the intensive targeted searching of the site has provided a thorough site assessment. When combined with our extensive experience with the assessment of similar land systems and ecologies this report provides an assessment of the ecological constraints of the site which is fit for purpose.

3 Results

3.1 Subject site and land use

The subject site occurs within the Gippsland Plain Bioregion.

The Stockdale property ('View Hill') occurs in the eastern portion of the site and is an active dairy farm. The Saunders property ('Yurragar') occurs in the west of the site and is used for grazing of livestock. All paddocks are intensively grazed.

The Stockdale property has been a dairy farm for over 80 years. (Colin Stockdale, Landowner 16th June 2011 pers. comm.). The Saunders property has been a dairy farm for a similar period (Jenny Saunders, Landowner 16th June 2011 pers. comm.)

The majority of the site has been cleared of native vegetation and the pasture has been improved by sowing pasture species and regular applications of fertiliser.

The vegetation of the site is considered to be highly modified due to this historic landuse and extensive clearing across the majority of the site. Scattered isolated native plants occur across the property (predominately in relation to the drainage lines).

Several plantations of exotic and native trees occur on the site.

The adjoining roadsides (Crosses Road and Tyers Road) are dominated by exotic plants. Several large native trees (Yellow Box *Eucalyptus melliodora* and Manna Gum *Eucalyptus viminalis*) occur within the road reserve in the north west corner of 'Yurragar'.

A storm water drain runs north to south across the subject site from Crosses Road. The storm water pipe extends from the adjoining residential development under Crosses Road and extends into the 'View Hill' paddock where it discharges into a low lying dispersed shallow saturated area dominated by emergent aquatic vegetation. The storm water then discharges into a clearly defined open drain and discharges into a dam on the drainage line. Discharge from the dam enters the upper reach of Wades Creek which at this point contains a variety of exotic and native overstorey vegetation. This waterway ultimately discharges into the property east of the site (Craigie 2010). The waterway, now best described as Wades Creek, flows through adjoining land and eventually into Traralgon Creek.

3.2 Flora

The flora species recorded on the site are listed in Appendix 2.

The pre-1750 vegetation of the site has been modelled by the DSE as containing three Ecological Vegetation Classes (EVC).

The EVC below the escarpment on the northern edge of the site was modelled as EVC 56 – Floodplain Riparian Woodland. The EVC associated with the drainage lines was modelled as EVC 53 Swamp Scrub and the remainder of the site was

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modelled as EVC 55 Plains Grassy Woodland. All three EVC have the Bioregional Conservation Status of Endangered.

The 2005 DSE modelled EVC mapping shows the presence of small highly fragmented patches of EVC 56 – Floodplain Riparian Woodland and a small fragment of EVC 55 Plains Grassy Woodland, probably associated with the two retained River Red Gums within the drainage line on the Stockdale property. No remnant patches of EVC 53 – Swamp Scrub are mapped on the 2005 mapping. It is considered that there are two remnant patches of native vegetation on the subject site and two scattered trees.

The upper reaches of Wades Creek (between the dam and the culvert on Ashworth Drive) contains a discrete remnant modified patch of EVC 53 Swamp Scrub (HZ1). This patch contains a modified overstorey of mature Swamp Paperbark *Melaleuca ericifolia* with several Black Wattle *Acacia mearnsii* and the occasional Blackwood *Acacia melanoxylon*. The understorey is dominated by exotic plants including Willow *Salix* spp, Blackberry *Rubus fruticosus* sp.agg. Kikuyu *Pennisetum clandestinum* and other exotic grasses.

The EPBC listed search tool and FIS records for the area identified the potential for several threatened flora species onsite or within the vicinity of the site. Table 3-1 lists those species of threatened flora.

Table 3-1 - Threatened Flora or habitat recorded in the vicinity

F	A	V	O	Species Name	Common Name
		V		<i>Amphibromus fluitans</i>	River Swamp Wallaby-grass
f		e		<i>Craspedia canens</i>	Grey Billy-buttons
	E	e		<i>Dianella amoena</i>	Matted Flax-lily
		k		<i>Hypsela tridens</i>	Hypsela
F		r		<i>Lachnagrostis punicea</i>	Purple Blown-grass
F	E	e		<i>Prasophyllum frenchii</i>	Maroon Leek-orchid
F	E	e		<i>Thelymitra epipactoides</i>	Metallic Sun-orchid
	V	v		<i>Xerochrysum palustre</i>	Swamp Everlasting

F = Listed under Victorian Flora & Fauna Guarantee Act 1988

A = EPBC conservation significance (Extinct, Critically Endangered, Endangered and Vulnerable)

V = Victorian Conservation significance (extinct; endangered, vulnerable, rare and Poorly known (DSE 2005 – Advisory List).

O = Origin (indigenous or * exotic)

No EPBC or FFG listed threatened species of flora were recorded during the site survey. None of the species listed in Table 3-1 are considered to occur on the site due to the extensive amount of vegetation modification and intensive land use.

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3.3 Habitat Hectare Assessment

One remnant patch (Habitat Zone) of native vegetation (DSE 2004, DSE 2007) occurs on the site. The patch is a highly modified remnant of EVC 53 Swamp Scrub and occurs in the section of Wades Creek between the dam on the 'View Hill' and Ashworth Drive. The location of the patch is shown on Appendix 1 – Biological Features.

Table 3-2 determines the Habitat Hectare value of the remnant patch of native vegetation.

Two remnant Large Old Trees (LOT) River Red Gums were recorded in the drainage line on 'View Hill'.

3.4 'View Hill' Drain

The vegetation quality of the low lying dispersed shallow saturated area in the Stockdale property is considered to be low and the exotic vegetation cover is greater than 75%. The soil in this area is substantially saturated and is extensively pugged by livestock. A small area of open water occurs near the outlet of the pipe. Considerable amounts of a variety of litter are present. The dominant vegetation in this wet depression are Water Couch *Paspalum distichum* and Watercress *Nasturtium officinale*, both exotic species. Several dispersed tussocks of the indigenous Austral Rush *Juncus australis* and a spike-rush *Eleocharis* spp also occur.

Other exotic species include *Paspalum dilatatum*, Drain Flat-sedge *Cyperus eragrostis*, Creeping Buttercup *Ranunculus repens*, White Clover, *Trifolium repens*, Kikuyu, Clustered Dock *Rumex conglomeratus*, and Curled Dock *Rumex crispus*. The margins of this wet depression are variously invaded by the surrounding exotic pasture species e.g. White Clover, Ryegrass, Cocksfoot etc.

This drain enters a dam approximately central to the 'View Hill' site. This dam has a pressure pump installed on it that probably services the dairy.

It is considered that Wades Creek continues downstream of this dam. The vegetation associated with this creek forms a remnant patch of EVC 53 – Swamp Scrub (Section 3.3 Habitat Hectare Assessment).

Pre 1750 DSE vegetation modelling in this area considered that the vegetation was EVC 53 – Swamp Scrub prior to settlement. Historic land use including grazing, pasture improvement and more regular and concentrated inundation, has considerably altered the vegetation quality of this area. It is considered that EVC 53 - Swamp Scrub on this area is now extinct and has been replaced by a relatively new community of plants most of which are exotic. It is not considered to be, by definition (DSE 2007) a remnant patch of native vegetation. The indigenous species of plants present on the area are not those expected to be present in the pre 1750 EVC 53 Swamp Scrub. For the purposes of the Native Vegetation Framework (DNRE 2002), the West Gippsland Vegetation Plan (WGCM 2008) and the Latrobe City Planning Scheme, the area is considered to be a disturbed area. As such, the three step approach does not need to be applied and an offset will not generally be required (DSE 2010).

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Several remnant patches of native vegetation and large old trees occur on the road reserve adjoining the north west corner of 'Yurrabar'.

Table 3-2 Quantification and significance of losses in patches of Native Vegetation

Habitat Zone			HZ1
Bioregion			GP
EVC #: Name			53 SS
EVC Bioregional Conservation Status			END
		Max Score	Score
Site Condition	Large Old Trees	10	NA
	Canopy Cover	5	1
	Understorey	25	5
	Lack of Weeds	15	4
	Recruitment	10	1
	Organic Matter	5	2
	Logs	5	NA
	Total Site Score	75	13
	EVC standardiser (e.g. 75/55) [1]		75/60
	Adjusted Site Score		16
Landscape value	Patch Size	10	1
	Neighbourhood	10	0
	Distance to Core	5	0
Habitat Score		100	17.00
Habitat points = #/100		1	0.17
Habitat Zone area (ha)		(#. #)	4.2
Habitat Hectares		(#. #)	0.71
Conservation Significance	Conservation status x Habitat Score		High
	Threatened Species Rating		Med
	Other Site Attribute Rating		High
	Overall Conservation Significance (highest rating)		High

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3.5 Fauna and Fauna habitats

The faunal compliment of the site is considered to reflect the quality of the vegetation and the extent of modification due to the historic and current land use practices. Fauna recorded on the site are listed in Appendix 3
The EPBC listed search tool and AVW records for the area identified the potential for several threatened fauna species onsite or within the vicinity of the site. Table 3-3 lists those threatened species or their habitat that has been recorded or may occur in the vicinity.

Table 3-3 -Threatened Fauna or habitat recorded in the vicinity

F	A	V	O	Species Name	Common Name
f		v		Haliaeetus leucogaster	White-bellied Sea-Eagle
f	E	ce		Anthochaera phrygia	Regent Honeyeater
f	E	e		Lathamus discolor	Swift Parrot
f	V	ce		Rostratula australis	Painted Snipe
f	V	v		Galaxiella pusilla	Dwarf Galaxias
f	V	v		Prototroctes maraena	Australian Grayling
f	V	e		Litoria raniformis	Growling Grass Frog
f	E	e		Dasyurus maculatus	Tiger Quoll
f	V	e		Potorous tridactylus	Long-nosed Potoroo
f		v		Pseudomys novaeollandiae	New Holland Mouse
f	V	v		Pteropus poliocephalus	Grey-headed Fruit Bat
		nt		Gallinago hardwickii	Lathams Snipe

F = Listed under Victorian Flora & Fauna Guarantee Act 1988

A = EPBC conservation significance (Extinct, Critically Endangered, Endangered and Vulnerable)

V = Victorian Conservation significance (extinct; endangered, vulnerable, rare and Poorly known (DSE 2005 – Advisory List).

O = Origin (indigenous or * exotic)

No EPBC or FFG listed threatened species of fauna were recorded during the site survey. The site is not considered to provide significant habitat critical to the conservation of these species. None of the species listed in Table 3-3 are considered to utilise the site permanently due to the extensive amount of vegetation modification with one exception, the Growling Grass Frog (GGF). Lathams Snipe may opportunistically utilise the low lying dispersed shallow saturated area associated with the drain.



Dwarf Galaxias and Australian grayling may navigate the upper reaches of Traralgon Creek but it is doubtful if they would occupy this section of Wades Creek due to the extensive habitat modification.

4 Discussion

4.1 Flora

It is considered unlikely that the site contains significant habitat for the threatened species listed in Table 3-1 due to intensive, historic land use (heavily grazed and fertilised), high density of weeds (pasture grasses) and level of soil disturbance by grazing cattle.

The native vegetation associated with Wades Creek (below the 'View Hill' dam) is considered to be a remnant patch of native vegetation despite its low species richness, low floristic and structural diversity and high density of weeds.

Two scattered trees were the only other remnant native vegetation recorded on the site with the exception of isolated scattered native plants which occur within the grazed paddocks e.g. *Juncus* spp.

The Pre 1750 DSE modelling of the vegetation in the low lying dispersed shallow saturated area in the Stockdale property, concluded that the vegetation prior to settlement, was EVC 53 – Swamp Scrub. Historic land use including grazing, pasture improvement and more regular and concentrated inundation, has considerably altered the vegetation quality of this area. It is considered that EVC 53 - Swamp Scrub on this area is now extinct and has been replaced by a relatively new community of plants on a disturbed substrate and most of the plants are exotic. It is not considered to be, by definition (DSE 2007) a remnant patch of native vegetation. The indigenous species of plants present on the area are not those expected to be present in the pre 1750 EVC 53 Swamp Scrub. For the purposes of the Native Vegetation Framework (DNRE 2002), the West Gippsland Vegetation Plan (WGCMA 2008) and the Latrobe City Planning Scheme, the area is considered to be a disturbed area. As such, the three step approach does not need to be applied and an offset will not generally be required (DSE 2010). The predominantly exotic vegetation of this wet area does however provide valuable and effective sediment capture from the storm water of its catchment.

Despite being determined as having a high conservation significance rating (DNRE 2002), the remnant vegetation of Wades Creek is considered to be a very low quality example of EVC 53 Swamp Scrub. The edges of the remnant patch continue to be grazed. It provides a persistent ongoing source of weeds downstream. It does however, in its present form, provide valuable linear riparian vegetation that provides some marginal protection for this section of Wades Creek from further entrenchment and erosion.

4.2 Fauna

It is considered unlikely that the site contains significant habitat for the threatened species listed in Table 3-3.

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However, the habitat in the dam on 'View Hill', may be suited to breeding of GGF despite the absence of emergent vegetation, the relatively high turbidity of the water and the general absence of fringing vegetation. No frogs, other than the Common Froglet *Crinia signifera* were heard during the site assessment. In its present state, Wades Creek may provide marginal habitat for Dwarf Galaxias. It may also contribute to Australian Grayling habitat further down stream. However the current contribution Wades Creek makes to the sustainable conservation of both these species of fish is considered marginal given the current quality of the habitat.

5 Recommendations

An assessment of the drain on the site for Dwarf Galaxias and Australian Grayling is not considered to be essential however such an assessment is required in order to meet the requirements of DPO5. Such an assessment is best carried out at any time outside the breeding season (May – October)

There is potential for GGF to utilise the marginal habitat of the dam on the site. An assessment to determine the presence and significance of the site to GGF should be carried out in October – November 2011.

The conservation values of the remnant Swamp Scrub below the dam could be greatly improved by supplementary revegetation and intensive weed control.

The removal of the low lying shallow saturated area in the Stockdale property is not considered to significantly reduce the biodiversity values of the site particularly if it is replaced by an on site storm water management system. The incorporation of the drain and Wades Creek into such a water treatment facility which includes extensive revegetation would greatly improve the contribution the site makes to sustainable biodiversity conservation.

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6**References**

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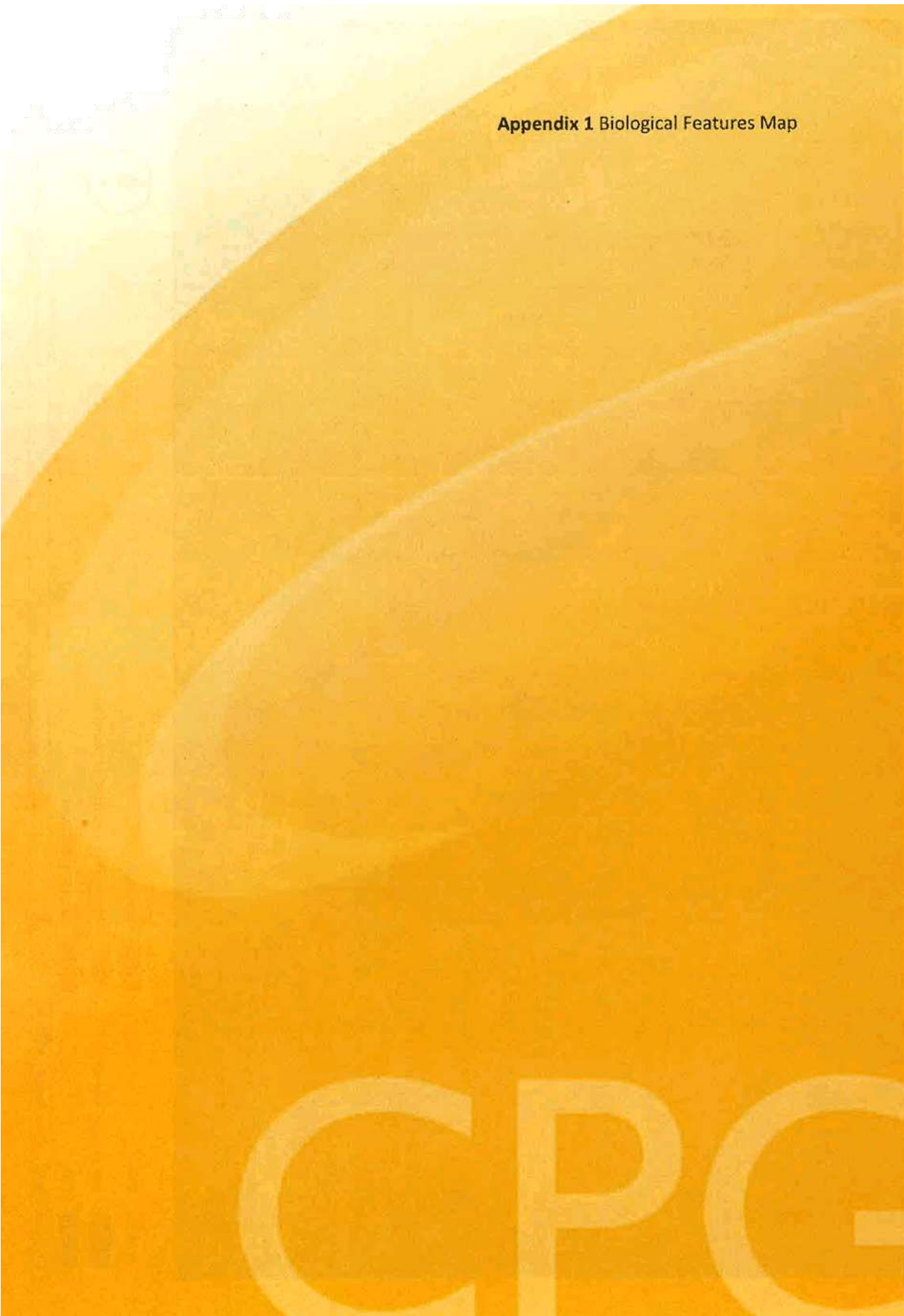
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Legend

- Drain
- Area Prone to Flooding
- Dam
- Plantation
- Remnant Patch (HZ1) EVC 53 Swamp Scrub
- Large River Red Gums



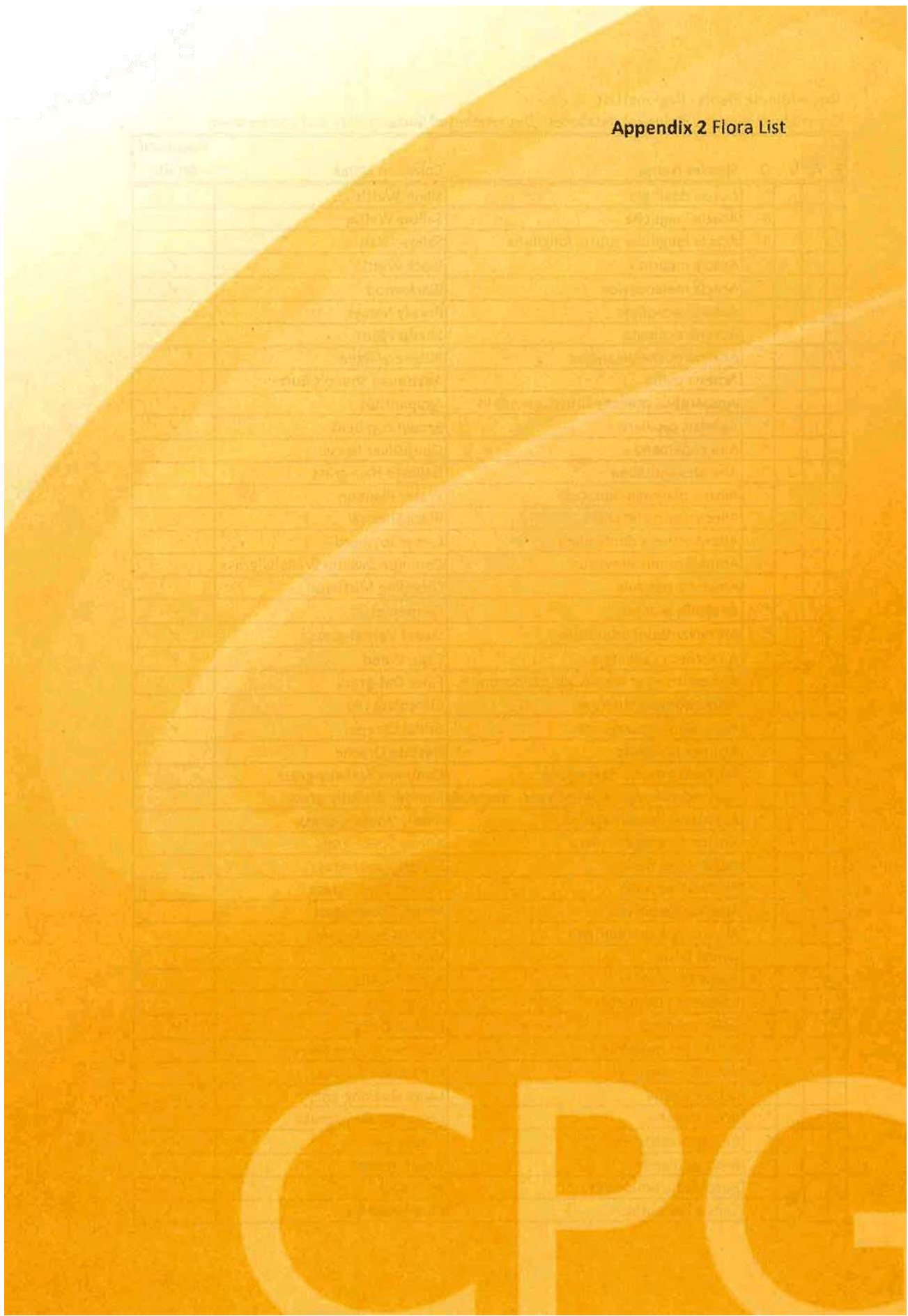
Ecological Features - Crosses Road, Traralgon

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Appendix 2 Flora List

Site No.	Plant Name	Quantity	Notes
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Just-a-Minute Plants - Regional List

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F	A	V	O	Species Name	Common Name	Recorded on site
				<i>Acacia dealbata</i>	Silver Wattle	
			#	<i>Acacia longifolia</i>	Sallow Wattle	
			#	<i>Acacia longifolia</i> subsp. <i>longifolia</i>	Sallow Wattle	
				<i>Acacia mearnsii</i>	Black Wattle	✓
				<i>Acacia melanoxylon</i>	Blackwood	✓
				<i>Acacia verticillata</i>	Prickly Moses	
				<i>Acaena echinata</i>	Sheep's Burr	
				<i>Acaena novae-zelandiae</i>	Bidgee-widgee	
				<i>Acaena ovina</i>	Australian Sheep's Burr	
			*	<i>Agapanthus praecox</i> subsp. <i>orientalis</i>	Agapanthus	
			*	<i>Agrostis capillaris</i>	Brown-top Bent	✓
			*	<i>Aira cupaniana</i>	Quicksilver Grass	
			*	<i>Aira elegantissima</i>	Delicate Hair-grass	
				<i>Alisma plantago-aquatica</i>	Water Plantain	
				<i>Allocasuarina littoralis</i>	Black Sheoak	
				<i>Alternanthera denticulata</i>	Lesser Joyweed	
				<i>Amphibromus nervosus</i>	Common Swamp Wallaby-grass	
				<i>Amyema pendula</i>	Drooping Mistletoe	
			*	<i>Anagallis arvensis</i>	Pimpernel	✓
			*	<i>Anthoxanthum odoratum</i>	Sweet Vernal-grass	✓
			*	<i>Arctotheca calendula</i>	Cape Weed	✓
			*	<i>Arrhenatherum elatius</i> var. <i>bulbosum</i>	False Oat-grass	
				<i>Arthropodium strictum</i>	Chocolate Lily	
			*	<i>Asparagus asparagoides</i>	Bridal Creeper	✓
			*	<i>Atriplex prostrata</i>	Hastate Orache	
				<i>Austrodanthonia caespitosa</i>	Common Wallaby-grass	
				<i>Austrodanthonia racemosa</i> var. <i>racemosa</i>	Slender Wallaby-grass	
				<i>Austrodanthonia setacea</i>	Bristly Wallaby-grass	
				<i>Austrostipa bigeniculata</i>	Kneed Spear-grass	
				<i>Austrostipa mollis</i>	Supple Spear-grass	
				<i>Austrostipa rudis</i>	Veined Spear-grass	
				<i>Austrostipa scabra</i>	Rough Spear-grass	
				<i>Austrostipa semibarbata</i>	Fibrous Spear-grass	
			*	<i>Avena fatua</i>	Wild Oat	
				<i>Azolla filiculoides</i>	Pacific Azolla	
			*	<i>Barbarea intermedia</i>	Wintercress	
			*	<i>Bellis perennis</i>	English Daisy	✓
				<i>Billardiera mutabilis</i>	Common Apple-berry	
				<i>Bossiaea prostrata</i>	Creeping Bossiaea	
			*	<i>Briza maxima</i>	Large Quaking-grass	
			*	<i>Briza minor</i>	Lesser Quaking-grass	
			*	<i>Bromus catharticus</i>	Prairie Grass	✓
			*	<i>Bromus diandrus</i>	Great Brome	
				<i>Burchardia umbellata</i>	Milkmaids	
				<i>Caesia calliantha</i>	Blue Grass-lily	

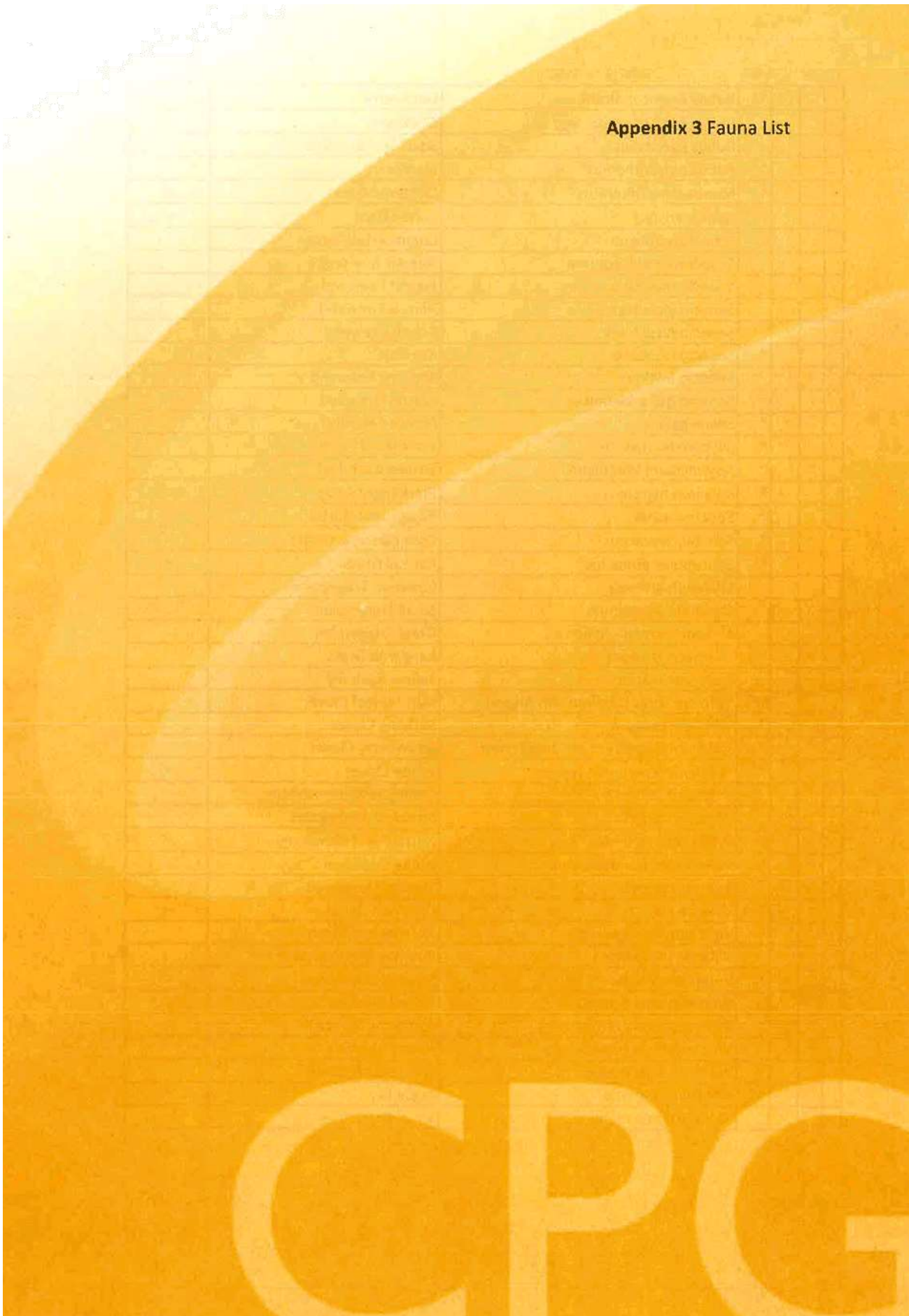
		*	<i>Callitriche stagnalis</i>	Common Water-starwort	
			<i>Carex appressa</i>	Tall Sedge	✓
			<i>Carex breviculmis</i>	Common Grass-sedge	
			<i>Carex inversa</i>	Knob Sedge	
			<i>Carex polyantha</i>	River Sedge	
			<i>Cassinia aculeata</i>	Common Cassinia	
			<i>Cassinia longifolia</i>	Shiny Cassinia	
		*	<i>Centaurium erythraea</i>	Common Centaury	✓
		*	<i>Centaurium tenuiflorum</i>	Slender Centaury	
			<i>Centella cordifolia</i>	Centella	
			<i>Centipeda cunninghamii</i>	Common Sneezeweed	
			<i>Centipeda minima</i>	Spreading Sneezeweed	
		*	<i>Chamaecytisus palmensis</i>	Tree Lucerne	✓
		*	<i>Chenopodium album</i>	Fat Hen	
		*	<i>Chenopodium murale</i>	Sowbane	
			<i>Chenopodium pumilio</i>	Clammy Goosefoot	
			<i>Chrysocephalum semipapposum</i>	Clustered Everlasting	
		*	<i>Cicendia filiformis</i>	Slender Cicendia	
		*	<i>Cirsium vulgare</i>	Spear Thistle	✓
		*	<i>Conyza primulaefolia</i>	Rough Conyza	
		*	<i>Conyza bonariensis</i>	Flax-leaf Fleabane	✓
		*	<i>Cortaderia selloana</i>	Pampas Grass	
		*	<i>Cotoneaster franchetii</i>	Grey Cotoneaster	
		*	<i>Cotoneaster glaucophyllus</i> var. <i>serotinus</i>	Large-leaf Cotoneaster	
		*	<i>Cotula coronopifolia</i>	Water Buttons	✓
f	e		<i>Craspedia canens</i>	Grey Billy-buttons	
			<i>Crassula helmsii</i>	Swamp Crassula	
		*	<i>Crataegus monogyna</i>	Hawthorn	✓
		*	<i>Crocsmia X crocosmiiflora</i>	Montbretia	
			<i>Cynodon dactylon</i>	Couch	✓
		*	<i>Cynodon dactylon</i> var. <i>dactylon</i>	Couch	
		*	<i>Cynosurus cristatus</i>	Crested Dog's-tail	
		*	<i>Cyperus eragrostis</i>	Drain Flat-sedge	✓
		*	<i>Dactylis glomerata</i>	Cocksfoot	✓
		*	<i>Daucus carota</i>	Carrot	
			<i>Daviesia latifolia</i>	Hop Bitter-pea	
			<i>Deyeuxia quadriseta</i>	Reed Bent-grass	
E	e		<i>Dianella amoena</i>	Matted Flax-lily	
			<i>Dianella longifolia</i>	Pale Flax-lily	
			<i>Dianella revoluta</i> s.l.	Black-anther Flax-lily	
			<i>Dichelachne crinita</i>	Long-hair Plume-grass	
			<i>Dichelachne rara</i>	Common Plume-grass	
			<i>Dichondra repens</i>	Kidney-weed	✓
			<i>Dillwynia cinerascens</i>	Grey Parrot-pea	
			<i>Dillwynia sericea</i>	Showy Parrot-pea	
			<i>Drosera peltata</i>	Pale Sundew	
			<i>Drosera peltata</i> subsp. <i>auriculata</i>	Tall Sundew	
		*	<i>Echinochloa crus-galli</i>	Barnyard Grass	
		*	<i>Echium plantagineum</i>	Paterson's Curse	

		*	<i>Ehrharta erecta</i> var. <i>erecta</i>	Panic Veldt-grass	✓
		*	<i>Ehrharta longiflora</i>	Annual Veldt-grass	
			<i>Einadia hastata</i>	Saloop	
			<i>Einadia nutans</i> subsp. <i>nutans</i>	Nodding Saltbush	
			<i>Elatine gratioloides</i>	Waterwort	
			<i>Eleocharis acuta</i>	Common Spike-sedge	
			<i>Eleocharis sphacelata</i>	Tall Spike-sedge	✓
			<i>Elymus scaber</i> var. <i>scaber</i>	Common Wheat-grass	
			<i>Epacris impressa</i>	Common Heath	
			<i>Epilobium billardierianum</i>	Variable Willow-herb	
			<i>Epilobium hirtigerum</i>	Hairy Willow-herb	
			<i>Eragrostis brownii</i>	Common Love-grass	
			<i>Eucalyptus angophoroides</i>	Apple Box	
			<i>Eucalyptus bridgesiana</i>	But But	
			<i>Eucalyptus camaldulensis</i>	River Red Gum	✓
			<i>Eucalyptus melliodora</i>	Yellow Box	✓
			<i>Eucalyptus microcarpa</i>	Grey Box	✓
			<i>Eucalyptus ovata</i>	Swamp Gum	
			<i>Eucalyptus radiata</i>	Narrow-leaf Peppermint	
			<i>Eucalyptus radiata</i> subsp. <i>radiata</i>	Narrow-leaf Peppermint	
			<i>Eucalyptus tereticornis</i> subsp. <i>mediana</i>	Gippsland Red-gum	
			<i>Eucalyptus viminalis</i>	Manna Gum	✓
			<i>Eucalyptus viminalis</i> subsp. <i>viminalis</i>	Manna Gum	
			<i>Euchiton involucratus</i>	Star Cudweed	
			<i>Euchiton sphaericus</i>	Annual Cudweed	
		*	<i>Euphorbia peplus</i>	Petty Spurge	
			<i>Exocarpos cupressiformis</i>	Cherry Ballart	
			<i>Gahnia radula</i>	Thatch Saw-sedge	
		*	<i>Gamochaeta purpurea</i>	Purple Cudweed	
		*	<i>Geranium dissectum</i>	Cut-leaf Crane's-bill	
		*	<i>Gladiolus undulatus</i>	Wild Gladiolus	
			<i>Glyceria australis</i>	Australian Sweet-grass	
			<i>Gonocarpus tetragynus</i>	Common Raspwort	
			<i>Gratiola peruviana</i>	Austral Brooklime	
			<i>Haloragis heterophylla</i>	Varied Raspwort	
			<i>Hardenbergia violacea</i>	Purple Coral-pea	
			<i>Helichrysum scorpioides</i>	Button Everlasting	
			<i>Hemarthria uncinata</i> var. <i>uncinata</i>	Mat Grass	
		*	<i>Holcus lanatus</i>	Yorkshire Fog	✓
			<i>Hypericum gramineum</i>	Small St John's Wort	
		*	<i>Hypericum perforatum</i> subsp. <i>veronense</i>	St John's Wort	
		*	<i>Hypochoeris radicata</i>	Flatweed	✓
			<i>Hypoxis hygrometrica</i>	Golden Weather-glass	
	k		<i>Hypsela tridens</i>	Hypsela	
		*	<i>Iris germanica</i>	German Iris	
			<i>Isolepis cernua</i>	Nodding Club-sedge	
			<i>Isolepis inundata</i>	Swamp Club-sedge	
		*	<i>Isolepis levynsiana</i>	Tiny Flat-sedge	
		*	<i>Ixia polystachya</i>	Variable Ixia	
			<i>Joycea pallida</i>	Silvertop Wallaby-grass	

			<i>Juncus amabilis</i>	Hollow Rush	
		*	<i>Juncus articulatus</i>	Jointed Rush	
			<i>Juncus australis</i>	Austral Rush	✓
			<i>Juncus bufonius</i>	Toad Rush	
		*	<i>Juncus capitatus</i>	Capitate Rush	
			<i>Juncus gregiflorus</i>	Green Rush	
			<i>Juncus holoschoenus</i>	Joint-leaf Rush	
			<i>Juncus homalocaulis</i>	Wiry Rush	
			<i>Juncus pallidus</i>	Pale Rush	
			<i>Juncus pauciflorus</i>	Loose-flower Rush	
			<i>Juncus planifolius</i>	Broad-leaf Rush	
			<i>Juncus procerus</i>	Tall Rush	
			<i>Juncus sarophorus</i>	Broom Rush	
			<i>Juncus subsecundus</i>	Finger Rush	✓
		*	<i>Juncus tenuis</i>	Slender Rush	
			<i>Juncus vaginatus</i>	Clustered Rush	
			<i>Kennedia prostrata</i>	Running Postman	
			<i>Kunzea ericoides</i> spp. agg.	Burgan	
			<i>Lachnagrostis filiformis</i>	Common Blown-grass	
	r		<i>Lachnagrostis punicea</i>	Purple Blown-grass	
		*	<i>Lactuca serriola</i>	Prickly Lettuce	✓
			<i>Lemna disperma</i>	Common Duckweed	
		*	<i>Leontodon taraxacoides</i> subsp. <i>taraxacoides</i>	Hairy Hawkbit	
		*	<i>Lepidium africanum</i>	Common Peppercross	✓
			<i>Lepidosperma filiforme</i>	Common Rapier-sedge	
			<i>Lepidosperma gunnii</i>	Slender Sword-sedge	
			<i>Lepidosperma laterale</i>	Variable Sword-sedge	
			<i>Leptorhynchos tenuifolius</i>	Wiry Buttons	
			<i>Leptospermum continentale</i>	Prickly Tea-tree	
			<i>Lilaeopsis polyantha</i>	Australian Lilaeopsis	
			<i>Limosella australis</i>	Austral Mudwort	
			<i>Linum marginale</i>	Native Flax	
		*	<i>Linum trigynum</i>	French Flax	
			<i>Lobelia pratioides</i>	Poison Lobelia	
		*	<i>Lolium perenne</i>	Perennial Rye-grass	✓
			<i>Lomandra filiformis</i>	Wattle Mat-rush	
			<i>Lomandra filiformis</i> subsp. <i>coriacea</i>	Wattle Mat-rush	
			<i>Lomandra longifolia</i>	Spiny-headed Mat-rush	
			<i>Lomandra longifolia</i> subsp. <i>longifolia</i>	Spiny-headed Mat-rush	
		*	<i>Lotus subbiflorus</i>	Hairy Bird's-foot Trefoil	
			<i>Luzula meridionalis</i>	Common Woodrush	
			<i>Lythrum hyssopifolia</i>	Small Loosestrife	
		*	<i>Malva neglecta</i>	Dwarf Mallow	
			<i>Melaleuca armillaris</i>	Honey Myrtle	✓
			<i>Melaleuca ericifolia</i>	Swamp Paperbark	✓
			<i>Melaleuca parvistaminea</i>	Rough-barked Honey-myrtle	
		*	<i>Mentha pulegium</i>	Pennyroyal	
			<i>Microlaena stipoides</i> var. <i>stipoides</i>	Weeping Grass	
			<i>Microtis parviflora</i>	Slender Onion-orchid	
			<i>Microtis unifolia</i>	Common Onion-orchid	

		<i>Myriophyllum crispatum</i>	Upright Water-milfoil	
	*	<i>Nasturtium officinale</i>	Watercress	✓
		<i>Notodanthonia semiannularis</i>	Wetland Wallaby-grass	
	*	<i>Nymphaea alba</i>	White Waterlily	
		<i>Opercularia ovata</i>	Broad-leaf Stinkweed	
	*	<i>Oxalis corniculata</i>	Creeping Wood-sorrel	
		<i>Oxalis exilis</i>	Shady Wood-sorrel	
	*	<i>Oxalis incarnata</i>	Pale Wood-sorrel	
		<i>Oxalis perennans</i>	Grassland Wood-sorrel	
		<i>Ozothamnus ferrugineus</i>	Tree Everlasting	
	*	<i>Parapholis strigosa</i>	Slender Barb-grass	
	*	<i>Parentucellia viscosa</i>	Yellow Bartsia	
	*	<i>Paspalum dilatatum</i>	Paspalum	✓
	*	<i>Paspalum distichum</i>	Water Couch	✓
	*	<i>Pennisetum clandestinum</i>	Kikuyu	✓
		<i>Pentapogon quadrifidus</i> var. <i>quadrifidus</i>	Five-awned Spear-grass	
		<i>Persicaria decipiens</i>	Slender Knotweed	✓
		<i>Persicaria hydropiper</i>	Water Pepper	
		<i>Persicaria lapathifolia</i>	Pale Knotweed	
		<i>Persicaria prostrata</i>	Creeping Knotweed	
	*	<i>Phalaris aquatica</i>	Toowoomba Canary-grass	✓
		<i>Phragmites australis</i>	Common Reed	✓
		<i>Pimelea curviflora</i>	Curved Rice-flower	
		<i>Pimelea humilis</i>	Common Rice-flower	
	*	<i>Pinus radiata</i>	Radiata Pine	✓
	*	<i>Plantago coronopus</i>	Buck's-horn Plantain	✓
	*	<i>Plantago lanceolata</i>	Ribwort	✓
	*	<i>Plantago major</i>	Greater Plantain	
		<i>Plantago varia</i>	Variable Plantain	
	*	<i>Poa annua</i>	Annual Meadow-grass	
		<i>Poa clelandii</i>	Noah's Ark	
		<i>Poa labillardierei</i>	Common Tussock-grass	
		<i>Poa morrisii</i>	Soft Tussock-grass	
		<i>Poa sieberiana</i>	Grey Tussock-grass	
		<i>Poa sieberiana</i> var. <i>sieberiana</i>	Grey Tussock-grass	
	*	<i>Polygonum aviculare</i>	Prostrate Knotweed	
	*	<i>Polypogon monspeliensis</i>	Annual Beard-grass	
		<i>Poranthera microphylla</i> s.l.	Small Poranthera	
		<i>Portulaca oleracea</i>	Common Purslane	
		<i>Potamogeton tricarlinatus</i> s.l.	Floating Pondweed	
	*	<i>Prunella vulgaris</i>	Self-heal	
		<i>Pseudognaphalium luteoalbum</i>	Jersey Cudweed	
		<i>Pteridium esculentum</i>	Austral Bracken	
		<i>Ranunculus amphitrichus</i>	Small River Buttercup	
		<i>Ranunculus lappaceus</i>	Australian Buttercup	
	*	<i>Ranunculus repens</i>	Creeping Butercup	✓
	*	<i>Raphanus raphanistrum</i>	Wild Radish	✓
	*	<i>Romulea rosea</i>	Onion Grass	✓
	*	<i>Rosa rubiginosa</i>	Sweet Briar	✓

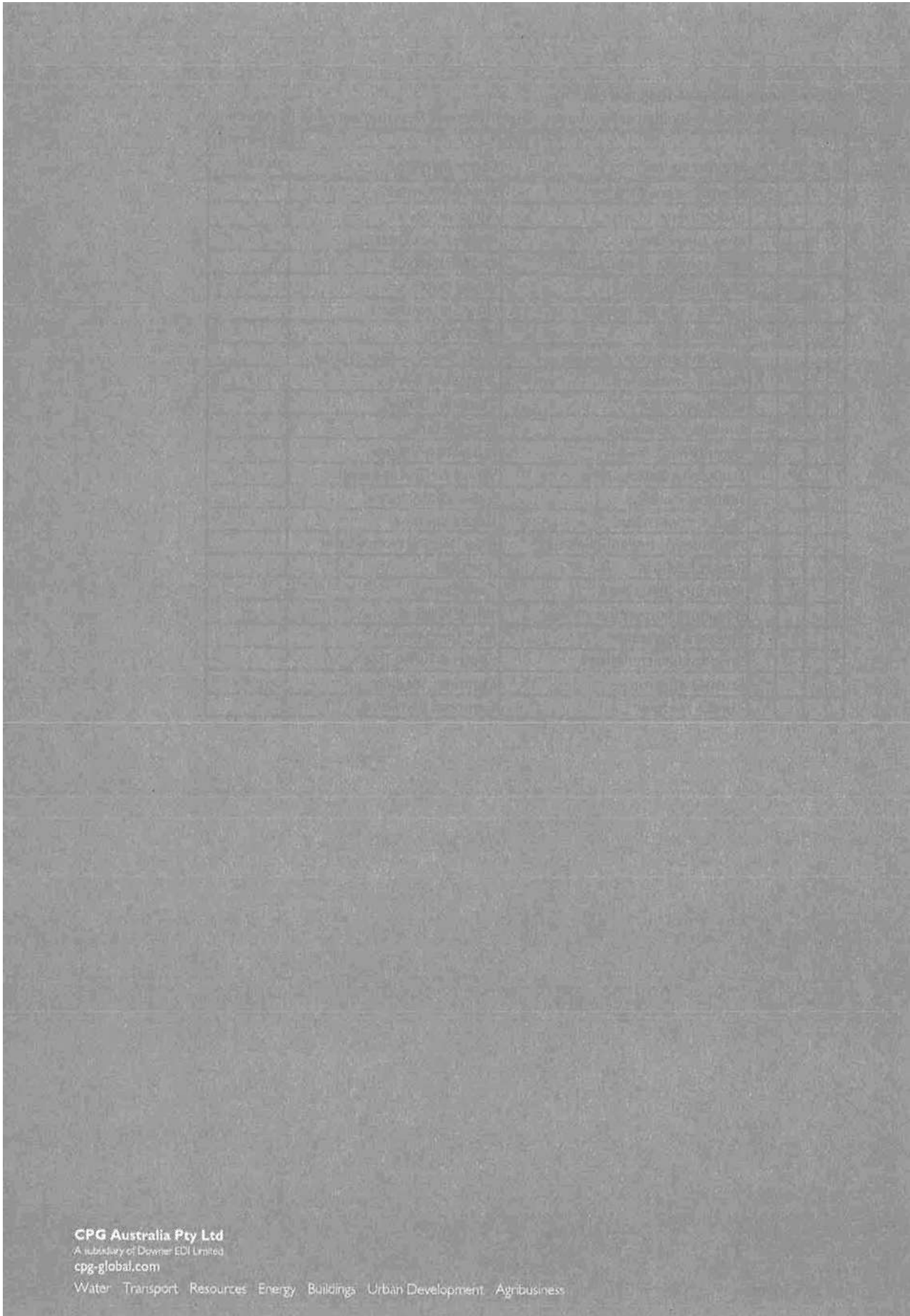
		*	<i>Rubus anglocandicans</i>	Blackberry	
		*	<i>Rubus fruticosus</i> spp. agg.	Blackberry	✓
			<i>Rubus parvifolius</i>	Small-leaf Bramble	
		*	<i>Rubus polyanthemus</i>	Blackberry	
		*	<i>Rumex conglomeratus</i>	Clustered Dock	✓
		*	<i>Rumex crispus</i>	Curled Dock	✓
			<i>Schoenus apogon</i>	Common Bog-sedge	
			<i>Schoenus lepidosperma</i>	Slender Bog-sedge	
			<i>Senecio biserratus</i>	Jagged Fireweed	
			<i>Senecio glomeratus</i>	Annual Fireweed	
			<i>Senecio hispidulus</i>	Rough Fireweed	
		*	<i>Senecio jacobaea</i>	Ragwort	
			<i>Senecio minimus</i>	Shrubby Fireweed	
			<i>Senecio quadridentatus</i>	Cotton Fireweed	
		*	<i>Silene gallica</i>	French Catchfly	
		*	<i>Silybum marianum</i>	Variegated Thistle	
		*	<i>Sisyrinchium iridifolium</i>	Striped Rush-leaf	
		*	<i>Solanum nigrum</i>	Black Nightshade	✓
		*	<i>Sonchus asper</i>	Rough Sow-thistle	
		*	<i>Sonchus oleraceus</i>	Common Sow-thistle	✓
		*	<i>Sporobolus africanus</i>	Rat-tail Grass	✓
			<i>Styidium armeria</i>	Common Triggerplant	
			<i>Styidium despectum</i>	Small Triggerplant	
			<i>Styidium graminifolium</i> s.l.	Grass Triggerplant	
			<i>Themeda triandra</i>	Kangaroo Grass	
			<i>Tricoryne elatior</i>	Yellow Rush-lily	
		*	<i>Trifolium angustifolium</i> var. Angust	Narrow-leaf Clover	
		*	<i>Trifolium dubium</i>	Suckling Clover	
		*	<i>Trifolium fragiferum</i> var. fragiferum	Strawberry Clover	
		*	<i>Trifolium repens</i> var. repens	White Clover	✓
			<i>Triglochin procera</i>	Common Water-ribbons	
			<i>Triglochin striata</i>	Streaked Arrowgrass	
			<i>Typha domingensis</i>	Narrow-leaf Cumbungi	✓
		*	<i>Vellereophyton dealbatum</i>	White Cudweed	
			<i>Veronica gracilis</i>	Slender Speedwell	
		*	<i>Vicia sativa</i>	Common Vetch	
		*	<i>Vicia sativa</i> subsp. nigra	Narrow-leaf Vetch	
			<i>Villarsia reniformis</i>	Running Marsh-flower	
		*	<i>Vulpia bromoides</i>	Squirrel-tail Fescue	✓
			<i>Wahlenbergia communis</i>	Tufted Bluebell	
			<i>Wahlenbergia gracilis</i>	Sprawling Bluebell	
			<i>Wahlenbergia gymnoclada</i>	Naked Bluebell	
			<i>Wahlenbergia multicaulis</i>	Branching Bluebell	
		*	<i>Watsonia meriana</i>	Bugle Lily	
			<i>Xanthorrhoea minor</i> subsp. lutea	Small Grass-tree	



Just-a-Minute Animals - Regional List

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F	A	V	O	Species Name	Common Name	Recorded on site
				<i>Acanthiza pusilla</i>	Brown Thornbill	
			*	<i>Acridotheres tristis</i>	Common Myna	✓
				<i>Anas superciliosa</i>	Pacific Black Duck	✓
				<i>Anthochaera carunculata</i>	Red Wattlebird	
				<i>Chenonetta jubata</i>	Wood Duck	✓
				<i>Colluricincla harmonica</i>	Grey Shrike-thrush	
			*	<i>Columba livia</i>	Rock Dove	
				<i>Coracina novaehollandiae</i>	Black-faced Cuckoo-shrike	
				<i>Corvus coronoides</i>	Australian Raven	✓
				<i>Crinia signifera</i>	Common froglet	✓
				<i>Grallina cyanoleuca</i>	Magpie-lark	✓
				<i>Gymnorhina tibicen</i>	Australian Magpie	✓
f		v		<i>Haliaeetus leucogaster</i>	White-bellied Sea-Eagle	
				<i>Malurus cyaneus</i>	Superb Fairy-wren	
			*	<i>Passer domesticus</i>	House Sparrow	
				<i>Phylidonyris novaehollandiae</i>	New Holland Honeyeater	
				<i>Rattus fuscipes</i>	Bush Rat	
				<i>Rhipidura albiscarpa</i>	Grey Fantail	
				<i>Rhipidura leucophrys</i>	Willie Wagtail	✓
				<i>Strepera graculina</i>	Pied Currawong	
			*	<i>Streptopelia chinensis</i>	Spotted Turtle-Dove	
			*	<i>Sturnus vulgaris</i>	Common Starling	✓
			*	<i>Turdus merula</i>	Common Blackbird	



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Growling Grass Frog
Targeted Survey
Cross' Road, Traralgon

23 February 2012
Prepared by CPG Australia



GGF Targeted Survey
Crosses Road, Traralgon

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Acknowledgements and Recognition

Paul Kelly & Associates/CPG Australia – Ecological Assessment 2011

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Crosses Road, Traralgon

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Crosses Road, Traralgon



1 Introduction
1.1 Project Background

CPG Australia was commissioned by IGB Pty Ltd to conduct a Growling Grass Frog (GGF) Targeted Survey within the Subject Site located at Cross' Road, Traralgon. This report outlines the findings of the Targeted Survey.

1.2 Objectives

The objectives were to:

- Carry out a targeted survey for Growling Grass Frog on the site; and
- Determine the likelihood of GGF utilising the site and the need for a Conservation Management Plan and/or a referral to the Federal Government, dependent on findings.

1.3 Study Site

The subject site contains land captured by the Development Plan Overlay (DPO5) of the Latrobe City Planning Scheme on the corner of Cross' Road and Tyers Road, Traralgon. The DPO captures two adjoining farming properties and a large lot rural residential subdivision associated with Ashworth Drive. The Targeted Survey is to be carried out within the property 'View Hill' (Lot 1 PS 424148C). This property is approximately 33 hectares in area and is a working dairy farm.

The majority of the site is zoned Residential 1 with a Development Plan Overlay (DPO5). DPO5 contains specific requirements for flora and fauna namely: *In consultation with the Department of Sustainability and Environment, a flora and fauna survey, prepared by a suitably qualified expert, which includes but is not limited to species surveys for Growling Grass Frog (Litoria raniformis) and measures required to protect the identified species.*

The waterway that enters the Subject site in the south east corner drains storm water and at times, sand filter discharge from the adjoining residential development. The storm water discharges into a clearly defined open drain and discharges into a dam on the drainage line. Discharge from the dam enters the upper reach of Wades Creek which at this point contains a variety of exotic and native overstorey vegetation. This creek ultimately discharges into the property east of the site. This creek flows through adjoining land and eventually flows into Traralgon Creek. The dam has a pressure pump installed on it that services the nearby dairy.

The GGF survey site is the dam on Wades Creek (Refer to Appendix 1 – Site Map). CPG (2011) concluded that the habitat in the dam on 'View Hill', may be suited to breeding of GGF despite the absence of emergent vegetation, the relatively high turbidity of the water and the general absence of fringing vegetation. No frogs, other than the Common Froglet *Crinia signifera* were heard during that site assessment.

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The Subject site is within the Latrobe City Council local government area and the Gippsland Plain Bioregion.

2 Methods

2.1 Literature and Database Review

The literature and database review included;

- The flora Information System (FIS);
- The DSE Biodiversity Interactive Map;
- The EPBC protected matters search tool, using a 5km radius search;
- Ecological Assessment, CPG Australia July 2011

2.2 Growling Grass Frog Survey

Growling Grass Frog surveys were carried out on 27 and 29 December 2011 in accordance with the DSE prescribed methodology (DSE2010).

This method predominately uses vocal playback to detect the presence of the species. It is carried out during the mating period of the frog and presence is confirmed by observation using spotlights and diurnal surveys.

Water quality was also assessed and included pH, dissolved oxygen, electrical conductivity, temperature and salinity.

2.3 Survey Results

The results of the GGF survey are tabled below.

Table 2-1 GGF Habitat at Survey Site

Data	Creek line
Australian Map Grid co-ordinates	GDA94 MGA 55:457090, 5774980.
Area of site	Dam at the Creekline
Percentage cover of (100%):	(%)
emergent vegetation	5
submerged vegetation	6
floating vegetation	4
fringing vegetation	15
terrestrial vegetation	70
Presence of surrounding terrestrial refuge sites	Refuge terrestrial sites available within the creek-line downstream, general debris.
Water level	High
Water chemistry	Medium to low health
Type of surrounding habitat within 30 metres of site.	The creekline below the dam contains modified overstorey of mature Swamp Paperbark <i>Melaleuca ericifolia</i> with several Black Wattle <i>Acacia mearnsii</i> and

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Data	Creek line
	the occasional Blackwood <i>Acacia melanoxylon</i> . The understorey is dominated by exotic plants including Willow <i>Salix</i> spp, Blackberry <i>Rubus fruticosus</i> sp.agg. Kikuyu <i>Pennisetum clandestinum</i> and other exotic grasses.
Presence and overall abundance of aquatic and terrestrial predators	Considered medium due to surrounding agricultural & residential land (encouraging foxes/cats and dogs). Mosquito Fish are likely to be present.
Potential dispersal routes and linked habitat	Considered possible. Wades Creek drains into Traralgon Creek

Table 2-2 - GGF Targeted Survey results

Survey Data	Results	
	Site Visit 1	Site Visit 2
Date	27 th Dec 2011	29 th Dec 2011
Time	5pm-10.30pm	7pm-10.30pm
Weather Conditions		
High temperature	20.4 °C	25.0 °C
Low temperature	13.2 °C	10.0 °C
Description of conditions	Scattered showers during the day. Minimal cloud cover. Heavy rainfall the day before.	Medium cloud cover, scattered showers in the morning, clearing in the afternoon.
Wind speed and direction	WSW, 20km/h	SW, 7km/h
Temperature	20 °C	21 °C
Relative Humidity	45%	53%
Cloud cover	0/8	0/8
Precipitation†	0.0mm (12.2mm previous day)	0mm (0.0mm previous day)
Last rain†	26 th Dec 2011	26 th Dec 2011
Moon Phase	Waning Crescent	Waning Crescent
Survey Activities (Diurnal)		
Ground level habitat, rock rolling and vegetation	Undertaken, no frogs observed	Undertaken, no frogs observed
Search for tadpoles and metamorphs in areas of standing water	Undertaken, no metamorphs observed.	Undertaken, no metamorphs observed.
Survey Activities (Nocturnal)		
Quiet listening	1.45hr dam, 1.45hr	1.45hr dam, 1.45hr

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Survey Data	Results	
	Site Visit 1	Site Visit 2
	Creek	Creek
Recorded male calls	Intermittent broadcast during survey period	Intermittent broadcast during survey period
Spotlighting	20min dam, 20 min dam	20min dam, 20 min dam
Frog species recorded		
Growling Grass Frog <i>Litoria raniformis</i>	No, None	Not in dam on subject site.
Spotted Marsh Frog <i>Limnodynastes tasmaniensis</i>	No, None	No, None
Common Froglet <i>Crinia signifera</i>	Yes only two	Yes, one
Pobblebonk Frog <i>Limnodynastes dumerilii</i>	No, None	No None

† Data from Latrobe Valley Daily Observations

2.4 Water Chemistry Analysis

The basic water chemistry analysis was undertaken on the south eastern corner of the Subject site within the dam off the creekline (Appendix 1).

Water Test	Results	Preferred Benchmark Results
Dissolved Oxygen	8.4ppm	9ppm or greater
Conductivity/Total Dissolved Solids	112uS	0-2500 uS
pH	8.1	6.5-8.5
Turbidity	51.9NTU	5NTU or less
Temperature	18 degrees	18 degrees or less

Water test results indicate the dam is considered a relatively unhealthy waterway according to the ANZECC and ARMCANZ 2000 and Melbourne Water guidelines (Refer to Appendix 2 Water Chemistry Analysis). Turbidity was considerably higher than the recommended indicators for a healthy waterway, most likely due to the ongoing storm water discharge from the adjoining residential development and agricultural land as well as the inefficiency of the saturated depression upstream.

No GGF were recorded on the Subject site. The closest known records according to the DSE Biodiversity Interactive Website, are 5-8km away to the north and south of the Subject site with 13 records recorded in 1968. Considering the significant changes to landuse history and encroaching urban development since the last known records, it is considered of low likelihood that GGF utilise the site

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as a dispersal corridor. No GGF were recorded on the Subject Site and none are expected to inhabit the site.

3 Conclusion/Recommendations

It is expected the vegetation quality on the site will continue to decrease with current land use and maintenance practices (dairy farm, heavy grazing), increase in rainfall and absence of weed management.

No GGF were recorded onsite during the Targeted Survey and none are expected to utilise the dam.

The need for an EPBC referral to DSEWPC for Growling Grass Frog is not considered necessary. However any proposed development should ensure Water Sensitive Urban Design (WSUD) principles are implemented to reduce the impact of development to the associated waterbody.

4 References

CPG 2011 **Ecological Assessment Cross' Road, Traralgon**. CPG Australia July 2011.

DSE 2004 **Native Vegetation – Guide for assessment of referred planning permit applications**. Department of Sustainability & Environment, Melbourne.

DSE 2010 **Biodiversity Precinct Structure Planning Kit**. Department of Sustainability & Environment, Melbourne.



Legend

- Drain
- Area Prone to Flooding
- Dam
- Plantation
- Remnant Patch (HZ1) EVC 53 Swamp Scrub
- Large River Red Gums

Ecological Features - Crosses Road, Traralgon



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Appendix 2 – Water Chemistry Analysis

1.1

Electrical Conductivity & Total Dissolved Solids

Conductivity is a measure of the amount of dissolved salts in water, and therefore an indicator of salinity. In fresh water, low conductivity indicates a preferred environment for a healthy ecosystem with lower nutrient levels. The higher the nutrient level the higher the conductivity.

While an appropriate concentration of salts is vital for aquatic plants and animals, salinity that is beyond the normal range for any species of organism will cause stress or even death to organisms and can also affect the availability of nutrients to plant roots.

At this time ANZECC/ARMCANZ 2000 has no current indicative normal ranges for conductivity; therefore normal ranges have been sourced from Melbourne Water and S., *Ribbons of Blue Handbook. Scitech, Victoria, 1990*, as per Table 1 below.

Table 1:

Water	Reading (uS/cm)
Deionised water	0.5-3
Pure rainwater	<15
Freshwater rivers	0-800
Marginal river water	800-1600
Brackish water	1600-4800
Saline water	>4800
Seawater	51 500
Industrial waters	100-10 000

Source: Suttar S., *Ribbons of Blue Handbook. Scitech, Victoria, 1990*

Total Dissolved Solids (TDS)

The total dissolved solids (or TDS) content of a water sample, is another measure of salinity in water which is measured by the concentration of dissolved solids. EC and TDS usually exhibit a strong correlation for a particular type of water.

ANZECC/ARMCANZ 2000 has no current indicative ranges for TDS however water quality guidelines provided by Melbourne Water (Table 2) indicate potable water ranges <1000mg/L are considered acceptable. By comparison, seawater contains about 35,000 mg/L TDS.

Table 2:

Range mg/l or ppm	Range EC uS/cm (mS/cm x 1000)	Score
approx. 0 - 480	0 - 800	Range for rainwater and tap water. Good drinking water for people and suitable for animals and plants.
approx. 480 - 1500	801 - 2500	A healthy level for most aquatic invertebrates and plants. Still drinkable but begins to taste salty.
approx. 1500 - 6000	2500 - 10,000	Medium to High salinity level for most freshwater sites.

1.2 Dissolved Oxygen

Dissolved oxygen is a measure of the quantity of oxygen present in water and is essential for life processes of most aquatic organisms. Low concentrations of dissolved oxygen usually indicate the presence of excessive organics (organic runoff) within the system, while high values can indicate excessive plant production (eutrophication). Many aquatic organisms will suffocate if there is insufficient volume of dissolved oxygen in the water.

Seasonal cycles directly correlates to dissolved oxygen levels in a waterway, for example during summer on sunnier days, in highly turbulent water, supersaturated conditions are more likely to occur, which is when water contains too much oxygen. Supersaturation is dangerous for aquatic animals as the oxygen concentration in their blood rises.

ANZECC/ARMCANZ 2000 water quality guidelines indicate that dissolved oxygen should exceed 8.0mg/L for a healthy aquatic system.

Melbourne Water have indicated that dissolved oxygen concentrations below 3 mg/L are stressful to most aquatic organisms and at least 5-6 mg/L or 9ppm or greater are required for fish growth and activity.

1.3 pH

pH is a measure of the acidity or alkalinity of water. Changes to pH can be caused by a range of potential water quality problems. Extremes in pH (less than 6 or greater than 9) can indicate toxicity to aquatic organisms. Most aquatic animals and plants are adaptive to pH ranges between 6 and 9.

Many freshwater systems have a pH close to 7.0, in marine waters the pH is normally close to 8.2. Table 3 indicates general guidelines for pH and water quality.

Table 3:

	Excellent	Good	Fair	Poor	Degraded
pH range	6.0-7.5	5.5-6 or <8.0	8.0-8.5	5.0-5.5 or 8.5-9.0	<5.0 or >9.0

ANZECC/ARMCANZ 2000 current normal guideline ranges for pH are 6.5 – 8.5.

1.4 Temperature

The temperature of waterways can directly affect physical, biological and chemical characteristics of the system with warm waters more susceptible to eutrophication. Oxygen is less soluble in warmer water and this can affect aquatic life in contrast salts are more soluble in warmer water, so temperature can affect the water's salinity. Temperature directly affects the metabolic rate of plants and animals. Aquatic species have evolved to live in water of specific temperatures.

ANZECC/ARMCANZ 2000 current normal guidelines for temperature include not exceeding 18 degrees.

1.5 Turbidity

Turbidity, measured in Nephelometric units, is influenced by the concentration of suspended matter in water (e.g Clay/Silt/Organic matter). Turbidity is a measure of the amount of scattering light and is generally related to visibility. The more suspended material in water, the greater the water's turbidity.

As suspended particles absorb heat, water temperatures rise faster in turbid water and warm water holds less dissolved oxygen than cold, helping to exacerbate eutrophication and algal blooms in waterways, which in turn inhibits the growth of submerged vegetation an important food source and habitat for the survival of *L. raniformis*.

ANZECC/ARMCANZ 2000 current normal guidelines for turbidity are (preferred measurement of 5 NTU).



FINAL REPORT:

**Residential Subdivision, Cross's Road, Traralgon, Victoria:
Aboriginal and Historical Heritage Assessment**

HV Number: 3936
AAV Number: N/A

CLIENT

IGB Australia Pty Ltd

8 June 2012

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EXECUTIVE SUMMARY

Introduction

Ecology and Heritage Partners Pty Ltd was commissioned by CPG Australia Pty Ltd, on behalf of IGB Australia Pty Ltd, to prepare an Aboriginal and Historical Heritage Assessment (AHHA) for a proposed residential subdivision, Cross's Road, Traralgon, Victoria (Latrobe City Council) (Map 1). IGB Australia Pty Ltd is proposing to subdivide the land into approximately 300 residential allotments with associated utilities and infrastructure. The study area is approximately 80 ha in size and is bounded by Cross's Road to the south, Tyers Road to the west and private land to the north and east (Map 2).

Methods

The assessment included both background (desktop) research and survey. Background research included a review of relevant heritage databases using a 2 km radius search area to determine the known Aboriginal and historical heritage sites in and around the study area. A review was also conducted of relevant archaeological reports and heritage studies including a desktop due diligence assessment conducted specifically for the study area (Heritage Insight 2010).

The scope of works for this assessment included a ground survey of part of the study area- Lot 1 PS424148, 240 Cross's Road, Traralgon. On the basis of the due diligence report by Heritage Insight (a report on Lots 2 and 3 PS343525 only), survey of the remainder of the study area was not part of the scope of works. The ground survey consisted of four participants, which included two representatives of the Registered Aboriginal Party (RAP) for the area, the Gunaikurnai Land and Waters Aboriginal Corporation (GLWAC), walking 5 m apart over the entire land parcel.

Results

The background research indicated that there has been ten Aboriginal archaeological sites previously recorded within a 2 km radius of the study area (Map 5), and that there have been nine historical archaeological sites previously recorded within a 2 km radius of the study area (Map 5). No Aboriginal or historical sites were located in the study area. The background research concluded that isolated artefacts and artefact scatters were the types of Aboriginal sites most likely to occur within the study area and domestic, farming and pastoral sites were the types of historical sites most likely to occur within the study area.

Lot 1 PS424148 was surveyed on 19 April 2011 by Ecology and Heritage Partners Pty Ltd Archaeologists/Cultural Heritage Advisors Mollie Harbour and Jo Verducci, with Lloyd Hood and Adrian Dow representing the GLWAC.



One Aboriginal place – 240 Cross's Road AS (8221-0182 [VAHR]) – was located on the eastern side of the 240 Cross's Road property, just below the northern ridgeline (Map 7). One of the artefacts was located on the flat ground beside the effluent dam. The location of the artefact scatter was an area of increased ground surface visibility (GSV), partially due to the runoff from the effluent dam directly above the site. A total of 30 stone artefacts were identified during the survey (two quartz and 28 silcrete) and the boundary of the visible site extent was recorded using Global Positioning System (GPS). One of the silcrete artefacts identified was a core; the remainder were flakes and debitage (Map 7).

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Aboriginal Cultural Heritage

Recommendation 1

One previously unrecorded Aboriginal site was identified on the Stockdale property (Part of Lot 1 PS424148, 240 Cross's Road, Traralgon) during the survey (Map 7).

Under the *Aboriginal Heritage Act 2006*, an Aboriginal site is an area of cultural heritage sensitivity and triggers the need for a CHMP. As a surface survey has been conducted, subsurface testing will be required to determine the full extent, nature and significance of the site. Consequently a complex CHMP will be required for this property. The complex assessment should target the areas of Aboriginal cultural heritage likelihood identified during the survey (Map 7), with particular emphasis on the rise and ridgeline in the northern section of the property and the slight rises along the eastern property boundary and the south western side of the property, although some subsurface testing should also be conducted in the other landforms.

Recommendation 2

The desktop assessment (see also Heritage Insight 2010) indicates that there are no identified areas of cultural heritage sensitivity within the study area under the *Aboriginal Heritage Act 2006*. Consequently a mandatory CHMP is not required for the remainder of the study area. However, the ridge landform along the northern boundary of the Stockdale property continues into the Saunders property to the west (Lots 2 and 3 PS343525) and partially into Lot 6 LP126409 to the east. The presence of Aboriginal cultural heritage on this ridgeline, as shown by the site identified during the current survey and the presence of two previously recorded sites (Maryvale Cemetery 1 [VAHR 8121-0038] and Cemetery Road 1 [VAHR 8121-0039]) on the same landform to the west of the study area, strongly suggests contiguous use of the ridgeline by Aboriginal people in the past. It is recommended that, prior to any development works proceeding, that further assessment in the form of a field survey be conducted in the areas of the study area that were not surveyed during the current assessment. Survey should be conducted in the following properties:



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- Part of Lot 2 PS424148; Parish of Traralgon; County of Buln Buln;
- Part of Lot 2 PS343525; Parish of Traralgon; County of Buln Buln;
- Lot 3 PS343525; Parish of Traralgon; County of Buln Buln; and
- Lots 1 to 13 LP126409, Parish of Traralgon; County of Buln Buln.

The survey may be conducted as part of an additional AHHA. However, it is recommended that the survey be conducted as part of a voluntary CHMP.

Historical Heritage

Recommendation 1

No historic sites were identified within the study area during the survey, therefore no further historical investigation is recommended.

Recommendation 2

As survey of the remainder of the study area was not conducted during this assessment it is recommended that survey of the remaining land parcels be conducted prior to the implementation of any development works.



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 - Aboriginal Affairs Victoria.
 - Heritage Victoria.
-

PROTOCOLS FOR HANDLING SENSITIVE INFORMATION

Some of the information contained within this Aboriginal and Historical Heritage Assessment (AHHA) is culturally sensitive. Before releasing the contents of this AHHA to the public, permission should be sought from the relevant authorities and communities.

Cover Photos: Background- View north from crest of hill; Top Right- View north, showing NW boundary of study area; Middle Left- Silcrete core from site (VAHR); Drainage channel running along northern boundary line, facing N- (photos by Ecology and Heritage Partners Pty Ltd)

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1 INTRODUCTION

1.1 Background and Scope of Works

Ecology and Heritage Partners Pty Ltd was commissioned by CPG Australia Pty Ltd, on behalf of IGB Australia Pty Ltd, to prepare an Aboriginal and Historical Heritage Assessment (AHHA) for the proposed residential subdivision at Cross's Road in Traralgon, Victoria, Victoria (Latrobe City Council) (Map 1, Page 51).

The project brief agreed upon by Ecology and Heritage Partners Pty Ltd and the Client is as follows:

- Review the relevant heritage databases (e.g. Victorian Aboriginal Heritage Register [VAHR] at Aboriginal Affairs Victoria [AAV], Local Government Heritage Overlays, Heritage Victoria Inventory and Register, National Trust and other relevant available literature;
- Provide a brief review of land use for the study area;
- Conduct a site assessment by a qualified Cultural Heritage Advisor to identify any Aboriginal and/or historical cultural heritage within the study area;
- Identify and provide a series of maps as required showing any Aboriginal and/or historical archaeological heritage or areas likely to contain Aboriginal and/or historical cultural heritage;
- Provide information in relation to any implications of Commonwealth and State environmental legislation and Government policy associated with the proposed development;
- Discuss any opportunities and constraints associated with the study area;
- Liaise with the key stakeholders, including the Registered Aboriginal Party (RAP) for the study area – the Gunaikurnai Land and Waters Aboriginal Corporation, local government and AAV; and
- Production of an AHHA report.

1.2 Location of Study area

The study area is located in Traralgon, Victoria (Latrobe City Council). The study area is approximately 80 ha in size and is bounded to the south by Cross's Road, by Tyers Road to the west, to the north by private agricultural land holdings and to the east by smaller rural landholdings fronting the western arm of Riverslea Boulevard (Map 2, Page 52).



The cadastral details of the study area are as follows:

- Part of Lot 1 PS424148; Parish of Traralgon; County of Buln Buln (240 Cross's Road, Traralgon);
- Part of Lot 2 PS424148; Parish of Traralgon; County of Buln Buln (80 Ashworth Drive, Traralgon);
- Part of Lot 2 PS343525; Parish of Traralgon; County of Buln Buln (150 Tyers Road, Traralgon);
- Lot 3 PS343525; Parish of Traralgon; County of Buln Buln (150 Tyers Road, Traralgon); and
- Lot 1 LP126409, Parish of Traralgon; County of Buln Buln (120 Cross's Road, Traralgon);
- Lot 2 LP126409, Parish of Traralgon; County of Buln Buln;
- Lot 3 LP126409, Parish of Traralgon; County of Buln Buln (35 Ashworth Drive, Traralgon);
- Lot 4 LP126409, Parish of Traralgon; County of Buln Buln (45 Ashworth Drive, Traralgon);
- Lot 5 LP126409, Parish of Traralgon; County of Buln Buln;
- Part of Lot 6 LP126409, Parish of Traralgon; County of Buln Buln (75 Ashworth Drive, Traralgon);
- Lot 7 LP126409, Parish of Traralgon; County of Buln Buln (60 Ashworth Drive, Traralgon);
- Lot 8 LP126409, Parish of Traralgon; County of Buln Buln (50 Ashworth Drive, Traralgon);
- Lot 9 LP126409, Parish of Traralgon; County of Buln Buln (40 Ashworth Drive, Traralgon);
- Lot 10 LP126409, Parish of Traralgon; County of Buln Buln (30 Ashworth Drive);
- Lot 11 LP126409, Parish of Traralgon; County of Buln Buln (20 Ashworth Drive, Traralgon);
- Lot 12 LP126409, Parish of Traralgon; County of Buln Buln (16 Ashworth Drive, Traralgon); And
- Lot 13 LP126409, Parish of Traralgon; County of Buln Buln.



The three main topographic features of the study area are:

1. The unnamed drainage channel that bisects the study area, commencing near the southern boundary and flowing north eastwards to enter the larger floodplain to the north of the study area. It commences as two first order drainage lines near the southern boundary, at Cross's Road, and merges near the centre of the Stockdale property into a single drainage line and exits the study area along the north eastern boundary. The geography of the drainage line also creates a series of slopes of varying gradients. A second drainage line runs between and parallel to Ashworth Drive and Riverslea Drive, commencing near Cross's Road and flowing north to join the first drainage line on Lot 7 LP126409.
2. A long ridge line that follows the northern boundary of the study area finishing at the confluence of the drainage lines with the large floodplain to the north.
3. A spur with a northerly aspect that is located between the headwaters of the two main drainage lines.

The study area has been used for dairy farming, and has been almost completely cleared of canopy vegetation, except in the riparian corridor of the creek near the north eastern boundary. There are farm building complexes located on a spur ridge at the northern side of the study area, which is accessed by a long driveways from Cross's Road and Tyers Road bisecting the properties. Residential developments have taken place along the Ashworth Drive estate on most of the allotments (Map 2, Page 52).

1.3 Proposed Activity

IGB Australia Pty Ltd is proposing to rezone the land for residential subdivision. Ultimately the development will subdivide the land into approximately 300 residential allotments.

The existing creek line will be largely maintained with wetlands developed adjacent to the creek.

Under the Latrobe City Planning Scheme the study area is zoned as follows:

- Residential Zone 1 (R1Z), including the majority of the study area;
- Rural Living Zone 3 (RLZ3), properties fronting Ashworth Road;
- Public Use Zone 1 (PUZ1), currently confined to Lot 13 LP 126409; and
- Farming Zone land is located (FZ) the north western and north eastern corners.

This zoning sets out requirements which must be met by any development within the study area. The specific requirements which must be met by any development within the study area are described in Appendix 5.



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1.4 Name of Client

This report has been commissioned by CPG Australia Pty Ltd (ABN: 55 050 029 635) on behalf of the developer IGB Australia Pty Ltd (ABN: 12 146 318 603).

1.5 Name of Cultural Heritage Advisor

This report was prepared by Ecology and Heritage Partners Pty Ltd Archaeologists/Cultural Heritage Advisors Rick Bullers, Anna Tuechler and Mollie Harbour. The quality assurance review was undertaken by Ecology and Heritage Partners Pty Ltd Director/Principal Heritage Advisor Oona Nicolson. The field work was undertaken by Ecology and Heritage Partners Pty Ltd Archaeologists/Cultural Heritage Advisors Jo Verducci and Mollie Harbour. Mapping was provided by Ecology and Heritage Partners Pty Ltd GIS Officers, Drew Hutchinson and Amanda Feetham.

Oona Nicolson

Oona Nicolson is a Director and the Principal Heritage Advisor at Ecology and Heritage Partners Pty Ltd. She is a heritage specialist with over 14 years experience in the archaeological consulting sector, working in Victoria, South Australia, New South Wales, and Tasmania. Oona regularly appears before VCAT and independent panels as an Expert Witness in the areas of Aboriginal and historical heritage. Oona has extensive experience in over 500 projects with a wide variety of clients.

Oona's skills include project management, peer reviews, background research and due diligence assessments, archaeological survey, sub surface testing and salvage excavation, Aboriginal and non-Aboriginal site identification, recording and photography, site significance assessment, development of recommendations to mitigate the impact of development upon Aboriginal and non-Aboriginal historical heritage, flaked stone artefact and historical artefact recording and interpretation, communication and consultation with regulatory bodies (AAV and HV), clients, landowners, RAPs and community representatives, preparation of conservation management plans, expert witness statements, Permits and Consents to Disturb for Heritage Victoria, Historical Heritage Assessments and desktop, standard and complex Aboriginal CHMPs. Her formal qualifications and memberships include:

- Bachelor of Arts (Honours in Archaeology) – High Distinction (First Class), Flinders University of South Australia (1996).
- Bachelor of Arts (Australian Archaeology and Australian Studies), Flinders University of South Australia (1995).
- Maritime Archaeology Certificate: Part 1 (Part 2 pending), AIMA and NAS (U.K.).



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- Australian Association of Consulting Archaeologists Inc. (Full Member and 2010 Chairperson of Victorian Chapter).
- Victorian Planning and Environmental Law Association.

Rick Bullers

Rick Bullers has worked as a heritage consultant since 2007, and has managed numerous Aboriginal and historic heritage projects for a variety of clients and developments within Victoria, NSW and SA. Projects include heritage assessments and/or excavations for linear construction projects such as pipelines, sewerage lines and transmission lines, large area heritage assessments for Greenfield developments (e.g. residential subdivision and mining operations), as well as cultural heritage assessments and cultural heritage management plans for large Department of Defence sites.

Rick has experience in a variety of tasks, including project management, peer reviews, background research and due diligence assessments, archaeological survey, sub-surface testing and salvage excavation, Aboriginal and non-Aboriginal site identification, recording and photography, site significance assessment, development of recommendations to mitigate the impact of development upon Aboriginal and non-Aboriginal historical heritage, flaked stone artefact and historical artefact recording and interpretation, communication and consultation with regulatory bodies (AAV and HV), clients, landowners, RAPs and community representatives, preparation of conservation management plans, Historical Heritage Assessments and desktop, standard and complex Aboriginal CHMPs. His formal qualifications include:

- Bachelor of Applied Science Conservation and Park Management), University of South Australia (1994).
- Graduate Diploma of Maritime Archaeology, Flinders University (2005).
- Master of Maritime Archaeology, Flinders University (2006).

Jo Verduci

Jo has worked as a heritage consultant since 2008, and has managed numerous archaeological projects for a variety of clients and developments within Victoria, including residential and commercial developments, water and sewerage pipelines and proposed wind farms. She also has archaeological field experience Bronze Age Minoan culture and is currently completing her PhD.

Jo has experience in a variety of tasks, including project management, archaeological survey, sub surface testing and salvage excavation, Aboriginal and non-Aboriginal site identification, recording and photography, site significance assessment, flaked stone artefact recording, communication and consultation with clients, landowners and Aboriginal RAP and



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community representatives, and preparation of desktop, standard and complex Aboriginal CHMPs. Her formal qualifications include:

- PhD Candidate, Classics and Archaeology, University of Melbourne (current).
- Master of Arts, Classics and Archaeology, University of Melbourne, Vic (2008).
- Postgraduate Diploma in Classics and Archaeology, University of Melbourne, Vic (2004).
- Graduate Diploma in Classics and Archaeology, University of Melbourne, Vic (2002).
- Bachelor of Arts (Fashion), RMIT University, Vic (1991).

Mollie Harbour

Mollie is a qualified archaeologist with over 4 years of practical experience working in Victorian Aboriginal cultural heritage management. Her Honours thesis from Latrobe University involved the examination of Victorian Aboriginal massacre site information, and an update of these archives. Mollie was employed by AAV as part of an Indigenous Cadetship program from 2007 until 2010, and from the end of 2009 was a Heritage Project Officer in AAV's Barwon-Grampians Ballarat office until 2011.

Mollie has experience in a variety of tasks including: project management; archaeological surveying; recording; photography; Aboriginal and non-Aboriginal site identification; flaked stone artefact recording and interpretation; sub surface testing. She has conducted background research; communication and consultation with regulatory bodies (AAV), heritage consultants and their sponsors, landowners, RAPs and community representatives; and has evaluated numerous Aboriginal CHMPs. Her formal qualifications include:

- Honours in Archaeology, LaTrobe University, Victoria (2009).
- Bachelor of Arts in Archaeology and History, LaTrobe University, Victoria (2008).
- Bachelor of Arts in Archaeology, Anthropology and History, University of Melbourne, Carlton, VIC. (Transferred Bachelor of Arts degree to LaTrobe University), Victoria (2007).

Anna Tuechler

Anna Tuechler is an archaeologist and cultural heritage advisor at Ecology and Heritage Partners Pty Ltd. Anna has worked in a variety of roles over several different projects, including developments such as housing estates, proposed wind farms, and large infrastructure projects.



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Anna has experience in a variety of tasks, including the identification of Aboriginal and historic cultural heritage through archaeological survey, sub-surface testing and salvage excavation, photography, conducting background research and assisting in the preparation of standard and complex heritage assessments. Her formal qualifications are:

- Bachelor of Archaeology (Honours) (First Class), La Trobe University, Vic (2010).
- Bachelor of Archaeology, La Trobe University, Vic (2009).

1.6 Consultation with Aboriginal Parties

Registered Aboriginal Party

The Registered Aboriginal Party (RAP) for the study area is the Gunaikurnai Land and Waters Aboriginal Corporation (GLWAC). GLWAC was contacted early in the project to notify that an activity was proposed for the study area but, since there were triggers for a CHMP under the *Aboriginal Heritage Act 2006*, the assessment would be conducted in the form of an AHHA. GLWAC was invited to take part in the field survey, and they supplied two representatives to assist the Ecology Partners staff and provide advice on any known cultural heritage issues for the study area. During the survey Aboriginal cultural heritage was identified within the study area and two areas of Aboriginal cultural heritage likelihood were also identified. The survey participants agreed that, due to the presence of Aboriginal cultural heritage, a mandatory CHMP (including complex assessment) is required prior to the proposed development commencing. The GLWAC representatives agreed that the results of this AHHA may be used to fulfil the requirements of the standard assessment component of the CHMP.

The following representatives of the GLWAC participated in consultation in relation to the assessment, including participation in the field survey conducted on 19 April 2011:

- Barry Kenny;
- Lloyd Hood; and
- Adrian Dow.

The details of all consultation undertaken in relation to the assessment are presented below (Table 1).



Table 1: Consultation in Relation to the Assessment

Date	Participants	Details of Consultation
31.03.2011 – 04.04.2011	Rick Bullers (CHA) Ecology and Heritage Partners Pty Ltd; Barry Kenny GLWAC.	Email Request for two representatives to attend survey. Barry responded on 04.04.2011 stating that he will have two representatives available.
04.04.2011 – 05.04.2011	Rick Bullers (CHA) Ecology and Heritage Partners Pty Ltd; Barry Kenny & Lloyd Hood GLWAC.	Email Sent preliminary maps of the study area to Barry on 04.04.11 including a map of the proposed meeting location, suggesting a meeting on site at 8.30 am on the morning of 19.04.11. Received a call from Lloyd Hood on 05.04.11 requesting information on the project. CHA advised that a mandatory CHMP was not triggered at this stage (no areas of cultural heritage sensitivity) so initially, the survey would form part of an AHHA. Also emailed Lloyd the maps sent the previous day to Barry but also including an ACHRIS search map showing sites within 2 km of the study area.
19.04.2011	Jo Verducci, Mollie Harbour Ecology and Heritage Partners Pty. Ltd; Lloyd Hood, Adrian Dow GLWAC.	Project Inception Meeting held on site, prior to the field survey.
19.04.2011	Jo Verducci, Mollie Harbour Ecology and Heritage Partners Pty. Ltd; Lloyd Hood, Adrian Dow GLWAC.	Field survey Following the identification of one previously unrecorded Aboriginal site and two areas of Aboriginal cultural heritage likelihood, all participants agreed that subsurface testing as part of a mandatory CHMP is required. All survey participants agreed that the results of this AHHA may form the standard assessment component of the CHMP.

Native Title

The study area lies within territory over which GLWAC has lodged two Native Title claimant applications with the National Native Title Tribunal (tribunal file numbers VC 97/4 and VC 09/1). The determination for VC 97/4 found that Native Title exists in parts of the determination area, and the second tribunal (VC 09/1) fully approved the determination area. However the study area comprises privately owned land, therefore Native Title has been extinguished.

1.7 Notice of Intention to Survey to Heritage Victoria

A Notice of Intention to Conduct an Archaeological Survey was submitted to Heritage Victoria (HV) on 30 March 2011. A written response to this notice was sent by HV to Ecology and Heritage Partners Pty Ltd on 31 March 2011 (Appendix 1). The HV reference number for this project is 3936.



1.8 Report Review and Distribution

Copies of this CHMP will be lodged with the following organisations:

- IGB Australia Pty Ltd;
- CPG Australia Pty Ltd;
- Gunaikurnai Land and Waters Aboriginal Corporation;
- Aboriginal Affairs Victoria; and
- Heritage Victoria.

1.9 Heritage Legislation

An overview of the *Aboriginal Heritage Act 2006*, the *Commonwealth Native Title Act 1993*, the Victorian *Planning and Environment Act 1987* and the *Commonwealth Environmental Protection and Biodiversity Conservation Act 1999* and the Victorian *Heritage Act 1995* is included in Appendix 2. This legislation is subordinate to the Victorian *Coroner's Act 2008* in relation to the discovery of human remains.



2 BACKGROUND REVIEW

The desktop assessment includes research into information relating to Aboriginal and historical cultural heritage in or associated with the study area.

2.1 Environmental Context

Environmental factors influence how land may have been used in the past. This section reviews the environmental context of the study area to gain an understanding of environmental factors relevant to Aboriginal cultural heritage.

2.1.1 Geographic region

The study area forms a part of the Gippsland Plain Bioregion (Map 3, Page 53). This geographic region is relevant to any Aboriginal cultural heritage that may be present within the study area. The desktop assessment has been undertaken in relation to the Gippsland Plain Bioregion (DPI 2011a).

2.1.2 Geomorphology and landforms

The Gippsland Plains are characterised by low lying coastal and alluvial plains with gently undulating terrain dominated by barrier dunes, floodplains and swampy flats. The current activity lies within an area of low relief with few incised streams across the landscape and are composed of Neogene and Early Quaternary alluvial and fluvial sediments originating from the Eastern Uplands and following the Kosciuszko Uplift (DPI 2011b).

The study area is situated within the geomorphic unit of High Terraces and Fans – Gippsland, on a plain above the flood plain of the Morwell River and its tributaries. The plain contains Pleistocene non-marine alluvial sediments. The landform pattern is generally one of low relief, and includes the floodplain of the Morwell River.

The crest of the escarpment slope on overlooking the Latrobe River along the northern boundary of the study area would have been an ideal place to establish camp sites to access the resources of the plains grassland and the Latrobe River floodplain and is considered to be of high archaeological sensitivity. Aboriginal cultural material is commonly found on similar landforms throughout Gippsland and Victoria.

2.1.3 Geology and soils

The land on the northern boundary is part of the Latrobe River floodplain and is characterised by Holocene deposits of alluvium comprising fine textured unconsolidated deposits of gravel, sand and silt (DPI 2011b). These are non-marine deposits laid down by ancient watercourses. The remainder of the study area is within the Haunted Hills Gravel geological landform, a formation known to have supplied pre-contact Aboriginal people with a variety of raw stone materials.



The soils of the floodplains and swampy flats of the Gippsland Plain are predominantly earths, and plain yellow and grey texture contrast soils (Hydrosols), whilst the soil types associated with the upper units of this region are predominantly texture contrast soils (Dermosols and Chromosols) (DPI 2011b).

The soils of the High Terraces and Fans – Gippsland geomorphic unit are geologically recent and show little soil profile development. They are duplex soils comprising dark grey to greyish brown clay loams to sandy and silty loams.

2.1.4 Vegetation

Under the Department of Sustainability and Environment's (DSE) Ecological Vegetation Classes (EVCs) the soils of the floodplains and swampy flats of the Gippsland Plain Bioregion would have historically supported vegetation classified as Plains Grassy Woodland (EVC 55) and Swamp Scrub/Riparian Scrub (EVC 53). The swampy vegetation classes would have comprised 10% of the study area, whilst the latter comprises the bulk of the study area on the Haunted Hills formation. The drainage lines in the east of the property was characterised by Swampy Riparian Scrub.

The Plains Grassy Woodland vegetation class would have consisted of large trees such as Gippsland Red-gum (*Eucalyptus tereticornis*) and River Red-gum (*Eucalyptus camaldulensis*), as well as smaller shrubs such as Burgan (*Kunzea ericoides*) and Common Rice-flower (*Pimelea humilis*), and an abundance of herbs such as Small St. John's Wort (*Hypericum gramineum*) and Grassland Wood-sorrel (*Oxalis perennans*) (DSE 2011a).

The Swamp Scrub/Riparian Scrub vegetation class would have consisted of large trees such as Woolly Tea-tree (*Leptospermum lanigerum*) and Swamp Paperbark (*Melaleuca ericifolia*), as well as containing shrubs such as Prickly Currant-bush (*Coprosma quadrifida*) and Prickly Tea-tree (*Leptospermum continentale*), herbs such as Australian Gipsywort (*Lycopus australis*) and Spotted knotweed (*Persicaria praetermissa*), and graminoids such as Common Tussock Grass (*Poa labillardierei*) (DSE 2011a).

The Floodplain Riparian Woodland vegetation class would have consisted of several species of large trees, including River Red-gum (*Eucalyptus camaldulensis*) and Swamp Gum (*Eucalyptus ovata*), and also would have included shrubs such as Sweet Bursaria (*Bursaria spinosa* ssp. *spinosa*) and Tree Violet (*Hymenathera dentate* s.l.), as well as herbs such as Scrub Nettle (*Urtica incisa*) and Hairy Knotweed (*Persicaria subsessilis*) (DSE 2011a).

These types of vegetation would have been utilised by Aboriginal people in the area for the creation of weapons and vessels, and would have supported a range of game that could be hunted for food.



2.1.5 Climate

The climate of Traralgon is characterised by warm summers and cool winters; temperatures range between an average maximum of 26.5°C and minimum of 12.8°C in February to an average maximum 13.6°C and minimum 3.6°C in July. Rainfall varies between a maximum of 77.4 mm in September and minimum of 40.4 mm in February, with annual average rainfalls of 727.1 mm (BOM 2011).

2.1.6 Land use history

The name Traralgon is derived from the Aboriginal 'tarralgon', meaning river of little fishes (TDHS 1995). In 1840, explorer Count Strzelecki noted the fine land in the area. Edward Hobson who, with his brother Edmund Hobson, took up a large holding in the Rosebud area. He was very impressed with the country in the vicinity of the junction of the Traralgon Creek and the Latrobe River. Edmund Hobson took up a run of 19,000 acres which covered all of the area of Traralgon and out to Wade's Creek in the west, and to about the spot where Refair is today. The southern boundary was the edge of the hills. He made his brother Edward his overseer (Blake 1977; Cuthill 1970; Thompson and Court 1976). The study area was once a part of this Traralgon run.

In April 1844, Edward constructed a hut down near the mouth of the Traralgon Creek, and this was the first building to be erected in the district. Edward lived on the Traralgon run until the early 1850s when he returned to the Mornington Peninsula area. Edmund Hobson died suddenly in 1848, and the run was administered by his Trustees, J.H.N. Castle and J.R. Murphy. In 1853, James Castle applied to have the run split in two, divided by the Traralgon Creek. It was then known as the East and West Traralgon runs and the lease was put up for sale. Edward purchased the West Traralgon run, which covered the area from the Traralgon Creek to Wade's Creek, and Turnbull purchased the East Traralgon run, from the Creek to his boundary. In 1851, Edward sold the West Traralgon run to James Purves. In 1854, James Purves sold the West Traralgon run to Duncan Campbell. Duncan and his brother built a home on the present site of "Traralgon Park", later to become the home of another Campbell family who were also to play a large part in the development of the town (Spreadborough and Anderson 1983; LCC 1977).

In 1858, Campbell built a hotel on the rise immediately to the west of the Traralgon Creek and situated right on the main track. He called it the Travellers' Rest, and for sixty years it served the people of the district as Post Office, store, Court House and Church. It was demolished in 1914 to make way for the present Traralgon Hotel. Not long after Campbell built his hotel, gold was discovered in Gippsland on the Tanjil. As Traralgon was on the direct route to the gold fields it soon began to grow. Amendments to the Colonial Land Act saw the subdivision of land and increasing settlement in the area (Cuthill 1970; Thompson and Court 1976; Huffer 1979).



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Wattle bark stripping was also important in Traralgon as it had been elsewhere in Gippsland and Western Port. Wattle bark from Black Wattle, Silver Wattle and Honeysuckle was one of Gippsland's earliest industries. In the 1880s there were a number of tanneries in Moe. The main occupation of the area was dairying and remained so until the 1930s (Cuthill 1970).

By the late 1880s Traralgon was the economic centre for the region and well established. The railway station was the focus of much of this activity including horses being sent to India as remounts, bark for tanneries, red gum and other milled timber. The building of the railway from Sale to Drouin commenced in 1874, and this provided much work for labourers, sawmillers and sleeper cutters. When the line to Maffra was built some years later, the repair shops and Locomotive Depot were moved from Sale to Traralgon. They remained in service until the 1960s and provided hundreds of jobs over the years. In the Depression years they were the main source of employment in the town. By the late 1870s a number of shops and other businesses had been established in the area (LCC 1977).

After World War II the town of Traralgon began to grow rapidly following the establishment of numerous other industries in the town, including the Great Eastern Brickworks and Gippsland Cement. By the late 1950s development of the urban sector was moving much faster than that of the rural sector. Eventually, in 1961, the Borough of Traralgon was created. Traralgon became a City in 1964 (TDHS 1995; Cuthill 1970).

The main occupation of the settlers in the area was dairying. In the early 1890s, the first creameries were set up. Very soon all of the little settlements had their own butter factories; Traralgon had two. For nearly seventy years, the farming sector was the backbone of Traralgon's economy. In 1936, Australian Paper Mills decided to establish a Pulp and Paper mill at Maryvale, about 8 km west of Traralgon. Wood was obtained from the mountain forests to the north-west, and this provided more work for timber cutters and carters (Cuthill 1970; Thompson and Court 1976; TDHS 1995).

Up until recently, Lot 1 PS424148 and the neighbouring property to the west have been used for farming purposes. Lot 1 PS424148 is currently being utilised for dairying and grazing purposes. A drainage channel has been cut, and it runs parallel along the northern boundary of the property. A second drainage line runs off the northern drainage channel, flowing through the eastern portion of the study area to a cement drain in the south of the study area. Several buildings have been erected on the hill crest, including a house, sheds, an effluent dam, and a milking shed and cattle yard. The Ashworth Drive allotments have been developed for thirteen residential dwellings and a public recreation reserve.



2.2 Aboriginal Context

This section reviews the Aboriginal context of the study area and includes an examination of historical and ethnohistorical sources, previously recorded Aboriginal archaeological site types and locations in the geographic region of the study area, and previous archaeological studies undertaken in the area. Together, these sources of information can be used to formulate a predictive site statement concerning what types of sites are most likely to occur in the study area, and where these are most likely to occur.

2.2.1 History and ethnohistory

Archaeological evidence suggests that Aboriginal peoples had occupied all of Australia's environmental zones by 40,000 years BP. The oldest dated archaeological site in Victoria occurs at Keilor in Melbourne. Charcoal from a hearth excavated in 1973 has been dated to 31,000 years BP (uncalibrated) (Flood 1995: 286). More recently, Richards *et. al.* (2007) obtained dates from the Box Gully site of 32,000 years BP (calibrated). However, as this date is calibrated, it should be noted that the uncalibrated age of the Box Gully site is approximately 27,000 years BP.

The Gippsland region of eastern Victoria extends from Cape Patterson in the west to the Snowy River in the east and inland to the Great Dividing Range (Wesson 2000: 1). The word Gunai literally translates as 'man', and the terms Gunai and Kurnai are generally accepted by modern day Aboriginal people (Wesson 2000: 17). The Aboriginal people of Gippsland were isolated by their geographic location and this impacted on relationships with neighbouring groups (Wesson 2000: 17). One enduring conflict between the Gunai and neighbours to the west, north and east is recorded and Wesson refers to boundaries as being jealously guarded as these frontiers were deemed sacred (Wesson 2000: 7).

The Gippsland Aboriginal people were divided into five named clans: the *Brataualung*, *Briakalung*, *Brabralung*, *Tatungalung*, and the *Krowatungalung*. Each clan divided further into several local descent groups. The study area lies within the traditional lands of the *Brayakaulung* people, who occupied the Latrobe, Thompson, Avon and Macalister River valleys. The southern boundary of their traditional land occurs along the Strezlecki Ranges. The study area falls within the land once owned by the *Bunjil Kraura/ Woollum Woollum* (Wesson 2000: 22). Little specific ethnographic information about this clan is available. However, records of other *Kurnai* clans can be referred to in order to obtain a general idea of how they lived and land use patterns.



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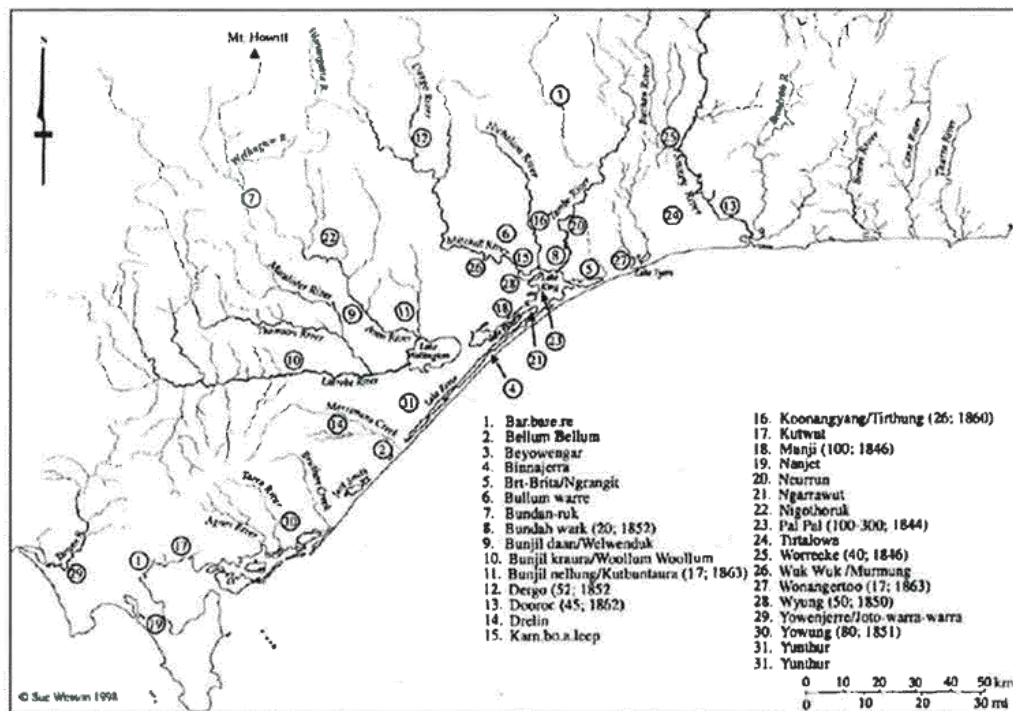


Figure 1: Gippsland named groups (Wesson 2000: 22)

The Gunai country was resource rich and was characterised by large rivers to the east and a system of lake and morasses fed by these and Aboriginal identity was closely linked to these rivers. There were large expanses of heath to the south west and extensive mountain ranges in the north, east, west and south west. Present day roads in the area often follow the route of a network of pathways that formerly intersected the country. Aboriginal people in the Gippsland region harvested water fowl, fish, kangaroo, possum, wombat, reptiles, root vegetables, leafy vegetables, fruits and berries and constructed canoes, rugs, artefacts and decorative apparel using timbers, stones, leathers, ochres, seeds and feathers (Wesson 2000: 17).

The *Brayakaulung* people probably depended on the rivers, wetlands and plains of the region for most of their resources. The seasonal reliability of these resources would have provided incentive for occupation of areas along and adjacent to the La Trobe River during periods of abundance. John Bulmer's¹ accounts (Bulmer Papers 11/11 1833-1913) indicate that the *Kurnai* focused their exploitation on the Gippsland Lakes and waterways, with groups moving in an annual migration pattern.

¹ John Bulmer was a missionary to Aborigines at Lake Tyers from 1862 until his death in 1913.



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In spring, activity focused on coastal wetland resources of fish and waterfowl. In summer occupation was mostly by the coast, when apart from occasional hunting forays by men into the hinterland, shellfish and fish provided the staple diet. Fishing played a significant role in utilising the riverine, estuarine and lacustrine resources, with men using spears and both sexes using nets. Women apparently exclusively used fishing lines and bone fish hooks. During winter, fishing along the coast was less reliable, and groups would move inland to occupy inland river systems and flood plain areas (Morgan 1987: 17).

It is considered by Wesson (2000: 17) that, as with other areas of Australia, in Gippsland land ownership was based on local descent groups with a group of people responsible for the care and maintenance of the region. These understandings of the areas were very broad and it was not until 1904 that Howitt first recorded stories of land-owning groups such as swan-egging rights at Lake Kurlip and Raymond Island (Wesson 2000: 18).

The establishment of whaling stations on Wilsons Promontory from 1828 and farms from the 1830s onward decreased GunaiKurnai population to a mere 200 by the 1860s (Keen 2004:9 based on Howitt). The Gunai clans had lost access to land and resources that were the central components of their cultural life. The effects of disease, dispossession, inter-tribal conflict, alcohol and conflict with Europeans combined to dramatically reduce the Gunai population. Conflict between the two groups occurred mainly in response to pressure placed on traditional Indigenous food resources by dispossession of their land.

Between 1851 and 1886 the government became increasingly involved in the lives of Aboriginal people (Thompson 1985). After this period, some of the remaining clan members moved north into the mountains away from pastoral settlements. Other remaining clan members moved to the Ramahyuck Aboriginal Mission Station, established in 1863 for Aboriginals from the western district and run by the Rev. Friedrich Hagenauer. The mission was situated on the shores of Lake Wellington near the mouth of Avon River. By the 1860s, the majority of the remaining GunaiKurnai were living at the Lake Tyers Mission and Ramahyuck Mission (Keen 2004: 9 based on Howitt 1904). In 1908 Ramahyuck mission was closed, and all the inhabitants were relocated to the Lake Tyres Aboriginal Mission Station. John Bulmer was the manager of Lake Tyers mission from 1861 to 1908. He reported to state government officials and his detailed letters to ethnographers Curr, Smyth, Howitt and Matthews formed much of the basis for their information regarding Gippsland and Omeo Aboriginal people (Wesson 2000: 5).

Descendants of the *Kurnai* tribe now live throughout Gippsland region and are represented by the Gunaikurnai Land and Waters Aboriginal Corporation, who hold RAP status under the Victorian Aboriginal Heritage Act 2006, and Native Title rights under the Commonwealth Native Title Act.



2.2.2 Oral history

Consultation with GLWAC did not identify any specific oral traditions associated with the study area.

2.2.3 Database searches

The following database searches were conducted:

2.2.3.1 Victorian Aboriginal Heritage Register

A search of the Victorian Aboriginal Heritage Register (VAHR) was conducted on 31 March 2011 for sites within a 2 km radius of the study area. Searching an area with this radius ensured that a relevant and representative sample of information was obtained.

Ten sites are located within a 2 km radius; four isolated artefact and six artefacts scatter sites, three of which are also collection sites. There are no sites within the study area (Map 5, Page 55). A summary of the relevant Aboriginal archaeological sites appears below (Table 2).

Two of these sites, Maryvale Cemetery 1 (8121-0038 [VAHR]), Cemetery Road 1 (8121-0039 [VAHR]), occur immediately to the west of the current study area.

Table 2: Summary of Previously Identified Aboriginal Sites within 2 km of the Study Area

VAHR Site Number	Report Number	Site Name	Site Type	Artefact Qty	Within Study area?
8121-0038	011	Maryvale Cemetery 1	Artefact Scatter	Not Specified	No
8121-0039	011	Cemetery Road 1	Artefact Scatter	8	No
8121-0107	011	Scrubby Lane Pines 1	Artefact Scatter	Not Specified	No
8121-0293	3896	GWF 5	Artefact Scatter	3	No
8221-0129	3896	GWF 2	Isolated Artefact	1	No
8221-0130	3896	GWF 6	Artefact Scatter	2	No
8221-0144	11174	Windsor Park, Traralgon 1	Artefact Scatter	1	No
8221-0150	11174	Windsor Park, Traralgon 2	Artefact Scatter Object Collection	9	No
8221-0151	11174	Windsor Park, Traralgon 3	Isolated Artefact Object Collection	1	No
8221-0152	11174	Windsor Park, Traralgon 4	Isolated Artefact Object Collection	1	No



2.2.3.2 Local Council

The study area is located within the Latrobe City Council and is governed by the Latrobe City Planning Scheme. Planning schemes set out policies and provisions for the use, development and protection of land.

The Heritage Overlay of the Latrobe City Planning Scheme was examined. No Aboriginal heritage places listed on the Heritage Overlay are present within the study area (Map 5, Page 55).

2.2.4 Previous Aboriginal archaeological investigations

Regional and localised archaeological investigations have established the general character of Aboriginal sites located within the same geographic region as the study area. This information, together with environmental context, histories of land use and historical and ethnohistorical, can be used to form the basis for a site prediction statement.

A summary of relevant archaeological investigations is provided below (Table 3), and some of the more relevant investigations are discussed below.

The most relevant investigation for the study area is a recent desktop assessment conducted by Heritage Insight (2010). This assessment included the Lots 2 and 3 PS343525 of the current study area. The assessment found that there is no requirement for a mandatory CHMP within the study area because there were no identified areas of cultural heritage sensitivity. However, the assessment did recommend that further archaeological survey be carried out, particularly along the ridgeline and escarpment along the northern boundary (this has partially occurred during the current study). The assessment identified this ridgeline as having Aboriginal cultural heritage likelihood². It further recommended that a voluntary CHMP be prepared to offset the identified risk that Aboriginal cultural heritage will occur in the study area.

Wesson and Beck (1981) undertook a large scale study across a 107 km² research area, located to the southwest of the current study area. This assessment identified 132 new Aboriginal archaeological sites within their study area, three of which are located within 2 km of the current study area: artefact scatters Maryvale Cemetery 1 (8121-0038 [VAHR]), Cemetery Road 1 (8121-0039 [VAHR]) and Scrubby Lane Pines 1 (8121-0107 [VAHR]).

² In this report distinction is made between the terms **Aboriginal cultural heritage sensitivity**, which is an area identified in the *Aboriginal Heritage Act 2006* and triggers the need for a CHMP, and **Aboriginal cultural heritage likelihood**, which is an archaeologist's expert opinion of archaeological potential based on landforms present and extent of significant ground disturbance.



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Wesson and Beck noted that ground surface visibility at the time of their assessment was not good, and therefore further sites with better subsurface preservation may be present in the region. It should also be noted that Maryvale Cemetery 1 (8121-0038 [VAHR]) and Cemetery Road 1 (8121-0039 [VAHR]) both occur immediately to the west of the current study area on contiguous landforms (i.e. the sites occur on the same ridgeline that runs across the northern boundary of the study area).

Murphy and Rymer (2007) undertook a standard and complex assessment for a pipeline alignment which runs through Traralgon, and part of which lies within 2 km to the south of the current study area. This investigation identified a great number of previously recorded sites in the vicinity of their study area, as well as identifying five new Aboriginal sites within their study area itself. Of these new sites, one is located within 2 km of the current study area: GWF 2 (8221-0129 [VAHR]). This site is an isolated surface flaked stone artefact, and later subsurface testing in the vicinity of the site did not uncover any further artefacts associated with GWF 2 (8221-0129 [VAHR]). Murphy and Rymer note that there is some potential for further sites to be located in the general area near where GWF 2 (8221-0129 [VAHR]) was identified, although their own testing of the immediate area did not identify further material.

A summary of all archaeological reports relevant to the geographical region of the study area appears below (Table 3).

Table 3: Aboriginal Archaeological Reports Relevant to the Study Area

Author, Date, AAV Report #	Description and Location	Results
Wesson, J. and Beck, W. 1981 #011	An archaeological survey was undertaken for a large area of land to the southwest of the current study area.	A total of 132 new Aboriginal archaeological sites were identified during the survey, three of which are located within 2km of the current study area: Maryvale Cemetery 1 (8121-0038 [VAHR]), Cemetery Road 1 (8121-0039 [VAHR]) and Scrubby Lane Pines 1 (8121-0107 [VAHR]). These sites are all stone artefact scatters, and the majority of all the sites located during their survey comprised stone artefact scatters or isolated stone artefacts.
Rhodes, D. and duCros, H. 1998 #1320	An archaeological study was undertaken for the Greater Melbourne area, focusing on the waterways and floodplains landforms.	The waterways and associated plains were investigated across a wide area, and potential for archaeological sites based on the landform and previously recorded sites in the area.
Long, A. et al 1999 #709	Preliminary archaeological assessment of the Loy Yang Power property, south east of Traralgon.	Seven previously recorded Aboriginal archaeological sites were inspected, and three new isolated artefact sites were identified (8221-0081/0083 VAHR). Four previously recorded scarred trees were inspected; only two were determined to be of Aboriginal origin (8221-0006, 0015 VAHR), while one was natural (8821-0014 VAHR), and one was no longer extant (8221-0016 VAHR). Two previously recorded scarred trees could not be relocated.
Huys, S. 2001 #2065	An archaeological assessment was undertaken for the proposed alignment of an optical fibre cable near Traralgon, part of which is located within 2 km west of the current study area.	No new sites were identified during the assessment, although one area of potential was identified along the banks of the La Trobe River. It was also noted that sites in the vicinity of the alignment tended to be located along or near to waterways of the area.

Author, Date, AAV Report #	Description and Location	Results
Ellender, I. 2002 #2425	A re-appraisal of the ethnographies of south Gippsland.	Territorial boundaries are reconstructed through a re-appraisal of ethnographic literature. This paper looks at the change in ownership of the Yowenjerre country through conquest of one Aboriginal group by another. It looks at the spiritual significance of Wilson's Promontory.
Murphy, A. and Rymer, T. 2007 #3977	A cultural heritage assessment was undertaken for a water station and pipeline alignment which runs across a large area, part of which passes less than 2 km south of the current study area.	Five new Aboriginal sites were identified during the survey, one of which is located within 2 km of the current study area; GWF 2 (8221-0129[VAHR]). Other sites in the area were noted as being present near the alignment of current or prior waterways.
Murphy, A. and Rymer, T. 2007 #4058	A sub-surface testing program was undertaken for a water station and the alignment of a water pipeline which runs across a large area, part of which passes less than 2 km south of the current study area.	Sub surface testing of the sites located during the survey indicated that the artefact scatters along this alignment were of a low density and of low scientific significance. Each site tested also displayed a great deal of prior disturbance.
Murphy, A. and Owen, D. 2008 #10449	A complex CHMP was prepared for a proposed subdivision less than 2 km to the east of the current study area.	One previously recorded Aboriginal site was identified within their study area; GWF 2 (8221-0129[VAHR]). Excavation carried out around the established boundaries of this site identified three additional stone artefacts associated with the site, and the site boundary was amended accordingly. The site was not to be impacted by the proposed works.
Patton, K. and Schlitz, M. 2008 #10277	A complex CHMP was prepared for works associated with the replacement of a bridge less than 2 km east of the current study area.	Neither the survey nor the complex testing of the area identified any new Aboriginal archaeological sites, and no previously recorded sites were located within their study area.

Author, Date, AAV Report #	Description and Location	Results
Murphy, A. and Owen, D. 2010 #11174	A complex CHMP was undertaken for a proposed residential subdivision located less than 2 km east of the current study area.	Two new Aboriginal sites were identified during the standard assessment; Windsor Park Traralgon 1 (8221-0144[VAHR]) and Windsor Park Traralgon 3 (8221-0151[VAHR]), and a further three sites were identified during subsurface testing; Windsor Park Traralgon 2 (8221-0150[VAHR]), Windsor Park Traralgon 3 (8221-0151[VAHR]) and Windsor Park Traralgon 4 (8221-0152[VAHR]). Windsor Park Traralgon 1 (8221-0144[VAHR]) was identified south of their study area, and all sites identified are within 2 km of the current study area.
Heritage Insight Pty Ltd 2010	A desktop due diligence assessment was made of Lots 2 and 3 PS343525, within the current study area.	No previously unrecorded Aboriginal sites occur in the study area and no identified areas of cultural heritage sensitivity occur. A mandatory CHMP is not required, however a voluntary CHMP and/or further archaeological survey was recommended.



2.2.5 Aboriginal archaeological site prediction statement

The review of the previously recorded Aboriginal archaeological sites and previous archaeological investigations indicates that the most likely site types that may occur in the study area are stone artefacts scatters and isolated artefacts, and the previous studies in the general area have indicated that Aboriginal sites are most likely to be found close to the alignment of current or past waterways. The following site prediction statement has been formulated from the review of previous assessments. The statement presented is based on a site type approach.

Stone Artefact Scatters

Stone tools were made by hitting one piece of stone, called a core, with another called a 'hammerstone', often a pebble. This would remove a sharp fragment of stone called a flake. Both cores and flakes could be used as tools. New flakes were very sharp, but quickly became blunt during use and had to be sharpened again by further flaking, a process called 'retouch'. A tool that was retouched has a row of small flake scars along one or more edges. Retouch was also used to shape a tool.

Not all types of stone could be used for making tools. The best types of stone are rich in silica, hard and brittle. These include quartzite, chert, flint, silcrete and quartz. Aboriginal people quarried such stone from outcrops of bedrock, or collected it as pebbles from stream beds and beaches. Many flaked stone artefacts found on Aboriginal sites are made from stone types that do not occur naturally in the area. This means they must have been carried over long distances.

Stone tools are the most common evidence of past Aboriginal activities in Australia. They occur in many places and are often found with other remains from Aboriginal occupation, such as shell middens and cooking hearths. They are most common near rivers and creeks. It is easier to find them where there is limited vegetation or where the ground surface has been disturbed, for example by erosion.

Artefact scatters are the material remains of past Aboriginal people's activities. Scatter sites usually contain stone artefacts, but other material such as charcoal, animal bone, shell and ochre may also be present. No two scatters are exactly the same.

Artefact scatters can be found wherever Aboriginal occupation has occurred in the past. Aboriginal campsites were most frequently located near a reliable source of fresh water, so surface scatters are often found near rivers or streams where erosion or disturbance has exposed an older land surface.

Stone artefact scatters are considered likely to occur in the study area.



Isolated Artefacts

Isolated artefacts are stone tools which occur singly and may occur anywhere in the landscape. Surface isolated artefacts may be indicative of further sub surface archaeological deposits. This site type can be found anywhere within the landscape, however, they are more likely to occur within contexts with the same favourable characteristics for stone artefact scatter sites.

Isolated artefacts are considered likely to occur in the study area.

Scarred Trees

Aboriginal people caused scars on trees by removing bark for various purposes. The scars, which vary in size, expose the sapwood on the trunk or branch of a tree. Scarred trees are found all over Victoria, wherever there are mature native trees, especially box and red gum. They often occur along major rivers, around lakes and on flood plains.

Scarred Trees are considered unlikely to occur in the study area.

Aboriginal Burials

Aboriginal burials are normally found as clusters of human bones eroding from the ground, or exposed during ground disturbance. Aboriginal customs for honouring and disposing of the dead varied greatly across Victoria, but burial was common. Aboriginal burial sites normally contain the remains of one or two people, although cemeteries that contain the remains of hundreds of people buried over thousands of years have been found. Sometimes the dead person was buried with personal ornaments and artefacts. Charcoal and ochre are also often found in burial sites.

Although Aboriginal burials are quite rare in Victoria, they have been found in almost every kind of landscape, from coastal dunes to mountain valleys. They tend to be near water courses or in dunes surrounding old lake beds. Many burials have been found on high points, such as dune ridges, within surrounding flat plains. They are often near or within Aboriginal occupation sites such as oven mounds, shell middens or artefact scatters.

Aboriginal burials are considered unlikely to occur in the study area.



2.2.6 Aboriginal desktop assessment - conclusions

The desktop assessment has indicated that there are Aboriginal sites in the vicinity of the study area, although no sites have previously been recorded within the study area itself. The predominant sites in the area are flaked stone artefact scatters and isolated artefacts found in proximity to permanent and ephemeral waterways. It is considered likely that the study area contains some of these site types, and a standard assessment should be undertaken to determine the presence or absence of surface sites, and to identify any areas of subsurface potential.

2.3 Historical Context

The section reviews the historical context of the study area and includes an examination of historical and ethnohistorical sources, previously recorded historical archaeological site types and locations in the geographic region of the study area, and previous archaeological studies undertaken in the area. Together, these sources of information can be used to formulate a predictive site model concerning what types of sites are most likely to occur in the study area, and where these are most likely to occur.

2.3.1 History

Traralgon's origins date from the early pastoral period, when Edward Hobson occupied the Traralgon run in 1844. An accommodation house near Traralgon Creek provided shelter for travellers on the route between Melbourne and Sale. The town was surveyed in 1858 and a census in 1861 revealed there were 36 residents.

Construction of the railway line between Sale and Melbourne, which was completed in 1879, was a major impetus to the town's development. Traralgon became a centre for the region, where dairying and saw milling were developing as major industries and the town eventually became a legal, administrative and educational centre. In the 1880s four brickyards were operating, substantial public buildings were constructed in the town and new subdivisions provided land for housing. A railway line from Traralgon to Stratford was built.

Traralgon's importance as a railway town increased when it became a service depot in 1903. Many railway workers moved into cottages in the Queen's Parade (formerly Railway Parade) area. APM's decision in the 1930s to build a paper pulp mill near Traralgon had a significant impact on the town. Staff housing was also built. A group of six houses the APM built for staff is in Kay, Clarke and Grey Streets.

Significant heritage sites document Traralgon's development. For example, the Star Hotel, built in 1875, shows the accommodation provided for travellers before the railway line had been completed. Houses set high on land subdivided in the 1880s, just to the west of the town centre, reflect the prosperity and growth that Traralgon experienced in the 1880s, as do the imposing court house and post office in Franklin Street.



There are the cottages in and around Queen's Parade built for railway workers and two railway stations (facing each other from each side of the track), built almost ninety years apart. They demonstrate the continuing importance of the railways to Traralgon. The many APM estates built for its workers reveal the influence APM has had on the town and employees' lives. In the town centre, the Laytons building in Franklin Street (built as a department store in the early twentieth century) has recently been restored to reveal its façade of Edwardian arches and windows (Context 2005).

2.3.2 Database searches

2.3.2.1 Victorian Heritage Register

The Victorian Heritage Register (VHR), established by the Victorian *Heritage Act 1995*, provides the highest level of statutory protection for historical sites in Victoria. Only the State's most significant historical sites are listed on the Victorian Heritage Register.

A search of the Victorian Heritage Register for information relating to the study area was undertaken. The study area and the surrounding 2 km of land were investigated. There is one site listed on the VHR within 2 km of the study area:

- H2135 – Azarole Hawthorn Tree

This site is not located within the study area itself (Map 5, Page 55).

2.3.2.2 Victorian Heritage Inventory

The Victorian Heritage Inventory, established by the Victorian *Heritage Act 1995*, provides the statutory protection for all historical archaeological sites, areas or relics, and private collections of relics, in Victoria. Sites listed on the Heritage Inventory are not of State significance but are usually of regional or local significance.

A search of the Victorian Heritage Inventory for information relating to the study area was undertaken. The study area and the surrounding 2 km of land were investigated. There are two sites listed on the VHR within 2 km of the study area:

- HI 8221-0017 – George Bolton Eagle Grave
- HI 8221-0018 – Mary Ann Smythe Grave
- HI 8121-0005 – Driffield 5

None of these sites are located within the study area itself (Map 5, Page 55).



2.3.2.3 Local Council

The study area is located within the Latrobe City Council and is governed by the Latrobe City Council Planning Scheme. Planning schemes set out policies and provisions for the use, development and protection of land.

The Heritage Overlay of the Latrobe City Council Planning Scheme was examined. There are four sites listed on the Heritage Overlay within 2 km of the study area:

- HO92 – Traralgon Old Cemetery;
- HO26 – Glengarry West State School No. 4426;
- HO135 – The Bluff Causeway Bridge; and
- HO137 – Sandbank Reserve.

None of these sites are located within the study area itself (Map 5, Page 55).

2.3.2.4 National Trust Register

The National Trust of Australia (Victoria) is an independent, not-for-profit organisation that classifies a number of heritage places. Listing on the National Trust Register (NTR) does not impose any statutory protection, however often National Trust listings are supported by the local council Planning Scheme.

The study area and the surrounding two kilometres of land were investigated. There is one site which holds a 'File Only' listing on the NTR within 2 km of the study area:

- B4957 – Cemetery Gatehouse.

There are no sites listed on the NTR within the study area itself (Map 5, Page 55).

2.3.2.5 National, Commonwealth and International Heritage Lists

The Australian Government Department of the Department of Sustainability, Environment, Water, Population and Communities (DSEWPC) maintains the National Heritage List (NHL), a register of exceptional natural, Aboriginal and historical heritage places which contribute to Australia's national identity. The DSEWPC also maintains the Commonwealth Heritage List (CHL), a register of natural, Aboriginal or historical heritage places located on Commonwealth land which have Commonwealth heritage values.

A place can be listed on one or both lists, and placement on either list gives the place statutory protection under the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act 1999).

The World Heritage List (WHL) lists cultural and natural heritage places which are considered by the World Heritage Council to have outstanding universal value.



In addition, the DSEWPC also maintains the Register of the National Estate (RNE) which is a list of natural, Indigenous and historic heritage places throughout Australia. Following amendments to the *Australian Heritage Council Act 2003*, the RNE was frozen on 19 February 2007, which means that no new places can be added, or removed. However, the Register will continue as a statutory register until February 2012. During this transition period items listed on the RNE must continue to be considered during approvals processes.

Listings on the NHL, CHL, WHL and RNE are accessed via the Australian Heritage Database (AHD), managed by DSEWPC.

The study area and the surrounding 2 km of land were investigated. There were no sites listed on the NHL, CHL, WHL or RNE within 2 km of the study area (Map 5, Page 55).

A summary of the relevant historical archaeological sites appears below (Table 4 and Map 5, Page 55).

Table 4: Summary of Previously Identified Historical Sites within 2 km of the Study Area

Register and Site Number	Site Name	Site Type	Within Study area?
VHR 2135	Azarole Hawthorn Tree	Botanical	No
VHI 8121-0005	Driffield 5	Infrastructure	No
VHI 8221-0017	George Bolton Eagle Grave	Religious	No
VHI 221-0018	Mary Ann Smythe Grave	Religious	No
HO26 Heritage Overlay	Glengarry West State School No. 4426	Educational	No
HO92 Heritage Overlay	Traralgon Old Cemetery	Religious	No
HO135 Heritage Overlay	The Bluff Causeway Bridge	Infrastructure	No
HO137 Heritage Overlay	Sandbank Reserve	Public	No
B4957 National Trust	Cemetery Gatehouse	Building	No



2.3.3 Previous historical archaeological investigations

Regional and localised archaeological investigations have established the general character of historical sites located within the same geographic region as the study area. This information, together with the information gathered in Section 2.3.2, can be used to form the basis for a site prediction statement.

Previous archaeological investigations undertaken within Traralgon have identified a variation of historical site types that may occur within the region.

Long et al (1999) recorded four historical sites during a survey of the Loy Yang Power property, including three historical farming selections and the site of the relocated rural township of Traralgon South. It was considered likely that subsurface deposits could reveal further information about the historic locations.

Clark and Thomson's (2000) survey for the Traralgon Bypass, stage 1, identified a brick sheep dip; however this site was destroyed and d-listed during the construction.

Clark (2001) identified one new historic site during a survey for proposed works on the Princes Highway East. This site was composed of a scatter of historical artefacts within a rail reserve. This site was destroyed and d-listed during the construction.

Rhodes' (2003) desktop assessment and field survey for optic fibre cable installations between Melbourne and Traralgon identified one previously recorded site in Traralgon: the Traralgon Engine Shed and Turntable (H1979). Two new sites associate with rail infrastructure were also recorded: a Timber-Lined Pit (H8021-0020) and Railway Sidings (D8121-0041).

A summary of archaeological reports relevant to the geographical region of the study area appears below (Table 5).

Table 5: Archaeological Reports Relevant to the Historical Heritage of the Study Area

Author, AAV Report No.	Date	Location and Description	Results
Long, A. et al #709	1999	Preliminary archaeological assessment and field survey of the Loy Yang Power property, south east of Traralgon.	Four historical sites were recorded, comprising three selections and the site of a relocated rural township (Traralgon South) (H 8221-0002/0005), which dates to the late 19 th century. Each location had little or no surface remains of heritage value, but did have the potential to reveal information about the origin and character of the sites in subsurface deposits.
Clark, V. and Thomson, M. #1055	2000	Field survey for the proposed Traralgon Bypass (stage 1), Princes Highway, Traralgon. Includes 9 km of proposed road from the interchange of the existing Princes Freeway and Princes Drive.	One historic archaeological place was recorded (D 8221-0006). These historical ruins were destroyed during the bypass construction. The site comprised a brick pit, which was a sheep dip.
Clark, V. and Amorosi, L. #1287	2002	Field survey and subsurface testing for the proposed Traralgon Bypass (stage 2), from Traralgon Creek Road, south of Traralgon, to the Princes Highway to the east of the town.	No historic archaeological sites were identified.
Clark, V. #1288	2001	Field survey for the proposed works on the Princes Highway East, between Traralgon and Flynn.	One historic archaeological site was identified (H 8221-0011). This site is a scatter of historical artefacts found on the east side of Barrs Lane in a rail reserve. No traces of a structure were found. The artefact scatter was destroyed during the proposed works.
Clark, V. #1843	2004	Results of the assessment for the proposed Traralgon Bypass (stage 3), south of Traralgon, to the Princes Highway to the east of the town.	Previous investigations (stages 1 and 2) were carried out to look at alignment options to the west of Traralgon Creek Road, and East of Traralgon Creek road. An additional survey was carried out during stage three, but no new sites were identified.

Author, AAV Report No.	Date	Location and Description	Results
Rhodes, D. #1959	2003	Desktop and field survey assessment for the installation of optic fibre communications cable along the rail corridor from Melbourne to Traralgon.	Between Melbourne and Traralgon, six historic heritage places have been previously identified: Flinders St Railway Station Complex (H1083/HO649), Malvern Railway Station (H1575/HO103), Caulfield Railway Station Complex (H1665/HO078), Clayton Railway Station (H1667/HO3), Warragul Railway Station (H1598/HO119) and Traralgon Engine Shed and Turntable (H1979). Two new sites were recorded during the field survey: Timber-Lined Pit (H8021-0020) and Railway Sidings (D8121-0041). The first is located on the west bank of the Buryip River, while the second is located near Yallourn.
Murphy, A. #2471	2006	Survey of 1086 hectares, between Traralgon and Morwell, for proposed Mountain View Development, Traralgon.	No historic archaeological sites had been previously recorded within the study area, and none were identified during the field survey.



2.3.4 Historical Archaeological Site Prediction Statement

The review of the previously recorded historical archaeological sites and previous archaeological investigations indicates that the most likely site types in the study area are domestic, farming and pastoral sites. Whilst a number of historic rail infrastructure sites have been identified within 2 km of the study area, it is highly unlikely that such sites will be located within the study area. The following site prediction statement has been formulated from the review of previous assessments. The statement presented is based on a site type approach.

Domestic Sites

Evidence of domestic occupation may include structural remains or ruins of homesteads and/or outbuildings, domestic rubbish dumps or bottle dumps, wells or underground storage tanks.

Domestic sites are considered a possibility within the study area.

Farming Sites

Evidence of farming may include fence lines, dams, water channels, plantings or terracing.

Farming sites are considered a possibility within the study area.

Pastoral Sites

Breeding of livestock and dairying may be evidenced by the remains of stockyards, stables, barns and holding pens.

Pastoral sites are considered a possibility within the study area.



3 FIELD ASSESSMENT AND RESULTS

At the request of the client, field survey was limited to survey of the Stockdale property (Lot 1 PS424148). The other properties within the study area were assessed by desktop research only.

3.1 Survey

The standard assessment includes the ground survey of Lot 1 PS424148 to detect the presence of Aboriginal cultural heritage in or associated with the study area.

Lot 1 PS424148 was surveyed on 19 April 2011 by Ecology and Heritage Partners Pty Ltd Archaeologists/Cultural Heritage Advisors Mollie Harbour and Jo Verducci, with Lloyd Hood and Adrian Dow representing the RAP for the study area, the GLWAC.

3.1.1 Methodology

The survey took the form of a pedestrian survey in which four participants walked 2 m apart across the entire study area (Map 6, Page 56). No mature native trees are located within the study area. No caves, cave entrances or rock shelters are present within the study area. A summary of the archaeological survey attributes appears in Appendix 3.

3.1.2 Limitations of the survey

As stated above, survey was limited to one property within the study area (Lot 1 PS424148). No visual inspection or survey of the remainder of the study area was conducted.

Ground surface visibility (GSV) was, on average, 5% across the study area with occasional increased visibility under the tree line on the western boundary, and on the far eastern and far western portions of the hill crest where erosion has occurred. The eastern half of the floodplain paddocks was flooded, providing zero GSV.

The two north eastern paddocks were not surveyed due to flooding. In the south eastern paddock, boggy ground prevented us from surveying an identified area of marshland. Waterlogged ground was encountered throughout the paddocks located on the floodplain, as well as the lower sloped ground to the south. Other areas that were inaccessible during the survey included an effluent dam, vehicle parking areas, the three building sites and milking shed/yard, and an artificial drainage channel in the centre of the far eastern paddock.

3.1.3 Results of the survey

Six different landforms were identified during the survey of 240 Cross's Road, Traralgon, varying from marshy low-lying drainage channels, to rises towards the northern and north eastern boundaries (Map 7, Page 57).



1. On the western side of the property, facing north, lies a gentle rise (Plate 1). This rise begins from the northern fence line of paddock four. The rise suddenly falls into a steep descent at the northern fence line of paddock six, and becomes a flat floodplain at the edge of the northern drainage channel.
2. A ridgeline runs east-west along the northern end of the property (directly behind the effluent dam and milking shed/yard), with a steep bank descending to the floodplain directly north of the property (Plate 2).
3. A gentle rise is located along the south eastern fence line, spanning approximately 300 m north to south and approximately 50 m east to west.
4. A very gentle rise is located on the south western side of the property, measuring approximately 100 x 100 m. The rise is located south of a large drain pipe that extends west, from beneath the driveway.
5. The south eastern portion of the study area encompasses a low lying marsh area, lying directly east of the driveway (Plate 3). The marsh area results from the confluence of an artificial drainage channel, and large drainage pipe, and a manmade drainage channel that runs from east to west across the central eastern portion of the property. This marshy area covers approximately 250 x 50 m. Recent heavy rains meant that the marsh was partly underwater and extremely boggy underfoot during the ground survey.
6. A floodplain lies in the northern section of the study area, spanning the property from west to east along the northern boundary line, and extends approximately 50 m south, to the base of the steep ridgeline bank (Plate 4). A manmade drainage channel lies directly north of the property. This floodplain was waterlogged, and in some parts under water due to recent flooding of the drainage channel, during completion of the ground survey.

Weather conditions on the day of the ground survey were overcast with periods of light rain and slight winds.

The dominant vegetation of the study area comprised a grass ground cover with heavy weed growth in the marshy low-lying areas in the south. Approximately 20% of the study area had zero visibility due to waterlogged, marshy or weedy conditions that resulted from poor surface water drainage. At the confluence of the drainage channels on the eastern side of the property the drainage channel running east to west is creek-like in nature, and featured heavy tree, blackberry and weed growth on both banks.

Disturbance within the study area includes the large drainage pipe that opens into the south eastern paddock (east of the driveway), which comes from the direction of Cross's Road (Plate 3). A second large drainage pipe is located west of the drive way (approximately half way up the driveway), extending to just inside the western portion of the study area. A driveway has been constructed down the centre of the property, leading to the farm building complex (entailing milking yards, herding pens, residential house, garage and a white storage shed) on the centre of the hill crest to the north.



The farm building complex has a series of heavily disturbed vehicle and animal tracks, leading to the northern gates on the ridge of the hill (Plates 6-8). An effluent dam (approximately 25 x 50 m) to the east of the herding pens has been dug into the hill crest, with slightly raised banks (Plate 9). Periodically, the dam overflows and the runoff is carried down the steep bank to the northern floodplain.

3.1.3.1 Aboriginal cultural heritage

One Aboriginal place was identified in the survey area:

- 240 Cross's Road AS (8221-0182 [VAHR]).

This site was located on the eastern side of the property, just below the northern ridgeline (Plate 10). Only one of the artefacts was located on the flat ground beside the effluent dam. The location of the artefact scatter was an area of increased GSV, partially due to the runoff from the effluent dam directly above the site. Thirty stone artefacts were identified (two quartz and 28 silcrete) and their coordinates recorded by a Differential GPS. One of the silcrete artefacts identified was a core; the remainder were flakes and debitage. During the survey Lloyd Hood (GLWAC) advised that a silcrete quarry exists less than half an hour drive from the property, in a national park near Tyers (Tyers Park). Additionally, silcrete outcrops can be found on flats in bush land across the region.

As predicted prior to the survey, the rise and ridgeline in the northern section of the property are culturally significant and contain Aboriginal cultural material. As this landform would have overlooked the floodplains below, it is a likely area for usage in the past. GLWAC representatives confirmed this during the ground survey assessment. As a result, a complex subsurface assessment is required, targeting the rise in the north of the study area, and the slight rises along the eastern property boundary and the south western side of the property. It was determined that approximately 20% of the low lying swampy areas of the study area are unsuitable for testing due to the high water content of the soils. This percentage may increase following heavy rains.

The site is discussed further in Section 3.2

3.1.3.2 Historical heritage

Two historic pavement features were identified in the survey area, on the main driveway leading into the farm (Plates 11 to 12). The pavement feature consists of two stone paving features appearing out of the eroded gravel driveway surface. The two features are located approximately 5-10 m apart, and are comprised of two different stone layout patterns. Feature 1 has two regular square layouts of stones bordered by small irregularly shaped stones, while the second has a regular square layout of stones. Stone Feature 1 is approximately 2 m in length, and 1 m wide; Stone Feature 2 is approximately 1 m in length and 1 m wide. The function of the stone features is unclear- they may have been a road surface of some kind.

Based on advice from Heritage Victoria (Appendix 6), it was decided that registering the stone features as a historic site was not necessary, unless evidence could be found to suggest the features are a significant historic site.



Plate 1: View of Study area facing NE from SW corner, showing gentle rise.



Plate 2: View of Study area facing NW, showing crest of hill with flagged artefacts from 240 Cross's Road AS (8221-0182 [VAHR]).



Plate 3: View of study area facing SW, showing drain and marsh area.



Plate 4: View of study area facing SW, showing flooded paddock at base of hill.



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Plate 5: View of study area facing NE, showing Northern side of hill with erosion.



Plate 6: View of study area facing E, showing driveway, building and rubbish.



Plate 7: View of milking shed east of house, facing east from top of hill crest.



Plate 8: View NE from road on top of hill crest, west of house.



Plate 9: View NE from top of slope where 240 Cross's Road AS (8221-0182 [VAHR]) is located.



Plate 10: Artefact from 240 Cross's Road AS (8221-0182 [VAHR]).



Plate 11: View of 240 Cross's Road Stone Feature 1

Plate 12: View of 240 Cross's Road Stone Feature 2

3.2 Aboriginal Archaeological Sites

One Aboriginal archaeological site is present within the study area:

- 240 Cross's Road AS (8221-0182 [VAHR]) (Map 7, Page 57).

3.2.1 240 Cross's Road AS (8221-0182 [VAHR])

3.2.1.1 Location of 240 Cross's Road AS (8221-0182 [VAHR])

Primary Grid Coordinate: GDA 94, Zone 55, E 456587, N 5774269.

- Lot 1 PS424148; Parish of Traralgon; County of Buln Buln (240 Cross's Road, Traralgon)

3.2.1.2 Extent of 240 Cross's Road AS (8221-0182 [VAHR])

240 Cross's Road AS (8221-0182 [VAHR]) is located on the eastern side of the property, just below the northern ridgeline (Map 9, Plan 1 and Plates 13-14). One artefact was located on flat ground beside the effluent dam. The artefact scatter was found within an area of increased GSV.

3.2.1.3 Nature of 240 Cross's Road AS (8221-0182 [VAHR])

240 Cross's Road AS (8221-0182 [VAHR]) consists of a stone artefact scatter on the northern ridgeline. One artefact was located on flat ground beside the effluent dam. The artefact scatter was found within an area of increased GSV, partially due to the runoff from the effluent dam directly above the site. Thirty stone artefacts were identified (two quartz and 28 silcrete). One silcrete core was present; the remainder were flakes and debitage.



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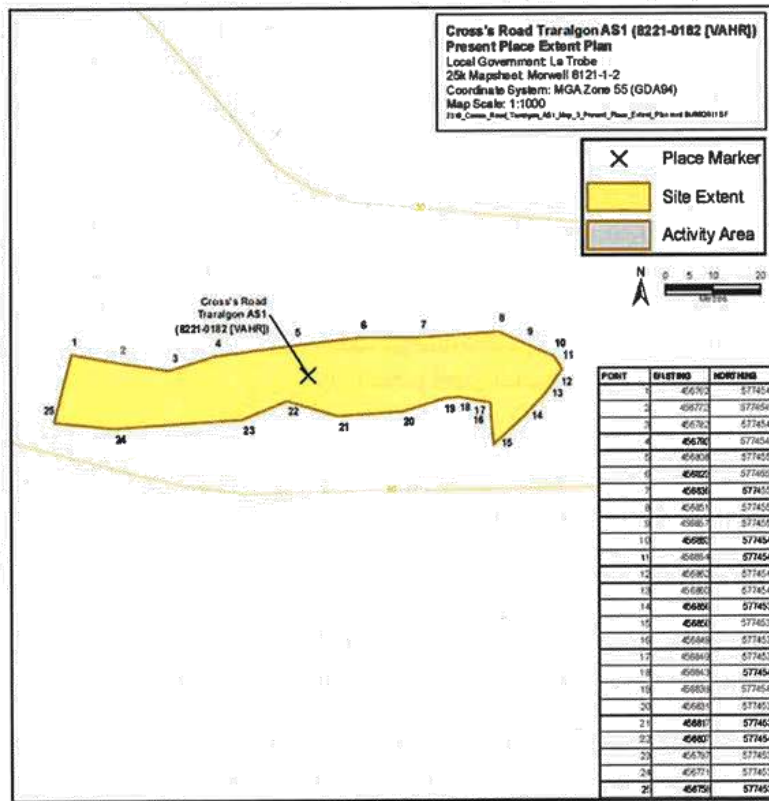
3.2.1.4 Significance of 240 Cross's Road AS (8221-0182 [VAHR])

As predicted prior to the survey, the rise and ridgeline in the northern section of the property are culturally significant and contain Aboriginal cultural material. As this landform would have overlooked the floodplains to the north, it is a likely area for usage in the past. GLWAC representatives confirmed this during the ground survey assessment. The site has been used in the past for making stone tools, as illustrated by the identification of a core, stone flakes and flaking debitage. During the survey Lloyd Hood (GLWAC) advised that a silcrete quarry exists less than half an hour drive from the property, in a national park near Tyers (Tyers Park). Additionally, silcrete outcrops can be found on flats in bush land across the region. This information ties the artefact scatter to local raw materials.



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As the site represents various stages in the production of stone tools, possibly using local raw materials, it is considered to be site of medium scientific significance. All Aboriginal cultural sites are of cultural significance to the GLWAC.



Plan 1: Extent of 240 Cross's Road AS (8221-0182 [VAHR])



Plate 13: View of 240 Cross's Road AS (8221-0182 [VAHR]) facing North



Plate 14: Artefacts from 240 Cross's Road AS (8221-0182 [VAHR])



4 MANAGEMENT RECOMMENDATIONS

This section provides a summary of the recommendations made in relation to the Aboriginal and historical heritage values of the study area. For Aboriginal cultural heritage the following recommendations explain whether a Cultural Heritage Management Plan (CHMP) under the *Aboriginal Heritage Act 2006* will or will not be required. It should also be noted that the properties are owned by different entities and development will be conducted by more than one developer. Consequently recommendations for CHMPs may be provided on a property by property basis.

For this study area, in areas where it is considered that a mandatory CHMP *is* required, this will be because those areas contain an identified area of cultural heritage sensitivity under the *Aboriginal Heritage Act 2006* and/or an identified area of Aboriginal likelihood as assessed during surface survey. In areas where it is considered that a voluntary CHMP is required, this will be because those properties are considered likely to have landforms that have Aboriginal cultural heritage likelihood (archaeological sensitivity).

A summary table of the recommendations is provided at the end of this section (Table 6).

4.1 Aboriginal Cultural Heritage

Recommendation 1

One previously unrecorded Aboriginal site was identified on the Stockdale property (Part of Lot 1 PS424148, 240 Cross's Road, Traralgon) during the survey (Map 7).

Under the *Aboriginal Heritage Act 2006*, an Aboriginal site is an area of cultural heritage sensitivity and triggers the need for a CHMP. As a surface survey has been conducted, subsurface testing will be required to determine the full extent, nature and significance of the site. Consequently a complex CHMP will be required for this property. The complex assessment should target the areas of Aboriginal cultural heritage likelihood identified during the survey (Map 7), with particular emphasis on the rise and ridgeline in the northern section of the property and the slight rises along the eastern property boundary and the south western side of the property, although some subsurface testing should also be conducted in the other landforms.

Recommendation 2

The desktop assessment (see also Heritage Insight 2010) indicates that there are no identified areas of cultural heritage sensitivity within the study area under the *Aboriginal Heritage Act 2006*. Consequently a mandatory CHMP is not required for the remainder of the study area. However, the ridge landform along the northern boundary of the Stockdale property continues into the Saunders property to the west (Lots 2 and 3 PS343525) and partially into Lot 6 LP126409 to the east.



The presence of Aboriginal cultural heritage on this ridgeline, as shown by the site identified during the current survey and the presence of two previously recorded sites (Maryvale Cemetery 1 [VAHR 8121-0038] and Cemetery Road 1 [VAHR 8121-0039]), strongly suggests contiguous use of the ridgeline by Aboriginal people in the past. It is recommended that, prior to any development works proceeding, that further assessment in the form of a field survey be conducted in the areas of the study area that were not surveyed during the current assessment. Survey should be conducted in the following properties:

- Part of Lot 2 PS424148; Parish of Traralgon; County of Buln Buln;
- Part of Lot 2 PS343525; Parish of Traralgon; County of Buln Buln;
- Lot 3 PS343525; Parish of Traralgon; County of Buln Buln; and
- Lots 1 to 13 LP126409, Parish of Traralgon; County of Buln Buln.

The survey may be conducted as part of an additional AHHA. However, it is recommended that the survey be conducted as part of a voluntary CHMP.

4.2 Historical Heritage

Recommendation 1

No historic sites were identified within the study area during the survey, therefore no further historical investigation is recommended.

Recommendation 2

As survey of the remainder of the study area was not conducted during this assessment it is recommended that survey of the remaining land parcels be conducted prior to the implementation of any development works.

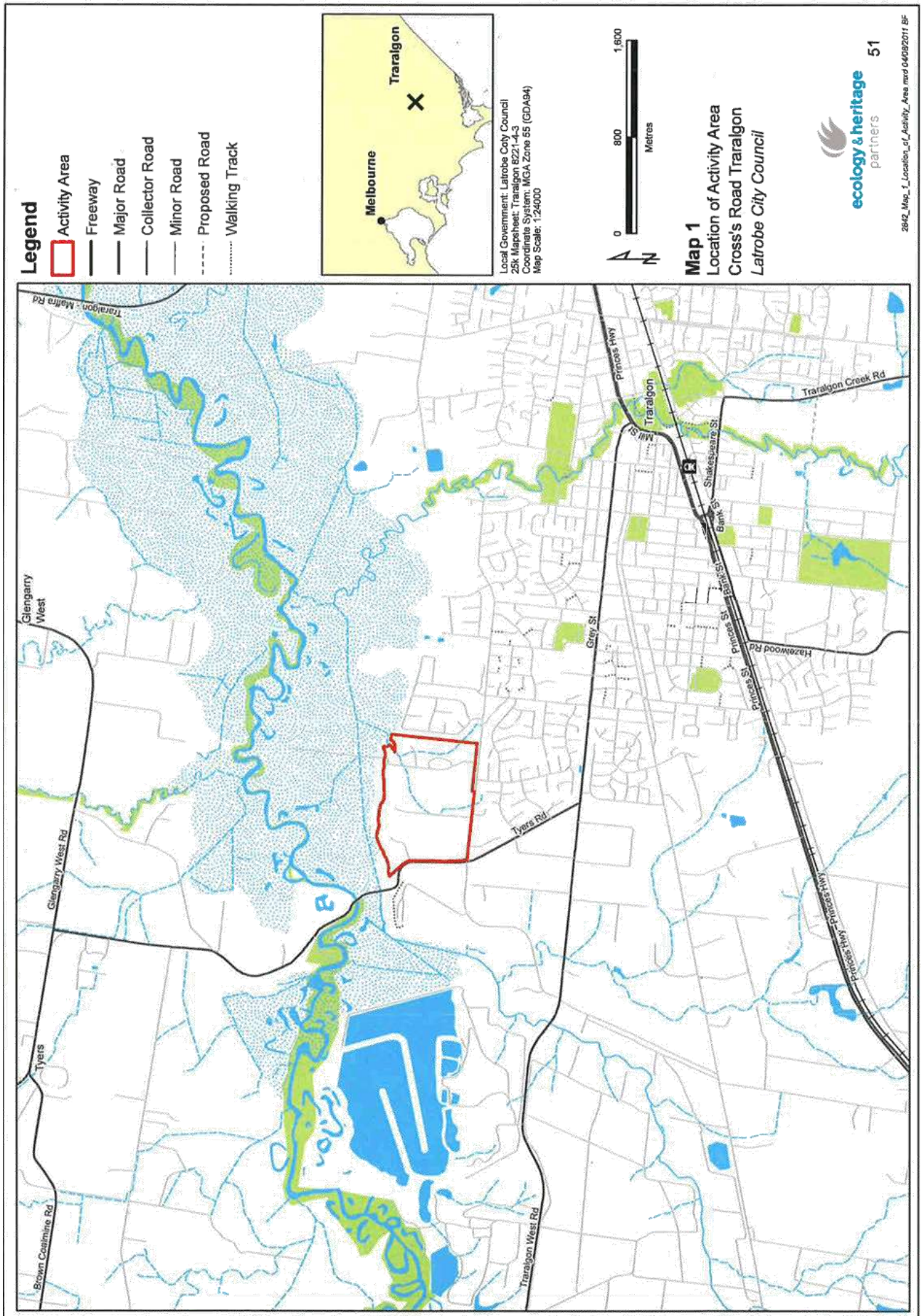
Table 6: Summary of Management Recommendations

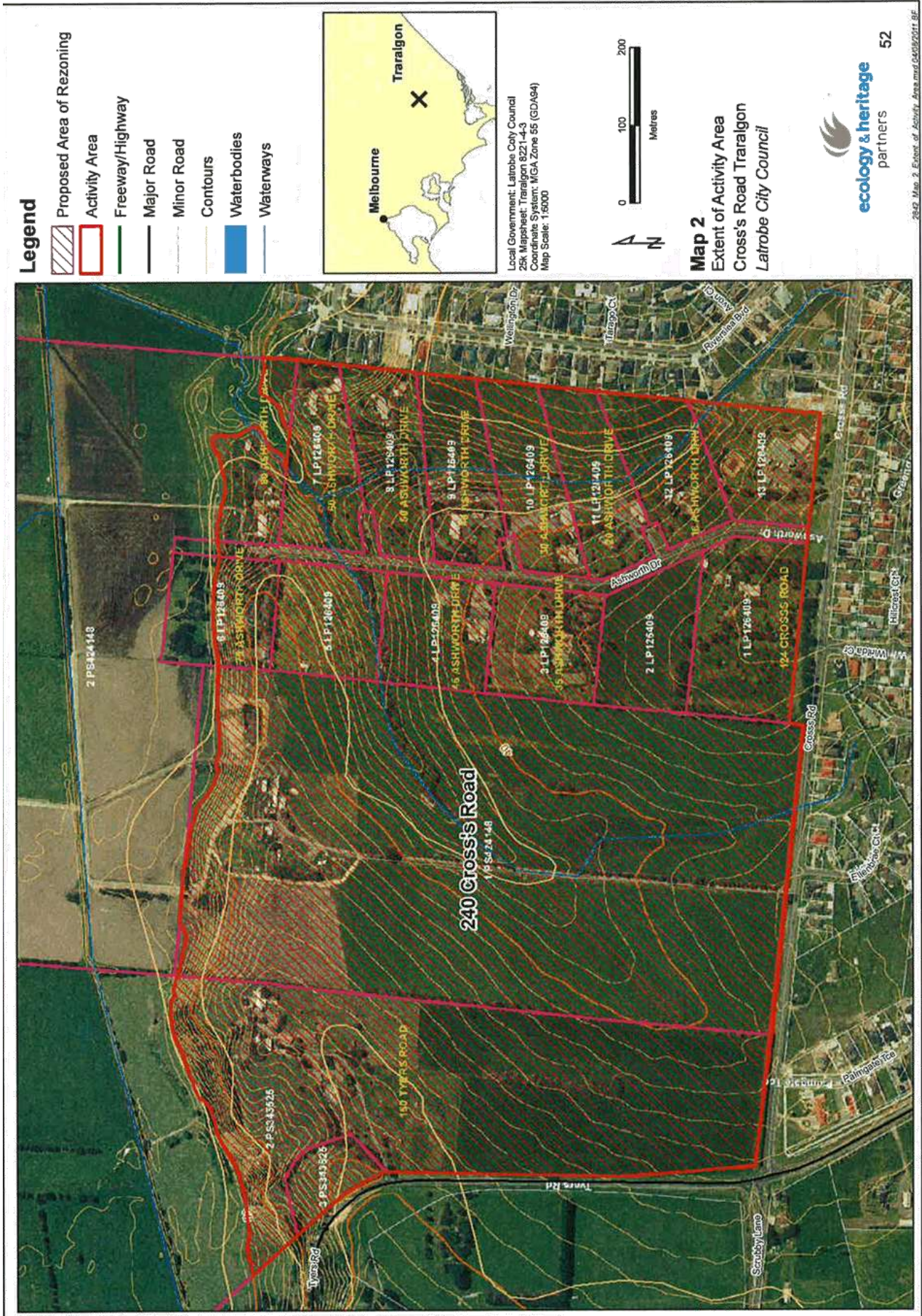
Property Identifier	Address	Aboriginal Cultural Heritage		Historical Heritage		
		Mandatory CHMP Required	Voluntary CHMP Recommended	Further Historical Assessment Required	Consent Required	Further Survey Recommended
Part of Lot 1 PS424148	240 Cross's Road, Traralgon	Yes	-	No	No	No
Part of Lot 2 PS424148	80 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Part of Lot 2 PS343525	150 Tyers Road, Traralgon	No	Yes	Yes	No	Yes
Lot 3 PS343525	150 Tyers Road, Traralgon	No	Yes	Yes	No	Yes
Lot 1 LP126409	120 Cross's Road, Traralgon	No	Yes	Yes	No	Yes
Lot 2 LP126409		No	Yes	Yes	No	Yes
Lot 3 LP126409	35 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 4 LP126409	45 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 5 LP126409		No	Yes	Yes	No	Yes
Part of Lot 6 LP126409	75 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 7 LP126409	60 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 8 LP126409	50 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 9 LP126409	40 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 10 LP126409	30 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 11 LP126409	20 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 12 LP126409	16 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 13 LP126409		No	Yes	Yes	No	Yes

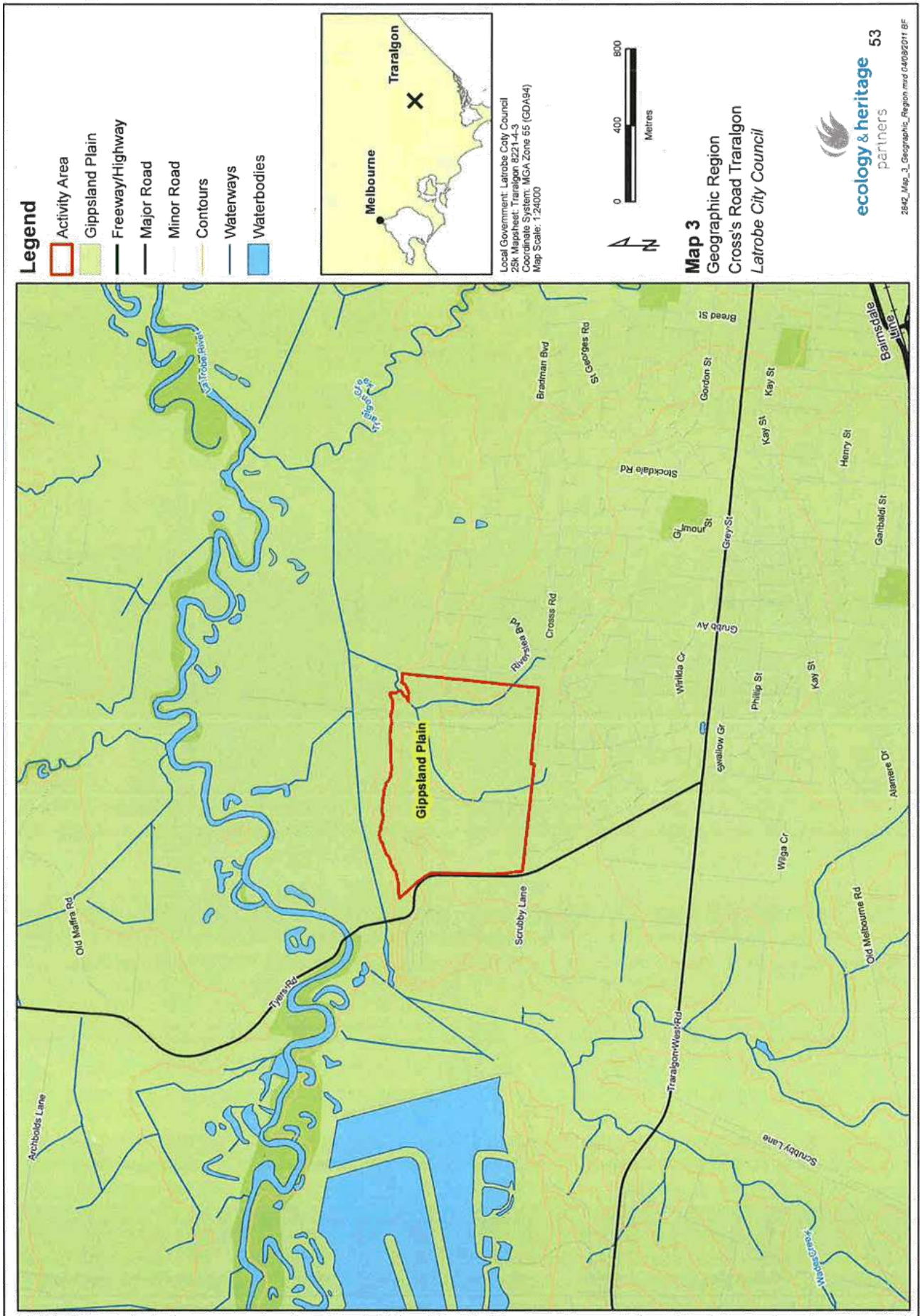


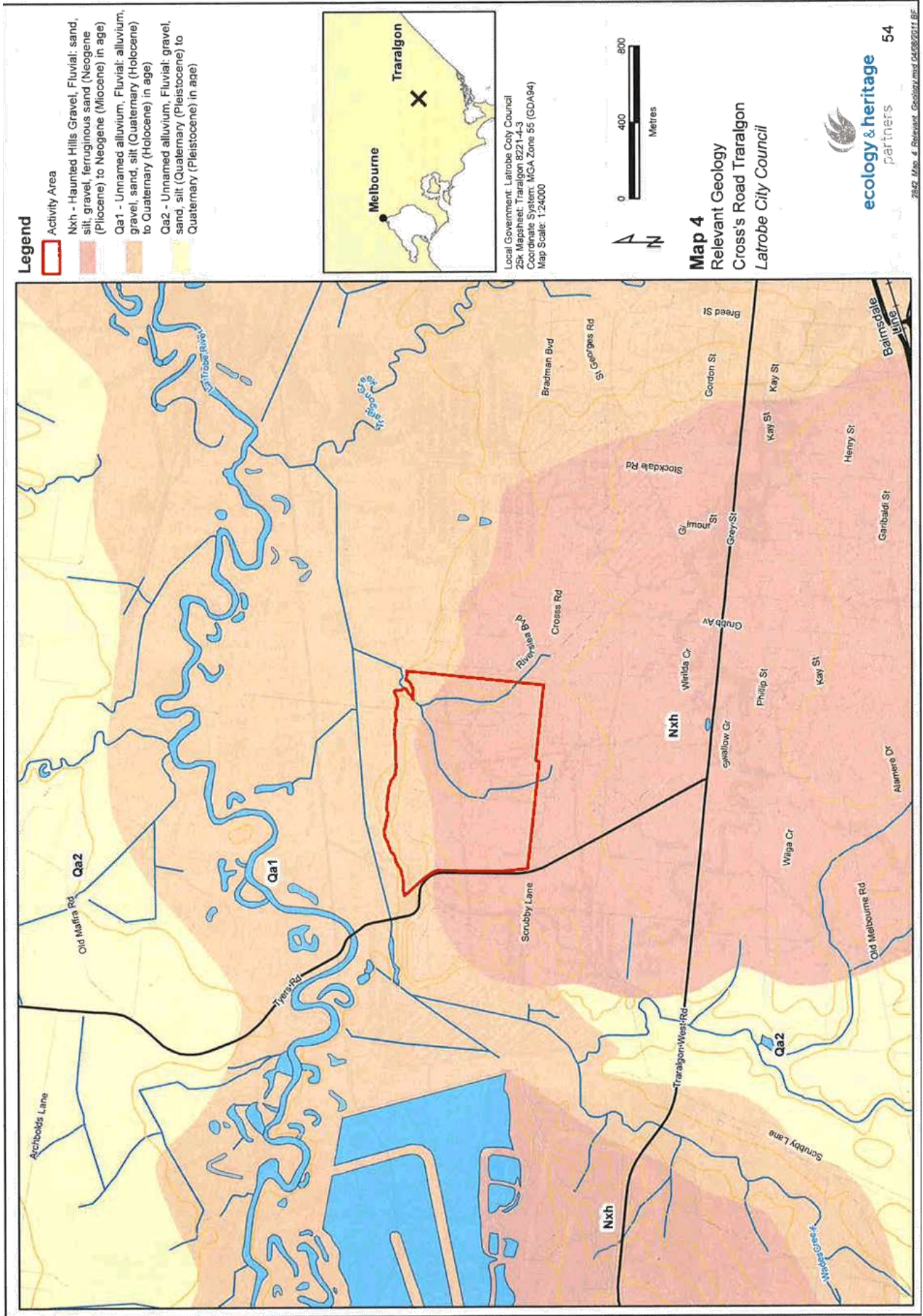
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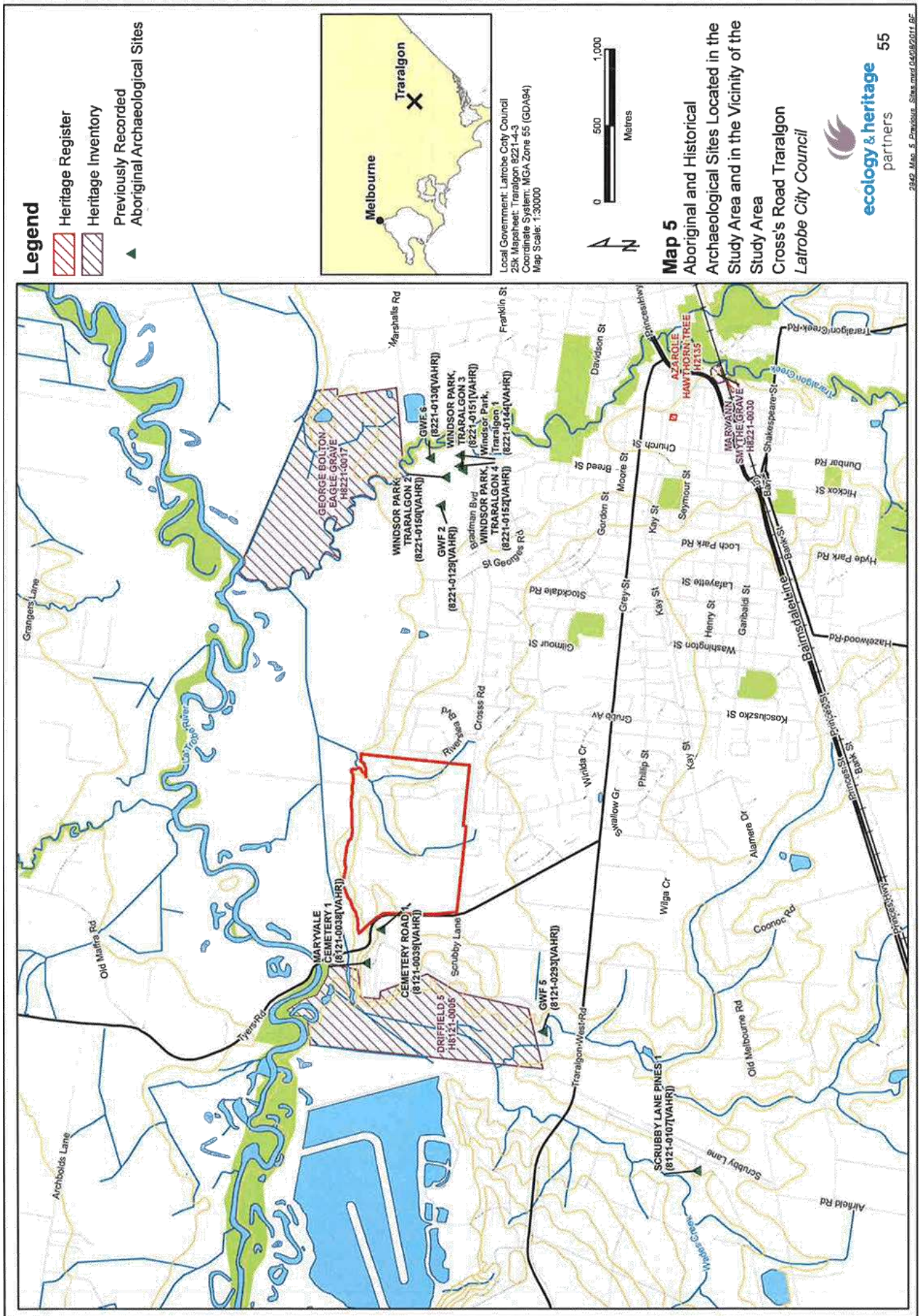
MAPS

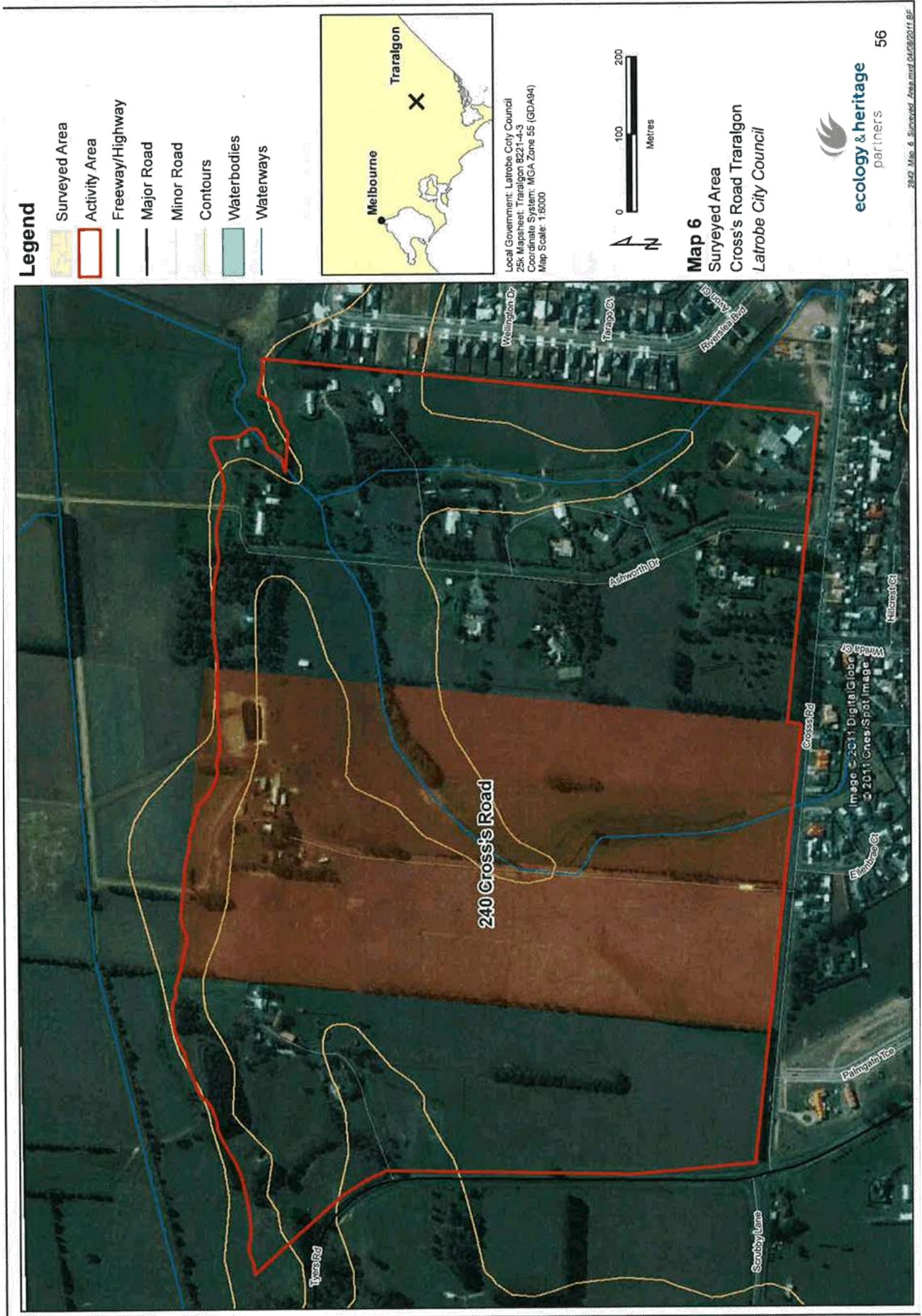


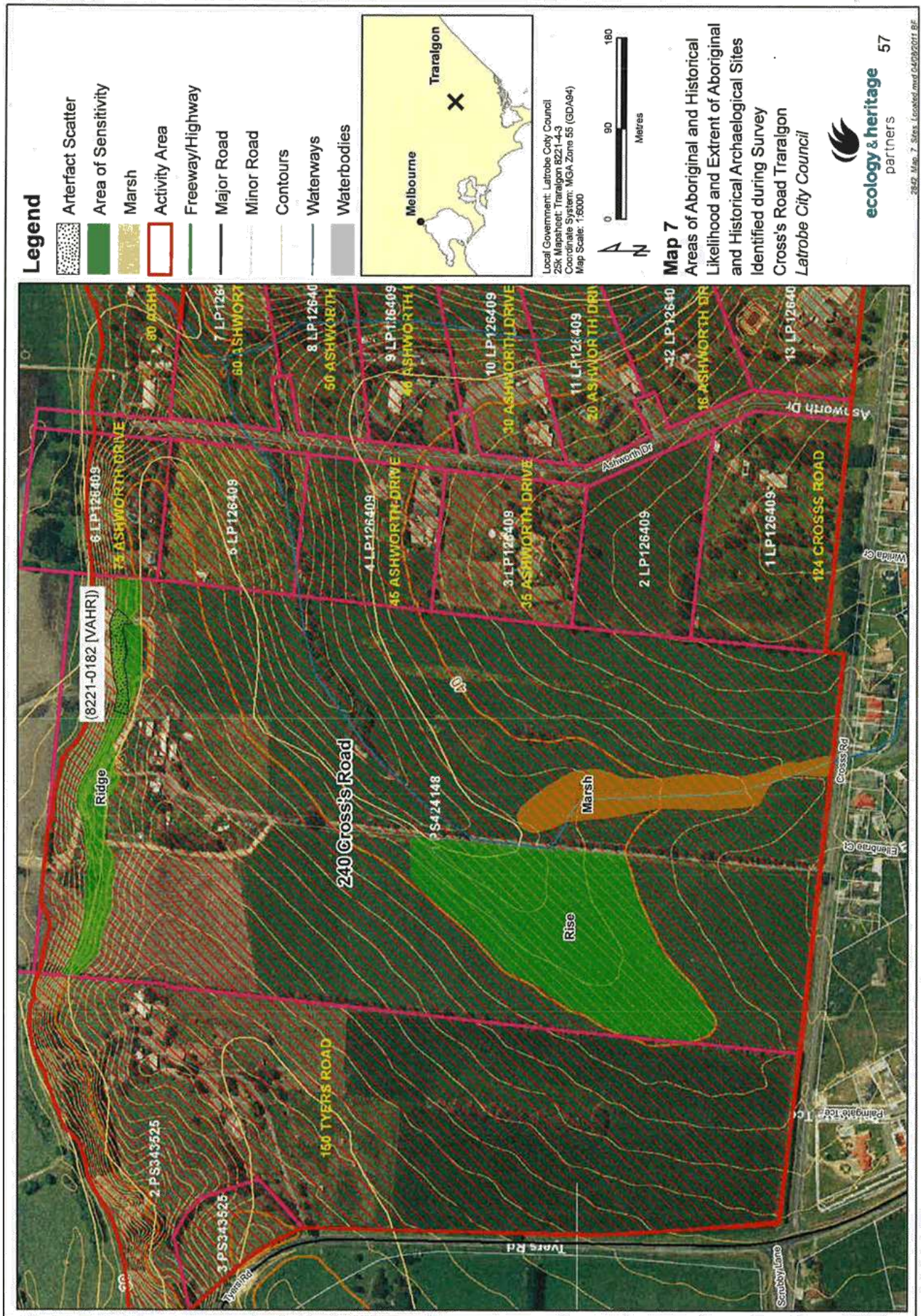














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APPENDICES



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Appendix 1 - Notice of Intention to carry out an Archaeological Survey

NOI Form


Heritage
VICTORIA

Notice of Intention to carry out an Archaeological Survey

1. Details of notifier

Name RICIE BULLERS
 Email r.bullers@ecologypartners.com.au
 Company Ecology Partners Pty Ltd
 Postal address Po Box 298 Brunswick Vic
 Postcode 3056
 Telephone (Business Hours) 9940 1411 Facsimile 9381 0700
 Commissioning agent C.P.G. Australia Pty Ltd

2. Survey location

Notice is given that the above-named person intends to undertake a survey of historical archaeological sites in the area delineated on the attached map. (If more space is required, attach additional material)

Name and address of site Cross Road, Traralgon
Lot 1 Ps 424-148
 Area adjacent to the roads on the attached maps
 The survey area is located on the following 1:100,000 map sheet/s:

Map number 8221-4-3 Map name Traralgon 1:25000

3. Dates of survey



It is intended that the survey will be conducted between the following dates:
 From 18 April 2011 to 19 April 2011
 Signature [Signature] Date 30 3 12011

Assistance
 If you require assistance to complete this form, please telephone (03) 8644 8800.
 This form should be lodged by post or fax with Heritage Victoria, GPO Box 2392, Melbourne 3001. Fax: (03) 8644 8811.



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HV Response

	Department of Planning and Community Development
Ref: 10015848.02 31 March, 2011	PO Box 2392 Melbourne 3001 Level 4, 55 Collins Street Melbourne 3000 Telephone (03) 8644 8800 Facsimile (03) 8644 8811 www.heritage.vic.gov.au
Rick Bullers Ecology Partners Pty Ltd PO Box 298 BRUNSWICK VIC 3056	
Dear Mr Bullers,	
RE: PROPOSED SURVEY	
Thank you for forwarding the completed Notice of Intent to Carry Out an Archaeological Survey form advising of your intent to conduct historical archaeological survey at the below site. All future correspondence, including the final reports, must quote the project number listed below.	
3936 CROSS ROAD, TRARALGON	
Section 131 of the Heritage Act 1995 requires that copies of all documentation resulting from a survey or investigation must be lodged with Heritage Victoria for management, reference and archival purposes (in the form of site cards and archaeology reports). Comprehensive documentation provides the basis for appropriate management of Victoria's historical archaeological resource. Please note that site cards can now be submitted electronically in most cases.	
The technical guide <i>Guidelines for Conducting Historical Archaeological Surveys</i> provides details on the statutory processes and required documentation in conducting a survey, completing a Heritage Inventory Site Card and producing the archaeology report. Any incomplete, inaccurate or illegible documentation will be returned for appropriate completion. As detailed in the technical guide, a report must be submitted even if no new historical archaeological sites have been located during the course of the survey or desktop study. Site cards are due within one month of the completion of an archaeological survey. Archaeology reports are due from the archaeology consultant within one year of the date of completion of the archaeological survey.	
In accordance with Section 132 of the Heritage Act, this office must be notified if a historical archaeological site or relic is identified during a survey. This a requirement for all surveys, including those commissioned for Aboriginal cultural heritage investigations.	
Should you have any queries or require any further assistance please call Anne-Louise Muir, Acting Heritage Victoria Archaeologist, on (03) 8644 8901.	
Yours sincerely	
	
Jim Gardner Executive Director HERITAGE VICTORIA	



Appendix 2 - Heritage Legislation

A2.1 Victorian *Aboriginal Heritage Act 2006*

The *Aboriginal Heritage Act 2006* protects Aboriginal cultural heritage in Victoria. A key part of the legislation is that Cultural Heritage Management Plans (CHMPs) are required to be prepared by Sponsors (the developer) and qualified Cultural Heritage Advisors in accordance with the *Aboriginal Heritage Act 2006* and the accompanying *Aboriginal Heritage Regulations 2007*. A CHMP is the assessment of an area (known as a 'study area') for Aboriginal cultural heritage values, the results of which form a report (the CHMP) which details the methodology of the assessment and sets out management recommendations and contingency measures to be undertaken before, during and after an activity (development) to manage and protect any Aboriginal cultural heritage present within the area examined.

The preparation of a CHMP is mandatory under the following circumstances:

- If the *Aboriginal Heritage Regulations 2007* require a CHMP to be prepared (s. 47);
- If the Minister of Aboriginal Affairs Victoria requires a CHMP to be prepared (s. 48);
or
- If an Environmental Effects Statement is required by the Environmental Effects Act 1978 (s. 49).

The *Aboriginal Heritage Regulations 2007* require a CHMP to be prepared:

- If all or part of the proposed activity is a 'high impact activity'; and
- If all or part of the study area is an area of 'cultural heritage sensitivity'; and
- If all or part of the study area has not been subject to 'significant ground disturbance'.

The preparation of a CHMP can also be undertaken voluntarily. Having an Approved CHMP in place can reduce risk for a project during the construction phase by ensuring there are no substantial delays if sites happen to be found. Monitoring construction works is also rarely required if an approved CHMP is in place.

Approval of the CHMPs is the responsibility of either DPCD (AAV) or the Registered Aboriginal Parties. They will be examining the CHMPs in detail with key points including:

- Addressing whether harm to heritage can be avoided or minimised;
- All assessments (including test excavations) must be completed before management decisions are formulated; and



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- Survey and excavation must be in accordance with proper archaeological practice and supervised by a person appropriately qualified in archaeology.

There are three types of CHMPs that may be prepared. These are:

- Desktop;
- Standard; and
- Complex.

A desktop CHMP is a literature review with fieldwork. If the results of the desktop show it is reasonably possible that Aboriginal cultural heritage could be present in the study area, a standard assessment will be required.

A standard assessment involves literature review and a ground of survey the study area. Where the results of ground survey undertaken during a standard assessment have identified Aboriginal cultural heritage within the study area, soil and sediment testing using an auger no larger than twelve centimetres in diameter may be used to assist in defining the nature and extent of the identified Aboriginal cultural heritage (Regulation 59(4)).

Where the results of ground survey undertaken during a standard assessment have identified Aboriginal cultural heritage within the study area or areas which have the potential to contain Aboriginal cultural heritage sub surface, a complex assessment will be required. A complex assessment involves a literature review, a ground of survey, and sub surface testing. Sub surface testing is the disturbance of all or part of the study area or excavation of all or part of the study area to uncover or discover evidence of Aboriginal cultural heritage (Regulation 62(1)).

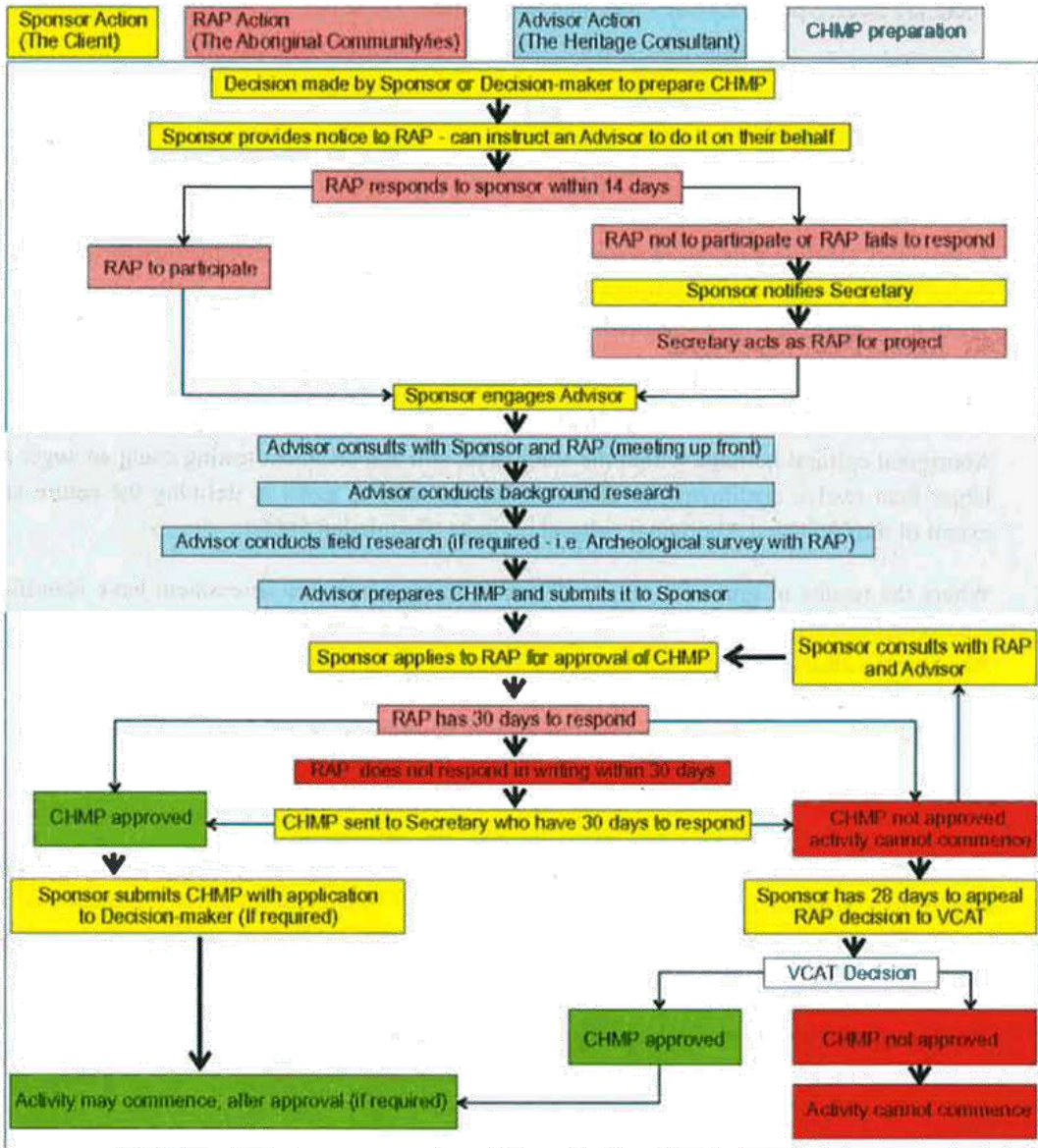
It is strongly advised that for further information relating to heritage management (e.g. audits, stop orders, inspectors, forms, evaluation fees, status of RAPs and penalties for breaching the Act) Sponsors should access the Aboriginal Affairs Victoria website (<http://www.aboriginalaffairs.vic.gov.au/>).

The following flow chart also assists in explaining the process relating to CHMPs.



ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN PROCESS

Key:





A2.2 Commonwealth Native Title Act 1993

Native Title describes the rights and interests of Aboriginal and Torres Strait Islander people in land and waters, according to their traditional laws and customs. In Australia, Aboriginal and Torres Strait Islander people's rights and interests in land were recognised in 1992 when the High Court delivered its historic judgment in the case of *Mabo v the State of Queensland*. This decision overturned the legal fiction that Australia upon colonisation was terra nullius (land belonging to no-one). It recognised for the first time that Indigenous Australians may continue to hold native title.

Native Title rights may include the possession, use and occupation of traditional country. In some areas, native title may be a right of access to the area. It can also be the right for native title holders to participate in decisions about how others use their traditional land and waters. Although the content of native title is to be determined according to the traditional laws and customs of the title holders, there are some common characteristics. It may be possessed by a community, group, or individual depending on the content of the traditional laws and customs. It is inalienable (that is, it cannot be sold or transferred) other than by surrender to the Crown or pursuant to traditional laws and customs. Native Title is a legal right that can be protected, where appropriate, by legal action.

Native Title may exist in areas where it has not been extinguished (removed) by an act of government. It will apply to Crown land but not to freehold land. It may exist in areas such as:

- Vacant (or unallocated) Crown land;
- Forests and beaches;
- National parks and public reserves;
- Some types of pastoral leases;
- Land held by government agencies;
- Land held for Aboriginal communities;
- Any other public or Crown lands; and/or
- Oceans, seas, reefs, lakes, rivers, creeks, swamps and other waters that are not privately owned.

Native Title cannot take away anyone else's valid rights, including owning a home, holding a pastoral lease or having a mining lease. Where native title rights and the rights of another person conflict, the rights of the other person always prevail. When the public has the right to access places such as parks, recreation reserves and beaches, this right cannot be taken away by Native Title. Native Title does not give Indigenous Australians the right to veto any



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project. It does mean, however, that everyone's rights and interests in land and waters have to be taken into account.

Indigenous people can apply to have their native title rights recognised by Australian law by filing a native title application (native title claim) with the Federal Court. Applications are required to pass a test to gain certain rights over the area covered in the application. The Native Title Tribunal (NNTT) was established to administer application processes. Once applications are registered, the NNTT will notify other people about the application and will invite them to become involved so all parties can try to reach an agreement that respects everyone's rights and interests. If the parties cannot agree, the NNTT refers the application to the Federal Court and the parties argue their cases before the Court.

As a common law right, native title may exist over areas of Crown land or waters, irrespective of whether there are any native title claims or determinations in the area. Native Title will therefore be a necessary consideration when Government is proposing or permitting any activity on or relating to Crown land that may affect native title³.

A2.3 Victorian Planning and Environment Act 1987

All municipalities in Victoria are covered by land use planning controls which are prepared and administered by State and local government authorities. The legislation governing such controls is the *Planning and Environment Act 1987*. Places of significance to a locality can be listed on a local planning scheme and protected by a Heritage Overlay (or other overlay where appropriate). Places of Aboriginal cultural heritage significance are not often included on local government planning schemes.

A2.4 Commonwealth Environmental Protection and Biodiversity Conservation Act 1999

The *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides a national framework for the protection of heritage and the environment and the conservation of biodiversity. The EPBC Act is administered by the Australian Government Department of Sustainability, Environment, Water, Population and Communities (SEWPaC). The Australian Heritage Council assesses whether or not a nominated place is appropriate for listing on either the National or Commonwealth Heritage Lists and makes a recommendation to the Minister on that basis. The Minister for the Environment, Water, Heritage and the Arts makes the final decision on listing. SEWPaC also administers the Register of the National Estate.

The objectives of the EPBC Act are:

³ The information in this section was taken from the Department of Sustainability and Environment, Fact Sheet on Native Title, 2008.



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- to provide for the protection of the environment, especially those aspects of the environment that are matters of national environmental significance;
- to promote ecologically sustainable development through the conservation and ecologically sustainable use of natural resources;
- to promote the conservation of biodiversity;
- to provide for the protection and conservation of heritage;
- to promote a cooperative approach to the protection and management of the environment involving governments, the community, land-holders and indigenous peoples;
- to assist in the cooperative implementation of Australia's international environmental responsibilities;
- to recognise the role of indigenous people in the conservation and ecologically sustainable use of Australia's biodiversity; and
- to promote the use of indigenous peoples' knowledge of biodiversity with the involvement of, and in cooperation with, the owners of the knowledge.

A2.5 Victorian Coroner's Act 2008

The Victorian *Coroner's Act 2008* requires the reporting of certain deaths and the investigation of certain deaths and fires in Victoria by coroners to contribute to the reduction of preventable deaths. Of most relevance to heritage is the requirement for any "reportable death" to be reported to the police (s. 12[1]). The *Coroner's Act 2008* requires that the discovery of human remains in Victoria (s. 4[1]) of a person whose identity is unknown (s. 4[g]) must be reported to the police.



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Appendix 4 – Site Gazetteer

Table A5.1: Site Gazetteer

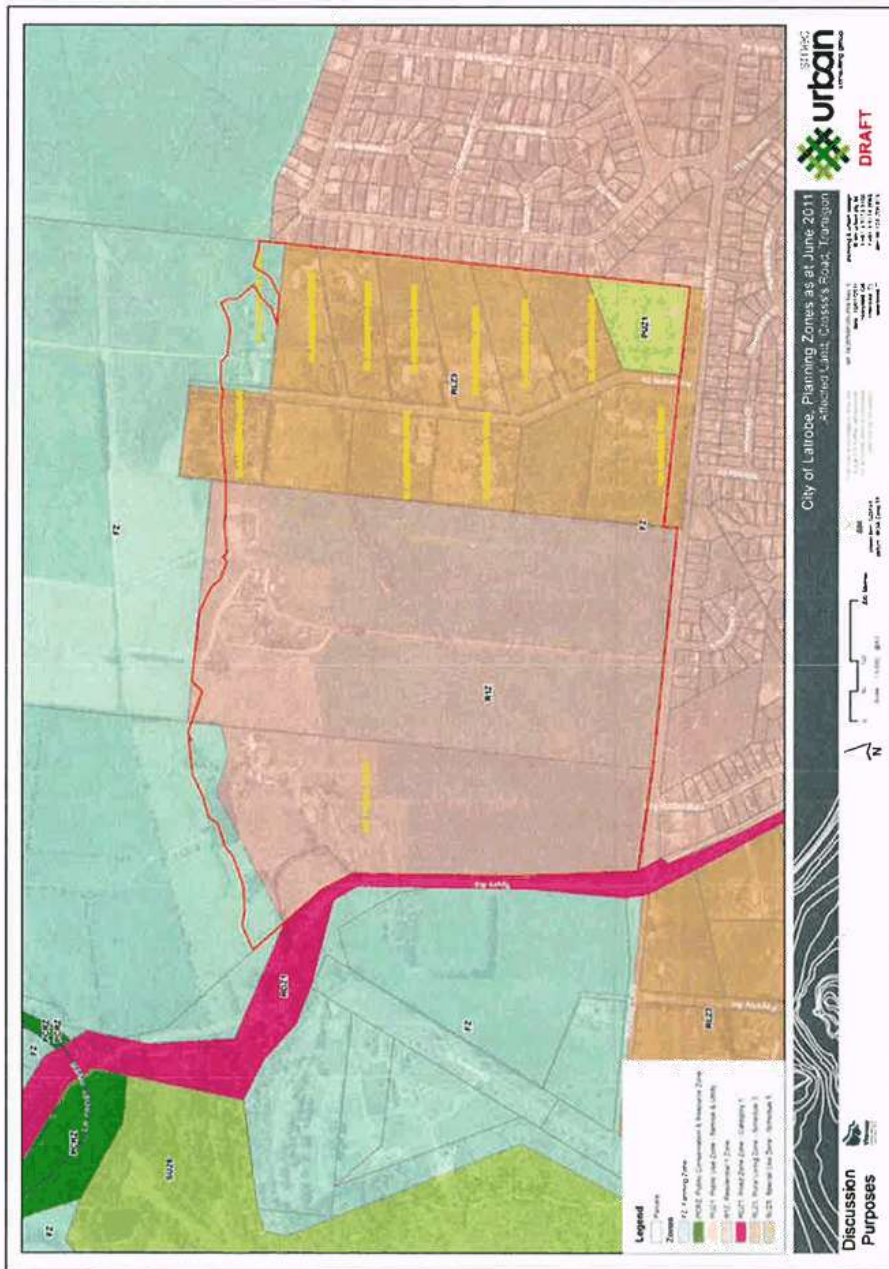
Site Name	Site Number	Primary Grid Coordinate (GDA 94, Zone 55)	Site Type	Landform	Cultural Heritage Significance
240 Cross's Road AS	VAHR 8221-0182	E 456587 N 5774289	Artefact Scatter	Ridgeline overlooking floodplain	Medium



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Appendix 5 – Latrobe City Council Planning Scheme Zoning

Current Zoning Map





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Appendix 6 – Heritage Victoria Correspondence regarding possible Historic Site

From: Mollie Harbour <mharbour@ehpartners.com.au>
To: "Jeremy Smith (Heritage Victoria)" <jeremy.smith@dpcd.vic.gov.au>
Date: 28/07/2011 12:14 PM
Subject: query regarding possible site

Hi Jeremy,

Whilst doing a survey on Cross's Rd in Traralgon, I came across these two stone features on a driveway, and I'm after your opinion on whether or not these would be classed as a site.

It is two sections of stone paving; the second is about 3 m south of the first. There are no landform features to explain why they are there, and no other visible features to hint at what they features are.

Mollie Harbour

Heritage Advisor

E mharbour@ehpartners.com.au

<http://www.ehpartners.com.au/images/signature/logo.jpg>

Natural and Cultural Heritage Consultants

MELBOURNE GEELONG
420 Victoria St, Brunswick VIC 3056 PO Box 8048, Newtown VIC 3220
PH (03) 9940 1411 F (03) 9381 0700 PH (03) 5221 8122 F (03) 5221 2700



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Archived: Tuesday, 30 August 2011 12:14:55 PM
From: Jeremy.Smith@dpcd.vic.gov.au
Sent: Sunday, 28 August 2011 10:46:58 AM
To: Mollie Harbour
Subject: Re: query regarding possible site
Importance: Normal
Attachments: ATT00001.jpg; ATT00002.jpg

Hi Mollie,

Sorry it has taken me a while to respond - I've been on leave for a month.

I've looked at the images, and think that the features you've identified would probably not be classed as a site unless there was supporting historical information to support the location of a significant structure (such as homestead, toll booth, gatehouse etc) in that area.

It may simply be part of the road surface, a gate installation, or a crossing point.

So unless some other evidence comes to light, by recommendation would be that a Heritage Inventory record is not required.

Under the terms of the heritage Act there is actually blanket protection for all historical archaeological sites. So, if during disturbance, significant archaeological remains were exposed in this area, they would be protected under the Act, even if the site had not been added to the Inventory.

Please let me know if you'd like to discuss this further.

regards

Jeremy.

Jeremy Smith Senior Archaeologist

Heritage Victoria

Department of Planning and Community Development

Level 4, 55 Collins Street, Melbourne, VIC 3000

T: 03 8644 8948 | F: 03 8644 8951 | Email: Jeremy.smith@dpcd.vic.gov.au

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Appendix 7 – Glossary

Items highlighted in *bold italics* in the definition are defined elsewhere in the glossary.

AAV	Aboriginal Affairs Victoria. A division of DPCD responsible for management of Aboriginal cultural heritage in Victoria.
Aboriginal cultural heritage likelihood	an area assessed by a Cultural Heritage Advisor as having potential for containing either surface or subsurface Aboriginal archaeological deposits. This term is used in this report to differentiate between <i>legislated areas of cultural heritage sensitivity</i> and areas considered by an archaeologist to be sensitive.
Aboriginal site	a location containing Aboriginal cultural heritage, e.g. <i>artefact scatter, isolated artefact, scarred tree, shell midden</i> , whether or not the site is registered in the <i>VAHR</i> , cf. <i>Aboriginal cultural heritage place</i> .
Angular fragment	an artefact which has technologically diagnostic features but has no discernible ventral or dorsal surface and hence is unidentifiable as either a flake or a core
Area of cultural heritage sensitivity	an area specified as an area of cultural heritage sensitivity in Division 3 or Division 4 of Part 2 of the <i>Aboriginal Heritage Regulations 2007</i> .
Artefact scatter	stone artefact scatters consist of more than one stone artefact. Activities associated with this site type include stone tool production, hunting and gathering or domestic sites associated with campsites. Stone artefacts may be flakes of stone, cores (flakes are removed from the stone cores) or tools. Some scatters may also contain other material such as charcoal, bone, shell and ochre.
Assemblage	the name given to encompass the entire collection of artefacts recovered by archaeologists, invariably classified into diagnostic items used to describe the material culture.
Backed	when one margin of a flake is retouched at a steep angle, and that margin is opposite a sharp edge. The steep margin is formed by bipolar or hammer and anvil knapping. Also used to describe artefacts with backing, e.g. backed artefact.
Backed artefact	a class of artefact employed by archaeologists to describe artefacts which are backed. Sometimes divided into Elouera, Bondi Point, Microlith and Geometric.



Bipolar	a flaking technique where the object to be reduced is rested on an anvil and struck. This process is identified by flakes with platform angles close to 90 degrees as well as apparent initiation from both ends. Some crushing may also be visible.
Burials	Aboriginal communities strongly associate burial sites with a connection to country and are opposed to disturbance of burials or their associated sites. General considerations for the presence of burial sites are the suitability of Sub surface deposits for digging purposes; with soft soil and sand being the most likely. They are more likely near water courses or in dunes near old lake beds or near the coast. Burials are often located near other sites such as oven mounds, <i>shell middens</i> or <i>artefact scatters</i> .
Chert	a cryptocrystalline siliceous sedimentary stone.
CHMP	Cultural Heritage Management Plan. A plan prepared under the <i>Aboriginal Heritage Act 2006</i> .
Core	an artefact which has technologically diagnostic features. Generally this class of artefact has only negative scars from flake removal, and thus no ventral surface, however, for the purposes of this research core has been employed to encompass those artefacts which were technically flakes but served the function of a core (ie. the provider of flakes).
Cortex	the weathered outer portion of a stone, often somewhat discoloured and coarser compared with the unweathered raw material.
Decortications	the process of removing cortex from a stone (generally by flaking).
Deep ripping	the ploughing of soil using a ripper or subsoil cultivation tool to a depth of 60 cm or more (see <i>significant ground disturbance</i>).
DPCD	Department of Planning and Community Development. The Victorian State Government department, of which <i>AAV</i> is a part, responsible for management of Aboriginal cultural heritage in Victoria.
Earths	a term used to describe great soil groups such as Red Earths or Black Earths. The term also refers to gradational soils with an earthy fabric in their B horizons (subsoils).
Flake	an artefact which has technologically diagnostic features and a ventral surface.
High impact activity	an activity specified as a high impact activity in Division 5 of Part 2 of the <i>Aboriginal Heritage Regulations 2007</i> .
HV	Heritage Victoria. A division of DPCD responsible for management of historical heritage in Victoria.



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Isolated finds or artefacts	isolated finds refer to a single artefact. These artefacts may have been dropped or discarded by its owner once it was of no use. This site type can also be indicative of further Subsurface archaeological deposits. These site types can be found anywhere within the landscape, however, they are more likely to occur within contexts with the same favourable characteristics for stone artefact scatter sites.
Manuport	an object which has been carried by humans to the site.
Oriented length	dimension measured according to the following criteria: The length of the flake from the platform, at 90° to force indicators such as ring-crack, bulb of percussion, force ripples and striations, to the opposing end. Where there were an insufficient number of features present to take this measurement, such as when the flake was broken, this variable was not recorded (sometimes referred to as percussion length).
Oriented thickness	dimension measured at 90° and bisecting the oriented width dimension. This was done from the ventral surface to the dorsal surface (sometimes referred to as percussion thickness).
Oriented width	dimension measured at 90° and bisecting the oriented length dimension. This was done from one margin to the other. As this measurement and oriented thickness, both rely on oriented length, these were not recorded where the oriented length was not recorded (sometimes referred to as percussion width).
Procurement Quarries	the process of obtaining raw material for reduction. stone quarries were used to procure the raw material for making stone tools. Quarries are rocky outcrops that usually have evidence of scars from flaking, crushing and battering the rock. There may be identifiable artefacts near or within The site such as unfinished tools, hammer stones, anvils and grinding stones.
Quartz	a crystalline form of silica.
RAP	Registered Aboriginal Party. An Aboriginal organisation with responsibilities relating to the management of Aboriginal cultural heritage for a specified area of Victoria under the <i>Aboriginal Heritage Act 2006</i> .
Raw material	the kind of stone the artefacts were manufactured from.
Reduction	the process of removing stone flakes from another pieces of stone. Generally this is performed by striking (hard hammer percussion) one rock with another to remove a flake.
Registered cultural heritage place	An Aboriginal site recorded in the <i>VAHR</i> , cf. <i>Aboriginal site</i> .



Retouch	retouch is when a <i>flake</i> is removed after the manufacture of the original flake. This sequence can be observed when a flake scar is present and encroaches over the ventral surface and thus must have been made after the initial flake removal. Recorded whether retouch was absent or present on the artefact.
Rock shelter	a concave area in a cliff where the cliff overhangs; or a concave area in a tor where the tor overhangs; or a shallow cave, where the height of the concave area is generally greater than its depth.
Scarred trees	it is known that the wood and bark of trees have been used for a variety of purposes, such as carrying implements, shield or canoes. The removal of this raw material from a tree produces a 'scar'. The identification of a scar associated with Aboriginal custom as opposed to natural scarring can be difficult. The scar should be of a certain size and shape to be identifiable with its product; the tree should also be mature in age, from a time that Aboriginal people were still active in the area.
Significant ground disturbance	disturbance of topsoil or surface rock layer of the ground or a waterway by machinery in the course of grading, excavating, digging, dredging or <i>deep ripping</i> , but does not include ploughing other than <i>deep ripping</i> .
Silcrete	a silicified sedimentary stone, often with fine inclusions or grains in a cryptocrystalline matrix. Because of the nature of the grains in silcrete (a hindrance in knapping/flaking predictability) the stone is sometimes heat treated. This exposure to heat can be identified by the presence of pot-lidding as well as a 'lustre' to the stone which is otherwise absent in the stones' natural state. Exposure to sufficient heat homogenises the stone matrix and improves the knapping (flake path) predictive potential (Crabtree & Butler 1964; Mandeville & Flenniken 1974; Purdy 1974; Domanski & Webb 1992; Hiscock 1993; Domanski <i>et al.</i> 1994). Similar to indurated mudstone, it has also been demonstrated that silcrete from the Hunter Valley often turns a red colour after being exposed to heat (Rowney 1992; Mercieca 2000).
Stone arrangements	stone arrangements are places where Aboriginal people have deliberately positioned stones to form shapes or patterns. They are often known to have ceremonial significance. They can be found where there are many boulders, such as volcanic areas and are often large in size, measuring over five metres in width.
Taphonomy	the study of the processes (both natural and cultural) which affect the deposition and preservation of both the artefacts and the site itself.



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Technology	a form of artefact analysis which is based upon the knapping/manufacturing process, commonly used to subsequently infer behaviour patterns, cultural-selection and responses to raw material or the environment.
Texture contrast soils	also known as <i>Duplex soils</i> ; soils with a sharp contrast between the A horizon (topsoil) and B horizon (subsoil); often characterised by a sandy or loamy topsoil with a sharp clear boundary to a clay subsoil.
Thumbnail scraper	a conceptual class of artefact employed to describe small rounded retouched flakes with steep margins (based on the classification by Mulvaney & Kamminga 1999).
VAHR	Victorian Aboriginal Heritage Register. A register of Aboriginal cultural heritage places maintained by <i>AAV</i> .
VHI	Victorian Heritage Inventory. A register of places and objects in Victoria identified as historical archaeological sites, areas or relics, and all private collections of artefacts, maintained by <i>HV</i> . Sites listed on the VHI are not of State significance but are usually of regional or local significance. Listing on the VHR provides statutory protection for that a site, except in the case where a site has been "D-listed".
VHR	Victorian Heritage Register. A register of the State's most significant heritage places and objects, maintained by <i>HV</i> . Listing on the VHR provides statutory protection for that a site.



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INDICATIVE PLANTING SCHEDULE	
This indicative planting schedule promotes indigenous and native plant species of the area and is based on the 'Indigenous Plants of Latrobe City'	
BOTANICAL NAME	COMMON NAME
STREET TREES	
<i>Eucalyptus martinifera</i> 'Little Spotty'	Little Spotty
<i>Corymbia maculata</i> 'Sale'	Spotted Gum
<i>Eucalyptus leucoxylon</i> 'Rosea'	Pink Flowering Yellow Gum
<i>Pyrus calleryana</i> 'Chanticleer'	Callery Pear
SHRUBS AND GRASSES	
<i>Acacia aphylla</i>	Leafless Rock Wattle
<i>Acacia cognata</i> 'River Cascade'	Acacia 'River Cascade'
<i>Anigozanthos</i> 'Big Red'	Kangaroo Paw
<i>Anigozanthos</i> 'Bush Dawn'	Kangaroo Paw
<i>Anigozanthos</i> 'Bush Rebel'	Kangaroo Paw
<i>Anigozanthos</i> 'Rampaging Roy Slaven'	Kangaroo Paw
<i>Anigozanthos</i> 'Lilac Queen'	Kangaroo Paw
<i>Callistemon</i> 'Great Balls of Fire'	Dwarf Bottlebrush
<i>Carex appressa</i>	Tall Sedge
<i>Cotyledon orbiculata</i> 'Silver Waves'	Silver Pigs Ear
<i>Crocea exaltata</i> 'Edna Walling Crocea'	Crocea cultivar
<i>Dianella tasmanica</i> 'Tasred'	Dianella cultivar
<i>Dianella caerulea</i> 'Little Jess'	Dianella cultivar
<i>Ficinia nodosa</i>	Knobby Club Rush
<i>Grevillea</i> 'Goldfever'	Grevillea cultivar
<i>Grevillea</i> 'Jubilee'	Grevillea cultivar
<i>Grevillea</i> 'Pink Parfait'	Grevillea cultivar
<i>Isopogon formosus</i>	Rose Cone Flower
<i>Kalanchoe pumila</i> 'Quicksilver'	Kalanchoe Quicksilver
<i>Leptospermum obovatum</i> 'Lemon Bun'	Dwarf Tea Tree
<i>Leucophyta brownii</i> 'dwarf'	Dwarf Cushion Bush
<i>Lomandra confertifolia</i> 'Wingarra'	Lomandra cultivar
<i>Lomandra longifolia</i> 'Tanika'	Mat Rush cultivar
<i>Lomandra</i> 'Silver grace'	Lomandra cultivar
<i>Melaleuca</i> 'Little Red'	Dwarf Narrow leaf paper bark
<i>Orthrosanthus multiflorus</i>	Sweet Morning Iris
<i>Phlotoeca myoporoides</i> 'Winter Rouge'	Wax Flower cultivar
<i>Pimelia ferruginea</i> 'Magenta Mist'	Rice Flower
<i>Pimelia rosea</i> 'Snow Cloud'	Rose Banjine cultivar
<i>Prostanthera cuneata</i>	Alpine mint bush
<i>Xerochrysum</i> 'Sundaze White'	Paper Daisy
GROUND COVERS	
<i>Adenanthos cuneatus</i> 'Coral Carpet'	Coral Carpet cultivar
<i>Brachyscome angustifolia</i> 'Mauve Delight'	Grassland Daisy
<i>Casuarina glauca</i> 'Cousin It'	Dwarf Casuarina
<i>Derwentia pertifoliata</i>	Prostrate
<i>Eremophila glabra</i> 'dwarf'	Dwarf Rosemary Grevillea
<i>Goodenia ovata</i> 'Golden Cover'	Goodenia prostrate
<i>Grevillea</i> 'Fanfare'	Grevillea cultivar
<i>Grevillea lanigera</i> 'Mount Tamboritha'	Prostrate Woolly Grevillea
<i>Hardenbergia</i> 'Edna Walling Snow White'	Snow White Happy Wanderer
<i>Hardenbergia violacea</i>	Happy Wanderer
<i>Scasvola albidia</i> 'Mauve Clusters'	Small Fruited Fan flower cultivar
<i>Senecio madraliscae</i> 'Blue Chalk Sticks'	Chalk Sticks
Riparian Planting for Drainage Corridor Areas	

A minimum of 3 plants of the same species to be planted	
<i>Carex appressa</i>	Tall Sedge
<i>Carex breviculmis</i>	Short Stem Sedge
<i>Carex inversa</i>	Knob Sedge
<i>Carex tereticaulis</i>	Rush Sedge
<i>Eleocharis acuta</i>	Common Spike-sedge
<i>Eleocharis pusilla</i>	Small Spike-sedge
<i>Juncus amabilis</i>	Hollow Rush
<i>Juncus flavidus</i>	Gold Rush
<i>Juncus subsecundus</i>	Finger Rush
<i>Lomandra spp.</i>	Mat Rush
<i>Persicaria subsessilis</i>	Bristly Water pepper
<i>Poa spp.</i>	Tussock Grass
<i>Pyrosorus globosus</i>	Billy Buttons
<i>Schoenus apogon</i>	Common Bog-sedge
<i>Triglochin procerum</i>	Floating Pond-weed
BANK PLANTING 200mm above NWL	
<i>Acaena novae-zelandiae</i>	Bidgee Widgee
<i>Dampiera stricta</i>	Blue Dampiera
<i>Dichondra repens</i>	Kidney Weed
<i>Dianella revoluta var revoluta</i>	Black Anther Flax Lily
<i>Einadia nutans ssp nutans</i>	Nodding Saltbush
<i>Lomandra longifolia var longifolia</i>	Spiry-headed Mat Rush
<i>Mentha australis</i>	River Mint
EPHEMERAL MARSH 0-200mm below NWL	
<i>Carex bichenoviana</i>	Notched Sedge
<i>Carex tereticaulis</i>	Basket Sedge
<i>Crassula helmsii</i>	Swamp Crassula
<i>Eleocharis acuta</i>	Common Spike-sedge
<i>Juncus flavidus</i>	Gold Rush
<i>Juncus subsecundus</i>	Finger Rush
Revegetation AND Open Space Planting	
TREE PLANTING	
<i>Angophora costata</i>	Smooth Barked Apple
<i>Allocasuarina littoralis</i>	Black Sheoak
<i>Acacia dealbata</i>	Silver Wattle
<i>Acacia implexa</i>	Lightwood
<i>Acacia measmii</i>	Black Wattle
<i>Eucalyptus camaldulensis</i>	River Red Gum
<i>Eucalyptus tereticornis</i>	Forest Red Gum
<i>Eucalyptus ovata</i>	Swamp Gum
<i>Eucalyptus polyanthemus</i>	Red Box
MEDIUM SHRUBS	
<i>Bursaria spinosa ssp. spinosa</i>	Sweet Bursaria
<i>Indigofera australis</i>	Austral Indigo
<i>Ozothamnus ferrugineus</i>	Tree Everlasting
<i>Kunzea ericoides</i>	White Tea Tree
SHRUBS AND GRASSES	
<i>Carex breviculmis</i>	Short Stem Sedge
<i>Lomandra filiformis</i>	Wattle Mat Rush
<i>Poa spp.</i>	Tussock Grass
<i>Themeda triandra</i>	Kangaroo Grass



Transport and Traffic Impact Assessment Report

Cross's Road, Traralgon

For: 150B Property Pty Ltd c/o SMEC Urban
DECEMBER 08, 2011

Project Name:	Transport and Traffic Impact Assessment Report – Cross's Road, Traralgon
Project Number:	3004714.2
Report for:	150B Property Pty Ltd c/o SMEC Urban

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1 INTRODUCTION

1.1 Background

SMEC Australia Pty Ltd has been engaged by 150B Property Pty Ltd to prepare a Transport and Traffic Impact Assessment Report for the proposed residential subdivision of approximately 15.2 hectares of land at Cross's Road, Traralgon. The purpose of this report is to support the development plan and planning permit application.

1.2 Aim of this Report

This report aims to investigate and assess the following:

- Access arrangements to the proposed site; and
- Impact of traffic generated by the proposed development.

1.3 Report Structure

The transport and traffic impact assessment for this proposal covers the following five stages:

- Proposed Development
- Existing Conditions Assessment
- Transport Assessment
- Traffic Impact Assessment
- Internal Road Network Review.

1.4 References

The following references were used to assist in the preparation of this report:

- Austroads Guide to Traffic Management, Part 12: Traffic Impacts of Development
- Austroads Guide to Traffic Management, Part 3: Traffic Studies and Analysis
- Austroads Guide to Road Design, Part 4A: Unsignalised and signalised Intersections
- RTA Guide to Traffic Generating Developments, Version 2.2, October 2002
- Traffic Engineering and Management, K W Ogden and S Y Taylor, 1996
- Latrobe Planning Scheme, Particular Provisions – Clause 56.06
- Latrobe City Council Design Guidelines, Version 3.1, August 2003
- Latrobe City Council Population and Household Forecasts 2006 (dated 16/08/10).

2 PROPOSED DEVELOPMENT

2.1 Site Location

The subject site is located at 150 Tyers Road on the north-east corner of Tyers Road and Cross's Road in Traralgon, Victoria. The site is situated approximately 3.5km north-west of the Traralgon town centre.

The site is bounded by Cross's Road to the south, Tyers Road to the west, land zoned as Farming Zone (FZ) to the north, and land zoned as Residential 1 Zone (R1Z) to the east. Refer to Figure 1 for the site location.

The site covers an area of approximately 15.2 hectares.

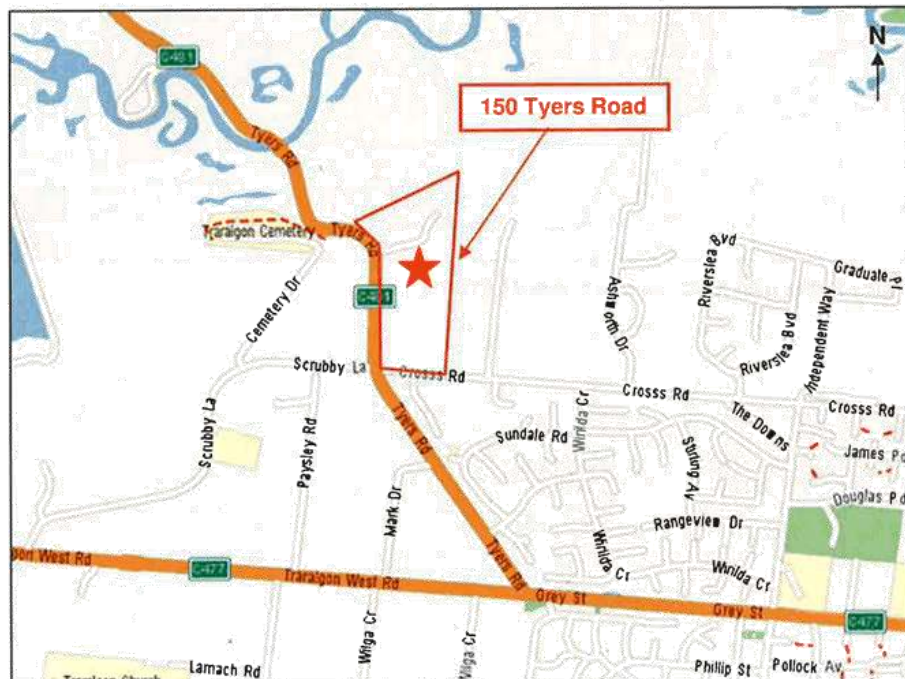


Figure 1: Locality plan (image reproduced with permission from Melways Pty Ltd)

2.2 Site Plan and Constraints

This transport and traffic impact assessment is based on developing the site with a proposed lot yield of 117 residential lots at full development, comprising of 107 standard density lots and 10 large lots. Vehicular access is proposed off Cross's Road with permeable road connections to the adjacent development.

The constraints of the development area are shown in Figure 2. They consist of transmission and water easements through the northern part of the site. These constraints provide restrictions to the developable area and the proposed subdivision layout plan.

3 EXISTING CONDITIONS ASSESSMENT

3.1 Existing Road Network

An inspection of the proposed development site, Cross's Road, Tyers Road and Ashworth Drive was undertaken on Wednesday 29 September 2010, between the hours of 11am and 12pm.

3.1.1 Cross's Road

Cross's Road, between Tyers Road and Riverslea Boulevard, is a sealed two-lane, two-way undivided rural road.

West of Wirilda Crescent, Cross's Road consists of an 8.0m wide carriageway made up of two 4.0m wide traffic lanes. Kerb and channel is present along the southern edge of the carriageway adjacent to the residential properties, while an open drain is present on the northern edge of the carriageway.

East of Wirilda Crescent, Cross's Road consists of an 8.0m wide carriageway made up of two 2.8m wide traffic lanes, a 1.9m wide parking lane along the southern edge of the carriageway and a 0.5m sealed shoulder on the northern edge of the carriageway.

Footpaths are provided at Cross's Road/ Wirilda Crescent and continue east along the southern edge of the carriageway adjacent to the residential properties.

The road alignment is straight with a gentle incline from Tyers Road to a crest at Wirilda Crescent. Refer to Photo 1 and Photo 2.

The posted speed limit on Cross's Road is 60km/h.



Photo 1: Cross's Road, looking east from Tyers Road



Photo 2: Cross's Road, looking west from Riverslea Boulevard

3.1.2 Tyers Road

Tyers Road to the north of its intersection with Cross's Road, is a sealed two-lane, two-way undivided rural road.

The road consists of a 6.0m wide carriageway made up of two 3.0m wide traffic lanes. The carriageway widens to 9.0m, and is made up of two 4.5m traffic lanes in the vicinity of the Cross's Road intersection. An unsealed shoulder and grassed verge of varying width, and open drain are present on both sides of the carriageway. Footpaths are not present.

The road alignment is flat and generally straight with a gentle bend to the right and a sharp bend to the left, northbound. The safe intersection sight distance on both approaches to Tyers Road complies with the Austroads Guidelines. Refer to Photo 3 and Photo 4.

The posted speed limit on Tyers Road is 100km/h.



Photo 3: Tyers Road, looking south from Cross's Road



Photo 4: Tyers Road, looking north from Cross's Road

3.1.3 Ashworth Drive

Ashworth Drive is a sealed two-lane, two-way undivided rural road. It provides connectivity to Cross's Road to the south and is truncated to the north.

The road consists of a 4.5m wide carriageway. An unsealed shoulder and grassed verge of varying width, and open drain are present on both sides of the carriageway. Footpaths are not present. The safe intersection sight distance on both approaches to Cross's Road complies with the Austroads Guidelines. Refer to Photo 5 and Photo 6.

The horizontal alignment of Ashworth Drive varies with a sharp bend to the left followed by moderate bend to the right, northbound.

There is no posted speed limit on Ashworth Drive.



Photo 5: Ashworth Drive, looking west along Cross's Road



Photo 6: Ashworth Drive, looking west along Cross's Road

3.2 Traffic Volumes

3.2.1 Mid-block Traffic Counts

VicRoads provided traffic volumes on Tyers Road to the north of Cross's Road, dated January 2010. Refer to Table 1.

Table 1: 2010 traffic volumes on Tyers Road

	Northbound	Southbound	Total	% Heavy Vehicles
Tyers Road, north of Cross's Road				
24 hour weekday average (veh/day)	1200	1300	2500	-
PM peak hour (3-4pm) (veh/hour)	128	113	277 (0.11 PHF*)	-

* PHF = Peak Hour Factor

Latrobe City Council provided traffic volumes at the following locations dated March 2004:

- Cross's Road, 70m west of Wirilda Crescent
- Cross's Road, 300m east of Tyers Road.

Note that the traffic volumes on Cross's Road may pre-date the existing residential development located to the south of Cross's Road. Therefore these recorded traffic volumes would not be indicative of the current daily traffic volumes on Cross's Road.

In 2004, the highest 5-day average number of vehicles recorded during this survey along Cross's Road was approximately 548 vehicles westbound and 496 vehicles eastbound with an average peak hour factor of 0.112 and 0.115 in the AM and PM peak hours, respectively.

In order to estimate the current 24-hour weekday average volumes on Cross's Road, the existing PM peak hour factor of 0.115 was applied to the current PM peak hour volumes. Note that the current PM peak hour volume has been taken from the intersection turning movement counts as detailed in Section 3.2.3 below.

Referring to the traffic count data supplied by council, the PM peak hour is the critical peak period. Therefore, this assessment will analyse the impacts during the PM peak.

A summary of the projected 2010 traffic volumes for all vehicles on Cross's Road is provided in Table 2.

Table 2: Projected 2010 traffic volumes on Cross's Road

	Eastbound	Westbound	Total	% Heavy Vehicles
Cross's Road, approaching Wirilda Crescent				
24 hour weekday average (veh/day)	1113	887	2000	-
PM peak hour** (3-4pm) (veh/hour)	128	102	230 (0.115 PHF)	-

** Calculated from the intersection turn counts

3.2.2 Existing Road Capacity

The one-way midblock capacity of a traffic lane on an undivided road with interrupted traffic flow is 900 vehicles per hour (source: Austroads Guide to Traffic Management Part 3: Traffic Studies and Analysis, Section 5.2).

Referring to Table 2, the highest one-way peak hour volume on Cross's Road, west of Wirilda Crescent, is 128 vehicles during the PM peak for the eastbound direction. Therefore, Cross's Road is currently operating at only 14% of its theoretical capacity during the PM peak.

The highest one-way peak hour volume on Tyers Road, north of Cross's Road, is 128 vehicles during the PM peak for the northbound direction. Therefore, Tyers Road is also currently operating at only 14% of its theoretical capacity during the PM peak.

3.2.3 Intersection Turning Movement Counts

Intersection turning movement surveys were conducted by Sky High Pty Ltd on Wednesday 13 October 2010 between the hours of 3pm and 6pm. Turning movement counts were undertaken at the following intersections:

- Cross's Road/ Tyers Road
- Cross's Road/ Wirilda Crescent
- Cross's Road/ Riverslea Boulevard.

Figure 3, Figure 4 and Figure 5 show the traffic volumes on each approach to the intersections during the PM peak hour.

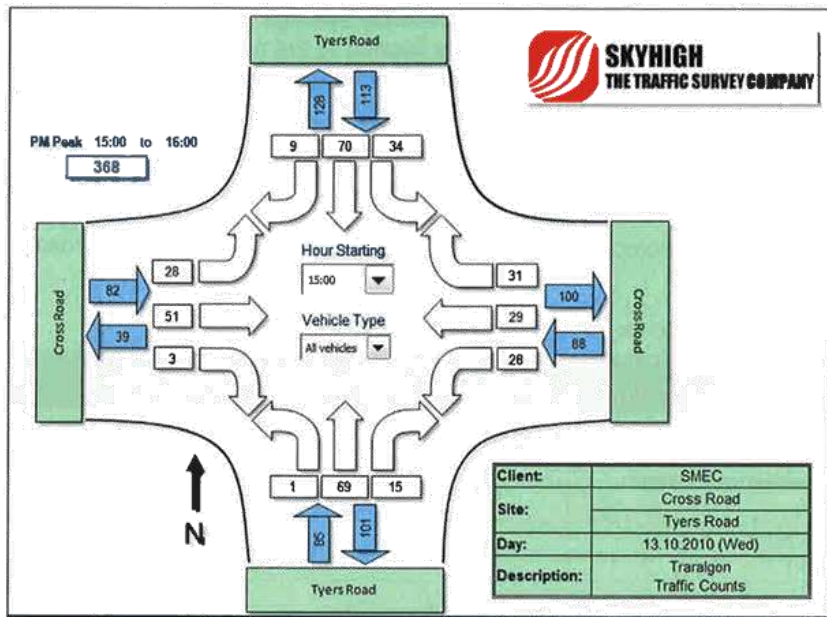


Figure 3: Traffic volumes at Cross's Road/ Tyers Road during PM peak

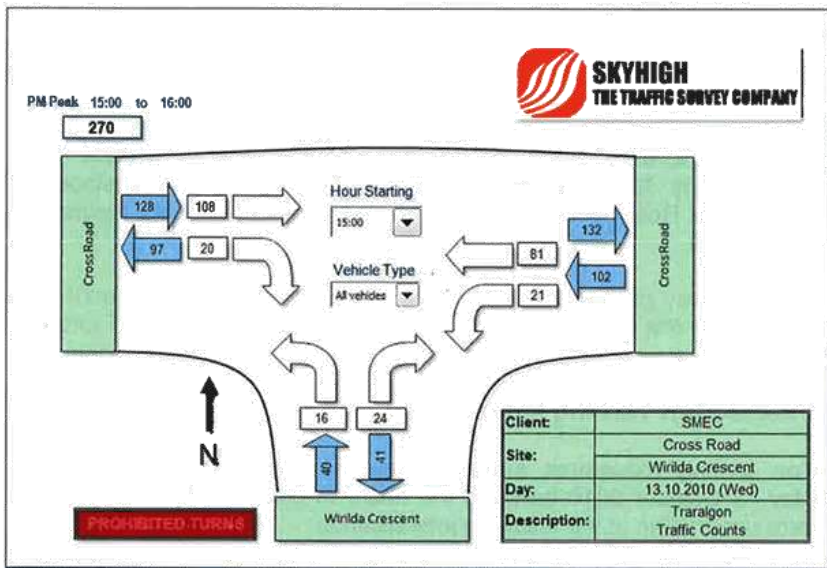


Figure 4: Traffic volumes at Cross's Road/ Wirilda Crescent during PM peak

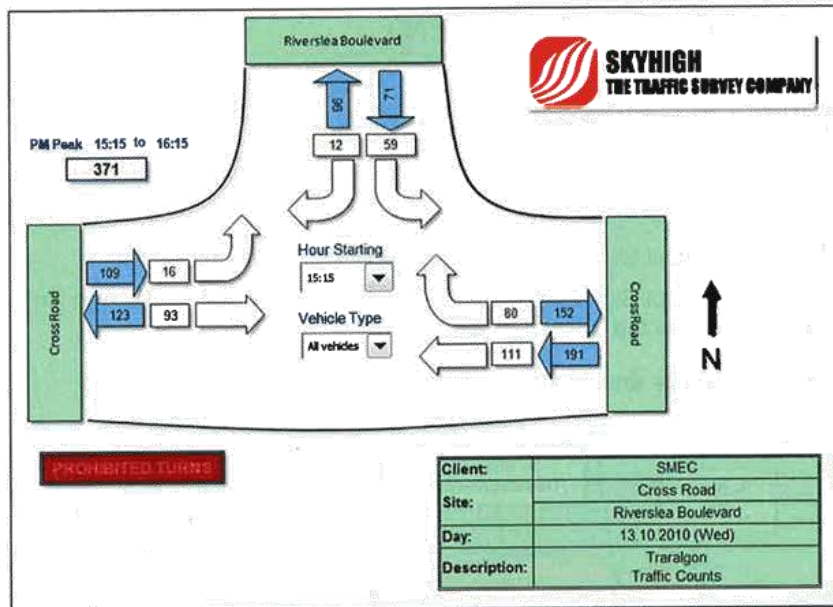


Figure 5: Traffic volumes at Cross's Road/ Riverslea Boulevard during PM peak

3.3 Casualty Accident Statistics

VicRoads' Crashstats database indicates that four casualty crashes have been recorded along the subject sections of Cross's Road and Tyers Road in the five-year period between January 2005 and December 2009.

Three of the crashes occurred along Tyers Road, just north of the Cross's Road intersection. The crash types involved a head-on collision (not overtaking), a vehicle losing control on Tyers Road, and a vehicle hitting and object on the carriageway. All crashes resulted in other injury.

One crash occurred at the Scrubby Lane/ Tyers Road intersection, just north of Cross's Road. The crash involved a right turning vehicle from Scrubby Lane colliding with a right turning vehicle from Tyers Road. The crash resulted in serious injury.

4 TRANSPORT ASSESSMENT

4.1 Subject and Future Sites

It is proposed to develop the subject site and the adjacent land to the east in two stages as follows. Refer also to Figure 6.

- Stage 1 – Subject Site and Eastern Development Site constructed
- Stage 2 – Subject Site, Eastern Development Site and Future Eastern Development Site fully constructed

This assessment will be undertaken for the full development scenario.

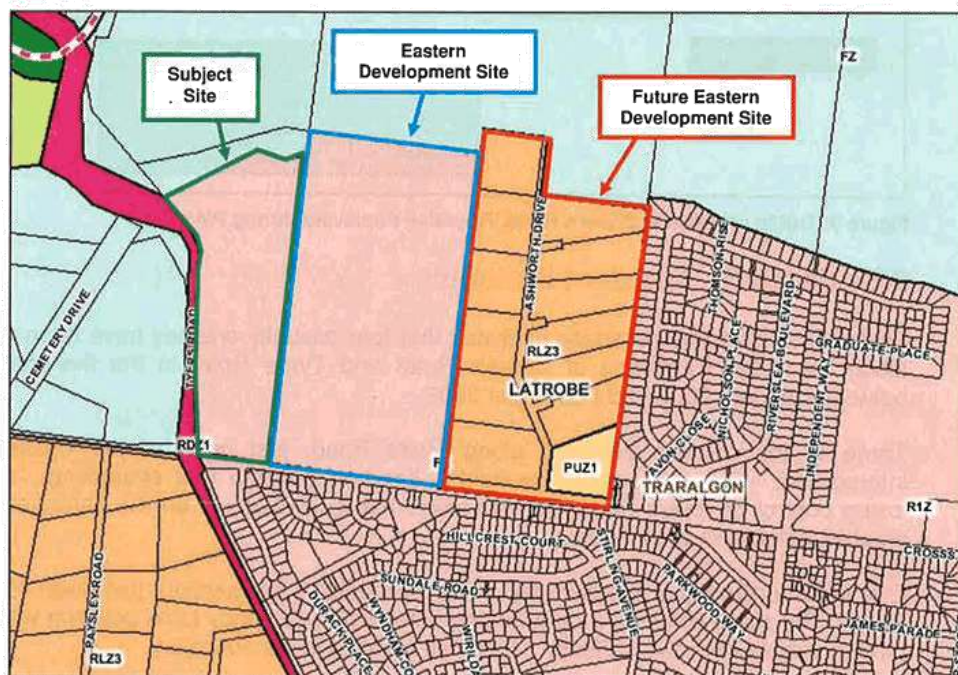


Figure 6: Land use plan (source: <http://services.land.vic.gov.au/maps/pmo>)

4.1.1 Subject Site

The subject site has a total lot yield of 117 lots. This is made up of 107 standard density lots and 10 large lots.

4.1.2 Eastern Development Site

The eastern development site comprises approximately 31.4 hectares and is zoned for residential use. The site has a proposed total lot yield of 293 lots. This is made up of 259 standard density lots, 11 large lots and 23 integrated lots.

4.1.3 Future Eastern Development Site

The future eastern development site comprises approximately 30.4 hectares and is zoned for residential use. The site has a proposed total lot yield of 247 lots. This is made up of 242 standard density lots and 5 large lots.

4.2 Traffic Generation Rates

The RTA Guide to Traffic Generating Developments, Version 2.2, October 2002 has been used to source the traffic generation rates for the development area. Given that a residential subdivision is proposed, the traffic generation rates for dwelling houses and medium density buildings are appropriate.

The following Table 3 is an extract from the RTA Guide:

Table 3: Land use traffic generation rates

Land Use	Traffic Generation Rates	
	Daily Vehicle Trips	Peak Hour Vehicle Trips
Residential		
Dwelling houses (standard density and large lots)	9 per dwelling	0.85 per dwelling
Medium density residential flat building (integrated lots)	<i>Up to 2 bedrooms</i>	
	4-5 per dwelling	0.4-0.5 per dwelling
	<i>3 bedrooms or more</i>	
	5-6.5 per dwelling	0.5-0.65 per dwelling

Assuming an average of 2.3 bedrooms for the medium density housing lots, the following traffic generation rates will apply to this dwelling type:

- 5 daily vehicle trips per dwelling
- 0.5 peak hour vehicle trips per dwelling.

4.3 Traffic Generation

Stage 1 of the development will generate approximately 3,598 vehicle trips per day and 342 peak hour trips. With the future development site, approximately 5,821 vehicle trips per day and 552 peak hour trips will be generated. Table 4 shows a detailed breakdown.

Table 4: Site traffic generation

Development Site	No. of Lots	Proposed Daily Vehicle Trips	Proposed Peak Hour Vehicle Trips
Subject Site			
Conventional Density Housing	117	1,053	100
Eastern Development Site			
Conventional Density Housing	270	2,430	230
Medium Density Housing	23	115	12
Sub-Total	410	3,598	342
Future Eastern Development Site			
Conventional Density Housing	247	2,223	210
Total Traffic Generation	657	5,821	552

4.4 Traffic Distribution

The generated traffic volumes from the full development area have been distributed to Cross's Road and Tyers Road. The percentage of traffic distributed to these roads is based on the traffic distribution pattern of the existing residential area entering Riverslea Boulevard.

The existing traffic volumes entering Riverslea Boulevard show that 83% of vehicle trips were generated from Cross's Road east (Traralgon town centre), 5% generated were from Tyers Road south and Wirilda Crescent, 8% were generated from Scrubby Lane west, and 4% were generated from Tyers Road north.

As the subject site is located towards Tyers Road, it is assumed that fewer vehicles will access the development from Cross's Road east and more vehicles will access the development from Tyers Road south. Therefore, the generated traffic volumes produced by the proposed development will be distributed to the surrounding road network as follows:

- 62% of traffic will be generated to/ from the east
- 26% of traffic will be generated to/ from the south
- 8% of traffic will be generated to/ from the west
- 4% of traffic will be generated to/ from the north.

Refer to Figure 7 for the percentage distribution of traffic volumes distributed to the surrounding road network:

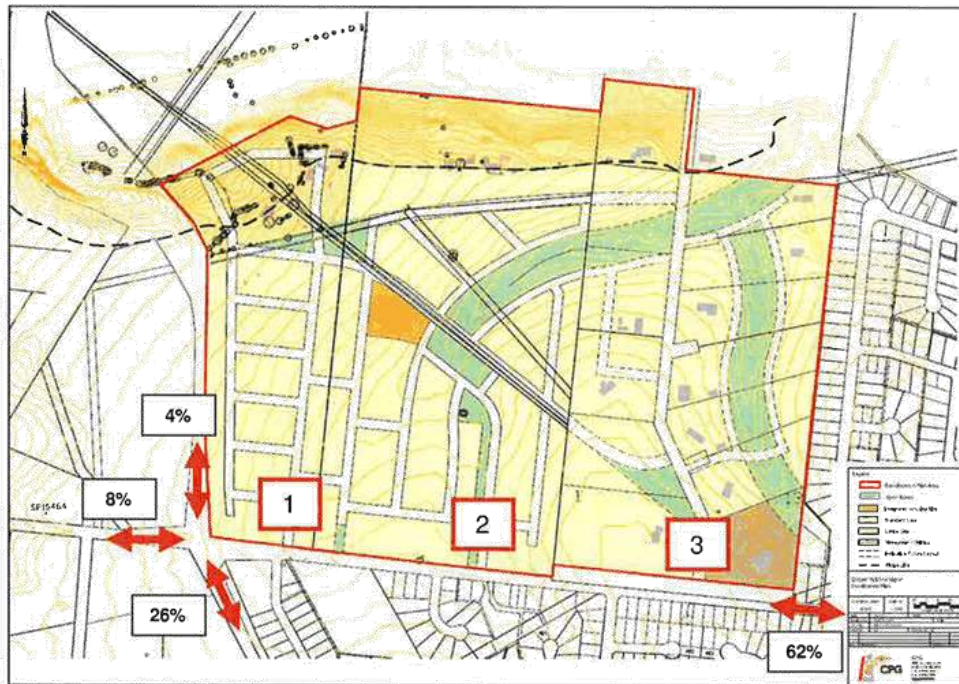


Figure 7: Percentage distribution of traffic volumes distributed to surrounding road network

The total trips generated by the full development have been proportioned to each access point as follows; 18% to Access Point 1, 45% to Access Point 2 and 37% to Access Point 3, refer to Figure 8. A higher percentage of trips have been assigned to Access Point 2 as the majority of the dwellings are aligned with this access point.

Based on the percentage of vehicle trips assigned to each access point, the directional traffic distribution has been estimated for vehicles entering and exiting the development area.

As the majority of vehicle trips originate from the east, the proportion of traffic generated from the east is higher at Access Points 2 and 3 when compared to Access Point 1. Access Point 2 has a lower proportion of vehicles travelling east when compared to Access Point 3 as it is assumed that vehicles will utilise Tyers Road to access the site.

Refer to Figure 8 for the percentage distribution of traffic volumes generated from the full development area.

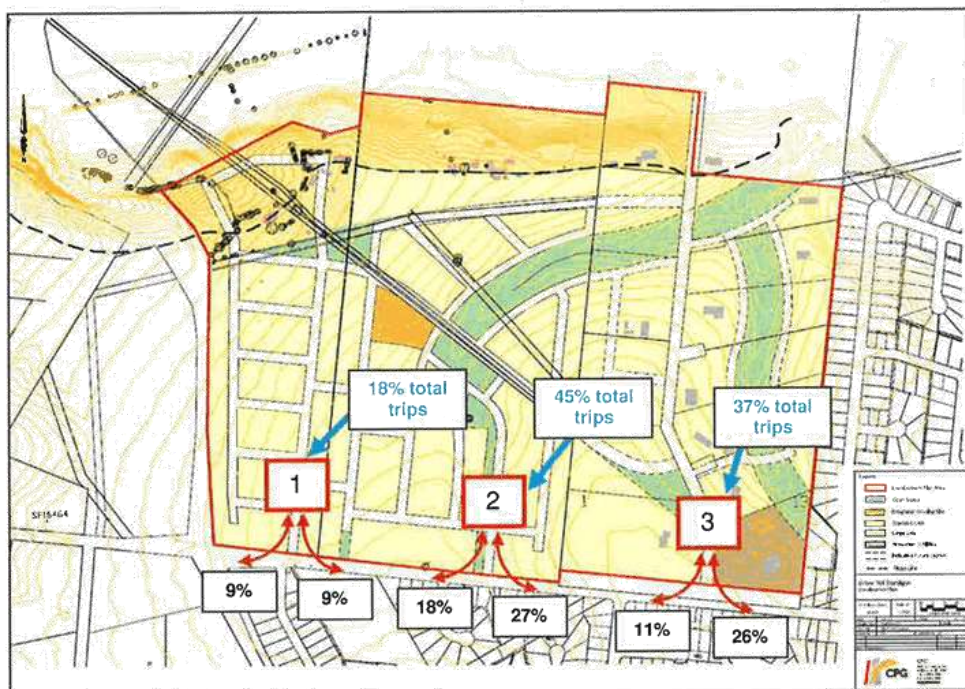


Figure 8: Traffic distribution at full development

4.5 Traffic Assignment

From the traffic generation and traffic distribution assumptions outlined above, traffic has been assigned to Cross's Road at full development. Table 5 summarises the predicted PM peak hour traffic movements at all existing and future access points along Cross's Road.

Table 5: Peak hour vehicle movements accessing the proposed development site

Intersection	PM Peak		
	Total Peak Hour Vehicle Trips	Out	In
Access Point 1: Cross's Road/ Future Road	100	40	60
Access Point 2: Cross's Road/ Future Road	248	99	149
Access Point 3: Cross's Road/ Ashworth Drive	204	82	122
Total	552	221	331

Note: Based on the directional split of 40% exit and 60% enter the development during the PM peak

5 TRAFFIC IMPACT ASSESSMENT

5.1 External Traffic Growth Rate

It is estimated that the average annual percent change in population growth for Traralgon is 1.5% per annum between 2006 and 2031. In order to estimate the future year external traffic volumes a 1.5% compounded growth per year has been added to the existing traffic volumes.

5.2 Mid-block Impact Assessment

The generated traffic volumes from the full development site have been distributed to Cross's Road. Refer to Figure 9.



Figure 9: Private vehicle trip distribution during the PM peak

5.2.1 Impact on Cross's Road

Assuming that the site is fully developed in a 20 year timeframe and using a compounded growth rate of 1.5%, the expected eastbound and westbound traffic volumes on Cross's Road in the PM peak hour will be as follows:

- 172 eastbound vehicle trips on Cross's Road
- 137 westbound vehicle trips on Cross's Road.

Assuming that 38% of site traffic use Tyers Road/ Scrubby Lane to enter the site from Cross's Road, west approach, there would be approximately 126 extra vehicles travelling in an eastbound direction along Cross's Road.

As stated above, it is estimated that the existing eastbound traffic volume on Cross's Road will grow to 172 vehicle trips in the future year. Therefore, the maximum peak hour traffic volume on Cross's Road directly east of the Tyers Road intersection would be 298 vehicles.

As a result, the eastbound traffic lane on Cross's Road would operate at 33% of its capacity during the PM peak hour.

Given that 62% or 205 vehicles are expected to enter the site from Cross's Road, east approach, and that the existing westbound traffic volume on Cross's Road is estimated to grow to 137 vehicle trips in the future year, the maximum peak hour traffic volume on Cross's Road directly east of the site would be 342 vehicles.

As a result, the westbound traffic lane on Cross's Road would operate at 38% of its capacity during the PM peak hour.

5.2.2 Impact on Tyers Road

Assuming that the site is fully developed in a 20 year timeframe and using a compounded growth rate of 1.5%, the expected northbound and southbound traffic volumes on Tyers Road in the PM peak hour will be as follows:

- 172 northbound vehicle trips on Tyers Road
- 152 southbound vehicle trips on Tyers Road.

Assuming that 4% of generated vehicle trips exit the site and turn right onto Tyers Road, there would be an additional 9 vehicles travelling in a northbound direction along Tyers Road.

As stated above, it is estimated that the existing northbound traffic volume on Tyers Road will grow to 172 vehicle trips in the future year. Therefore, the maximum peak hour traffic volume on Tyers Road directly north of the Cross's Road intersection would be 181 vehicles.

As a result, the northbound traffic lane on Tyers Road would operate at 20% of its capacity during the PM peak hour.

Given that 4% or 13 vehicles are expected to enter the site from Tyers Road, north approach, and that the existing southbound traffic volume on Tyers Road is estimated to grow to 152 vehicle trips in the future year, the maximum peak hour traffic volume on Tyers Road directly north of the Cross's Road intersection would be 165 vehicles.

As a result, the southbound traffic lane on Tyers Road would operate at 18% of its capacity during the PM peak hour.

5.3 Access Point Assessment

Based on the site plan, two new access points to the development area are shown on Cross's Road; one to the east of Palmgate Terrace and one to the east of Ellenbrae Court. Both intersections would form a staggered T-junction with 'give way' control on the minor approach.

The existing alignment of Cross's Road at these locations is straight and flat. The safe intersection sight distance on both approaches to both intersections is greater than 250m which complies with the Austroads Guidelines. Refer to Photo 7 and Photo 8.



Photo 7: Cross's Road at proposed Access Point 1, looking east



Photo 8: Cross's Road west of proposed Access Point 2, east of Ellenbrae Court

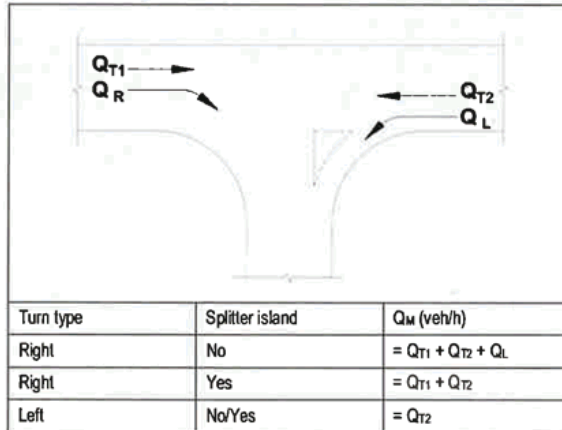
The site plan also shows an access point to the development area at the existing Cross's Road/ Ashworth Drive intersection. This intersection forms a T-junction with 'give way' control on the minor approach.

The existing alignment of Cross's Road at this location is straight and flat. The safe intersection sight distance on both approaches to both intersections is greater than 250m which complies with the Austroads Guidelines. Refer to Photo 5 and Photo 6 in Section 3.1.3 of this report.

5.4 Intersection Turn Warrants Assessment

Warrants for turn treatments are set out in Section 4.8 of the Austroads Guide to Road Design, Part 4A: Unsignalised and Signalised Intersections. These warrants apply to major road turn treatments for basic, auxiliary lane and channelised layouts.

Figure 4.9 of the Austroads guide has been used to assess if turn treatments are required at the proposed access points on Cross's Road. The values of the following traffic volume parameters; Q_M , Q_L and Q_R , are calculated using Figure 4.10 of the Austroads guide, as shown below.



Refer to Appendix A for this assessment and Table 6 for a tabulated breakdown of the PM peak turn movements at the proposed Cross's Road intersections with the development site access points.

Table 6: Turn treatment assessment at proposed access points on Cross's Road

Major Road	Existing Intersection Layout	Through Movement (Q_M)	Turn Movement (Q_L or Q_R)	Treatment Required (Yes/No)	Turn Treatment
PM Peak					
Access Point 1: Cross's Road/ Future Road	-	268	$Q_L = 30$	Yes	Auxiliary left (short)
	-	459	$Q_R = 30$	Yes	Channelised right (short)
Access Point 2: Cross's Road/ Future Road	-	228	$Q_L = 60$	Yes	Auxiliary left (short)
	-	440	$Q_R = 89$	Yes	Channelised right
Access Point 3: Cross's Road/ Ashworth Drive	Basic left	217	$Q_L = 37$	No	Basic left
	Basic right	510	$Q_R = 85$	Yes	Channelised right
Cross's Road/ Wirilda Crescent	Basic left	225	$Q_L = 56$	Yes	Auxiliary left (short)
	Basic right	511	$Q_R = 58$	Yes	Channelised right
Tyers Road/ Cross's Road	Basic left	94	$Q_L = 59$	No	Basic left
	Basic right	246	$Q_R = 106$	Yes	Channelised right (short)

Figure 10 and Figure 11 show the typical basic and auxiliary left turn treatments for a rural road. Figure 12 shows the typical channelised right turn treatment for a rural road.

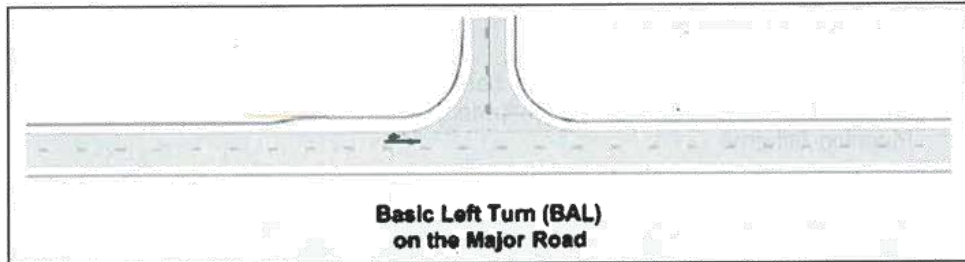


Figure 10: Rural basic left turn treatment

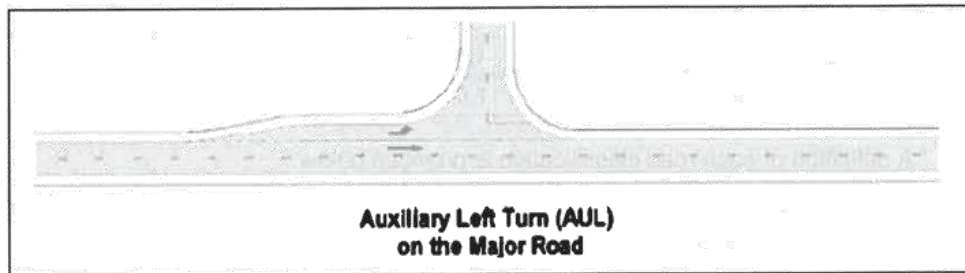


Figure 11: Rural auxiliary left turn treatment



Figure 12 : Rural channelised right turn treatment

6 INTERNAL ROAD NETWORK REVIEW

6.1 Road Hierarchy

The Latrobe Planning Scheme has been used to determine the road hierarchy for the proposed development site. The following Table 7 is an extract from Clause 56.06 of the Planning Scheme.

Table 7: Classification of urban roads

Classification	Traffic Volume (vehicles per day)
Access Lane	300
Access Place	300 – 1,000
Access Street – Level 1	1,000 – 2,000
Access Street – Level 2	2,000 – 3,000

A definition of each road classification is provided below:

- **Access Lane** – A side or rear lane principally providing access to parking on lots with another street frontage.
- **Access Place** – A minor street providing local residential access with shared traffic, pedestrian and recreation use, but with pedestrian priority.
- **Access Street** – A street providing local residential access where traffic is subservient, speed and volume are low, and pedestrian and bicycle movements are facilitated.

Based on the road classification definitions and expected daily traffic volumes, the following road hierarchy has been developed for the current site plan, refer to Figure 13.



Figure 13: Road hierarchy concept plan

6.2 Road Cross Sections

Clause 56.06 of the Latrobe Planning Scheme sets out the road cross section configuration for each road type. Table 8 provides a summary of the cross section requirements for the road types proposed in the road hierarchy for the site.

Table 8: Street widths, parking provisions and speed

Street Type	Carriageway Width [^]	Parking Provision Within Street Reservation	Minimum Verge Width (includes footpath)	Footpath Provision	Cycle Path Provision	Target Speed [~] (km/h)
Access Lane	5.5m	None	None	None	None	10
Access Place	5.5m	1 hard standing verge space per 2 lots OR On carriageway, one side	7.5m total width (for services provide 3.5m one side and 2.5m other)	1.5m wide, minimum offset of 1m from kerb	None	15
Access Street – Level 1	5.5m	1 hard standing verge space per 2 lots	4m each side	1.5m wide both sides, minimum offset of 1m from kerb	Shared zone	30
Access Street – Level 2	7m-7.5m	Both sides	4.5m each side	1.5m wide both sides, minimum offset of 1m from kerb	Shared zone	40

[^] Carriageway width is measured from kerb invert to kerb invert.

[~] Target speed is the desired speed at which motorists should travel.

7 FINDINGS

The following findings are based on the assessment of the proposed access arrangements and the impact of traffic generated by the Cross's Road/ Tyers Road development in Traralgon.

- The full development site is expected to generate approximately 5,821 vehicle trips per day, including 552 trips in the peak hour.
- In order to estimate the future year external traffic volumes, a 1.5% compounded annual growth factor has been added to the existing traffic volumes.
- A directional split of 40% exit and 60% enter the development during the PM peak has been used to undertake the traffic assessment.
- The mid-block assessment indicates that the eastbound and westbound traffic lanes on Cross's Road would operate at 33% and 38% of their capacity, respectively, when the site is fully developed in 20 years time.
- The mid-block assessment indicates that the northbound and southbound traffic lanes on Tyers Road would operate at 20% and 18% of their capacity, respectively, when the site is fully developed in 20 years time.
- The proposed access point locations on Cross's Road are suitable. The safe intersection sight distance on both approaches to the access points comply with the Austroads Guidelines.
- The intersection turn warrant assessments of Access Points 1 and 2 indicate that auxiliary left and channelised right turn treatments are required on Cross's Road at these intersections.
- The intersection turn warrant assessment of Access Point 3 indicates that a basic left and channelised right turn treatment is required on Cross's Road at this intersection.
- The intersection turn warrant assessment of Cross's Road/ Wirilda Crescent indicates that an auxiliary left and channelised right turn treatment is required.
- The intersection turn warrant assessment of Tyers Road/ Cross's Road indicates that a basic left and channelised right turn treatment is required.
- The cross sections for the road types proposed in the road hierarchy for the site are to comply with Clause 56.06 of the Latrobe Planning Scheme.

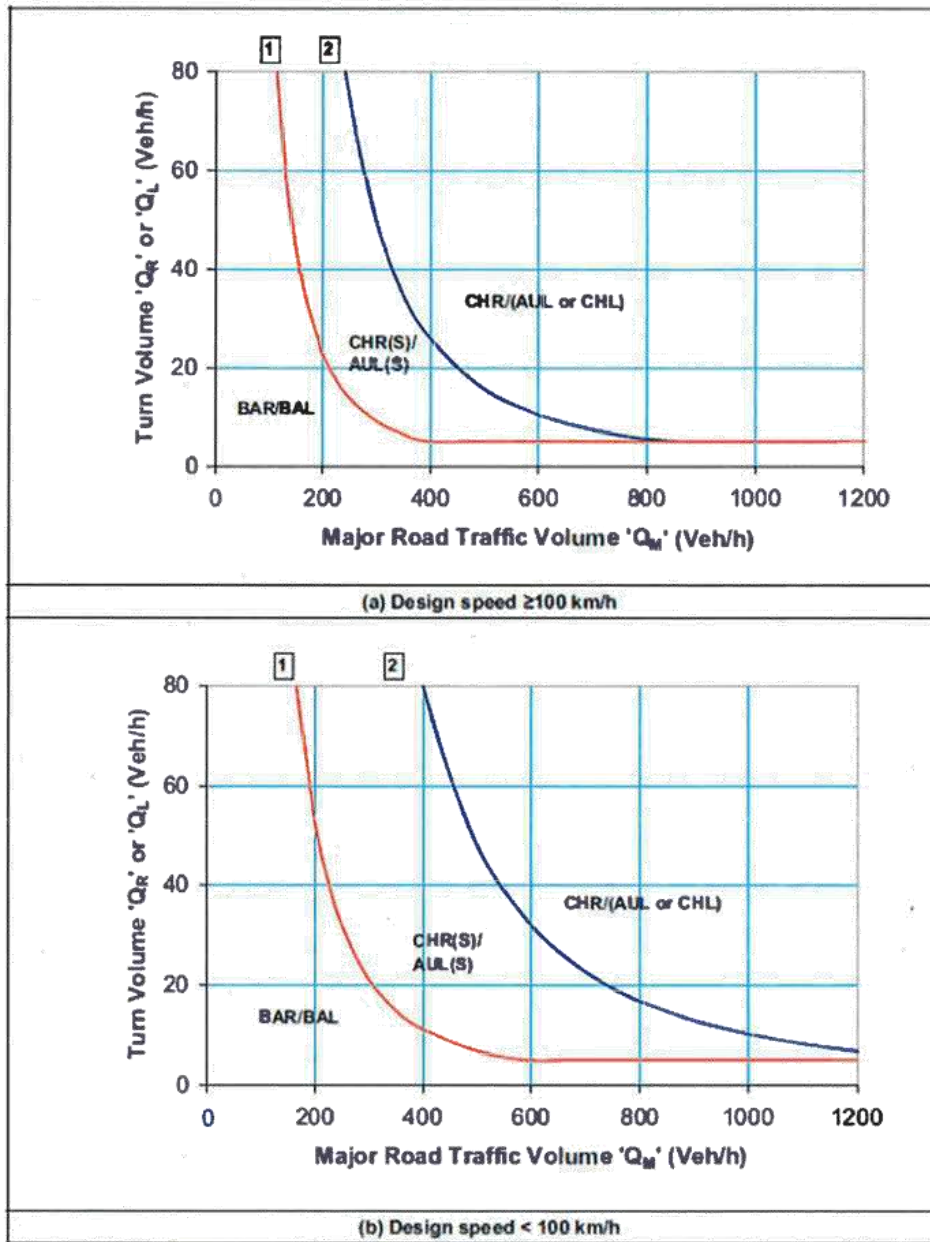
8 CONCLUSION

Based on the site visit and this transport and traffic impact assessment, we are of the opinion that Cross's Road, Tyers Road and the surrounding road network can sustain further residential development at the subject site.

Our assessment shows that both Cross's Road and Tyers Road can sustain the generated traffic from the subject site when fully developed in 20 years time.

Therefore, there are no traffic and transport reasons as to why the residential subdivision of the subject site should not be granted.

APPENDIX A – TURN WARRANTS ASSESSMENT



Source: Anst and Troutbeck (2006).

Planning and Environment Act 1987

**LATROBE PLANNING SCHEME
AMENDMENT C93
EXPLANATORY REPORT**

Who is the planning authority?

This amendment has been prepared by the Latrobe City Council, which is the planning authority for this amendment.

The amendment has been made at the request of The Planning Group (TPG) on behalf of the landowners at 50 Ashworth Drive, Traralgon.

Land affected by the amendment

The amendment applies to land comprising a total of nine (9) parcels located on or adjacent to Ashworth Drive, Traralgon (see Figure 1). The land is already covered by Development Plan Overlay Schedule 5 – Residential Growth Areas (DPO5) and is part of the Cross's Road Residential Precinct Development Plan (CRDP).



Figure 1 Outline of subject land rezoned

What the amendment does

The amendment has rezoned land located within the Rural Living Zone – Schedule 3 to a General Residential Zone.

Strategic assessment of the amendment**Why is the amendment required?**

The amendment was required to provide the opportunity to assist in accommodating the projected population growth for Traralgon. It will allow future permit applications to be made to develop the land in accordance with the State Planning Policy and Local Planning Policy Frameworks and, more particularly, in accordance with the Traralgon Structure Plan and the endorsed Cross's Road Residential Precinct Structure Plan. Within the Traralgon Structure Plan (included at Clause 21.05 of the Scheme), the land was identified 'future residential'. At its Ordinary Council Meeting on 17 September 2012, Latrobe City Council endorsed the CRDP which seeks to provide an integrated vision for coordinated development of all properties affected by the DPO5. Furthermore, the rezoning will facilitate the long term development of the land in accordance with the Development Plan.

Amendment C87 - Traralgon Growth Areas Review (TGAR)

Traralgon Growth Areas Review (TGAR) is intended to provide a growth strategy that identifies areas for future urban development (i.e. housing, commercial, industrial and open space) around Traralgon, the Traralgon-Morwell Corridor, Glengarry and Tyers up to the year 2051.

TGAR forecasts population growth in Traralgon to 2051, identifying the need for approximately 11,500 extra dwellings based on a high growth scenario. Current estimates suggest approximately 5,500 vacant lots in Traralgon taking into account infill development, endorsed development plans (including the subject land) and land identified as future residential in the current Traralgon Structure Plan. Rezoning of the subject land will assist in meeting some of the demand for residential land in Traralgon.

Amendment C56

A previous planning scheme amendment C56 undertaken by the Minister for Planning in May 2011, sought to rezone land at 150 Tyers Road and 240 Cross's Road, Traralgon. Although identified as future residential within the Traralgon Structure Plan, the land at Ashworth Drive (subject land) remained Rural Living Zone. The Minister for Planning excluded Ashworth Drive, Traralgon from the amendment C56 to allow it to undergo a standard planning scheme amendment process, which is what this amendment C93 does.

How does the amendment implement the objectives of planning in Victoria?

The amendment implements the objectives set out in Section 4 of the *Planning and Environment Act 1987* in providing for the fair, orderly, economic and sustainable use and development of land.

The objectives of planning in Victoria are (*inter alia*):

- To provide for the fair, orderly, economic and sustainable use and development of land.
- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- To protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community.
- To facilitate development in accordance with the objectives set out in the points above.
- To balance the present and future interests of all Victorians.

The amendment implements the objectives of the *Planning and Environment Act 1987* (the Act) by contributing to the land supply in Traralgon to efficiently and effectively meet the community needs now and into the future.

The Traralgon Structure Plan and CRDP have both been through an extensive public consultation process ensuring that the public and key agencies have considered in detail the suitability of the site for urban development, as well as considering a layout for the area. The CRDP creates a framework for a high quality urban environment which meets the needs of the community and provides access to relevant infrastructure and community services.

How does the amendment address any environmental, social and economic effects?

The subject land is within the Township Boundary as set out in the Traralgon Structure Plan and is contiguous with existing urban development. The land represents a logical extension to existing urban development, proximate to local community infrastructure, to provide additional residential living opportunities to the community in an accessible location.

Environmental Effects

Drainage

An integrated stormwater management strategy is proposed for the entire Development Plan area. Conveyance of stormwater is required through three properties on the subject land, however, the extent of stormwater to be conveyed through these properties does not warrant on-site retardation.

The CRDP has considered drainage through the preparation of the Drainage Strategy. The Tyers rising main passes through the subject land and its protection has also been considered.

Native Vegetation

It is considered that the rezoning of the land will have minimal impact on the environmental values of the site. An Ecological Assessment was prepared as part of the preparation of the CRDP and acknowledges that the subject land includes scattered exotic and native vegetation around existing buildings and along road and water frontages. The CRDP encourages the design of future subdivisions to manage any identified native vegetation. This has included protection of native vegetation along waterways and removing some native vegetation in other areas.

Waterway Buffer

Two designated waterways enter at Cross's Road, and one waterway enters near 45 and 55 Ashworth Drive, leaving the site through 60 Ashworth Drive. The second waterway passes through the rear of properties on the east side of Ashworth Drive. The waterways merge on 60 Ashworth Drive. There are approximately 30 metre buffer distances proposed from these two designated waterways required by the CRDP.

A Waterway Management Plan is required to demonstrate the protection of waterways and minimise maintenance.

Social and Economic Effects

The amendment has considered the social and economic effects that may be caused by the amendment.

The future development of the subject land will complete the missing link in the Development Plan area and will facilitate the provision of integrated services such as road connections, bike and pedestrian links and public open space areas.

The future development of the land will provide opportunities for new housing development to assist in affordable housing and choice within the area and therefore economic effects of

the amendment are expected to be positive. There will be some additional job creation throughout the residential subdivision and dwelling construction stage of the precinct, and additional expenditure resulting from the population increase in the area. It is expected that once the land is made available for residential development, housing demand will increase and in turn a positive benefit will be provided to the town through the building industry and increased population accessing local businesses and services.

Amenity

The subject land features opportunities that have influenced the design response underpinning the CRDP. For example, one opportunity identified is the preservation of existing buildings to encourage improved amenity for land owners on the subject land.

Service Industry

It has been identified that two service industries (i.e. truck storage business) are currently operating on the subject land. Consideration of the transition of these industries over time may need to be undertaken.

Contamination

Based on existing truck storage business uses, an assessment of potentially contaminated land has been undertaken. The assessment has concluded that based on the history of the land use on the land, it is apparent that existing uses represent a 'low' potential for contamination in Table 2 of the General Practice Note *Potentially Contaminated Land June 2005*. Therefore, the uses fall under 'Category C' where the general duty under section 12 and section 60 of the *Planning and Environment Act* applies, and the application of an Environmental Audit Overlay or environmental audit/assessment is not required.

The Environment Protection Authority (EPA) has been contacted to confirm whether any Certificates and Statement of Environmental Audit have been issued for the land or if the land appears on the EPA Priority Sites Register. It has been confirmed that neither Certificates nor Statement of Environmental Audit have been issued for the land and the sites in Ashworth Drive (subject land) do not appear on the EPA Priority Sites Register.

Cultural Heritage

An Aboriginal and Historical Heritage Assessment was prepared as part of the preparation of the CRDP and the assessment found no Aboriginal or historical sites on the site.

Amendment C87 - Traralgon Growth Areas Review (TGAR)

TGAR forecasts population growth in Traralgon to 2051, identifying the need for approximately 11,500 extra dwellings based on a high growth scenario. Current estimates suggest approximately 5,500 vacant lots in Traralgon taking into account infill development, endorsed development plans and land identified as future residential in the current Traralgon Structure Plan.

The CRDP will create approximately 677 lots, of which approximately 264 lots will be created by the amendment C93, which enables the potential development of 264 lots subject to further assessment at subdivision stage.

Does the amendment address relevant bushfire risk?

The amendment will not increase the risk of life, property, community infrastructure and the natural environment from bushfire. Grassfire risk is experienced by the land from the North, but future development of the land will mitigate this risk.

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with Ministerial Direction - The Form and Content of Planning Schemes under section 7(5) of the *Planning and Environment Act 1987*.

The amendment is consistent with Ministerial Direction No. 1 – Potentially Contaminated Land as specified in the 'contamination' section of this report.

The amendment is consistent with Ministerial Direction 11 – Strategic Assessment of Amendments through the discussion provided in this Explanatory Report.

The amendment process has complied with Ministerial Direction No. 15 – The Planning Scheme Amendment Process.

The amendment is consistent with Ministerial Direction No 16 - Residential Zones insofar as the amendment seeks to apply the new General Residential Zone to the subject land, consistent with the Traralgon Structure Plan.

How does the amendment support or implement the State Planning Policy Framework and any adopted State policy?

State Planning Policy Framework

Relevant to the re-zoning of the subject land are the following clauses from the State Planning Policy Framework (SPPF):

- **Clause 11 - Settlement**

“Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.”

This amendment is consistent with Clause 11 by providing land for settlement in an area that is provided with utility, urban and social services. The Traralgon Structure Plan and CRDP have designated the subject land as being suitable for future residential use. The amendment will improve the supply of residential land in this area. In particular, the amendment addresses State Planning Policy by allowing future development to provide for a diversity of dwelling types, increased housing choice and affordability.

- **Clause 13 - Environmental Risks**

Clause 13 nominates that *“planning should adopt a best practice environmental management and risk management approach which aims to avoid or minimise environmental degradation and hazards. Planning should identify and manage the potential for the environment, and environmental changes, to impact upon the economic, environmental or social well-being of society”*.

Management strategies for the environmental risks identified by the CRDP will be implemented with the subsequent subdivision of the subject land.

- **Clause 14 - Natural Resource Management**

Clause 14 nominates that *“planning is to assist in the conservation and wise use of natural resources including energy, water, land, stone and minerals to support both environmental quality and sustainable development.”*

One of the strategies of Clause 14 is to *“ensure that the State’s agricultural base is protected from the unplanned loss of productive agricultural land due to permanent changes of land use.”*

The subject land is rural living and already lost to agriculture so will not result in fragmentation of agricultural land.

• Clause 15 - Built Environment and Heritage

“Planning should ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value”.

“Planning should achieve high quality urban design and architecture that:

- Contributes positively to local urban character and sense of place.*
- Reflects the particular characteristics, aspirations and cultural identity of the community.*
- Enhances liveability, diversity, amenity and safety of the public realm.*
- Promotes attractiveness of towns and cities within broader strategic contexts.*
- Minimises detrimental impact on neighbouring properties.*

The subject land is well located to utilise existing infrastructure and community facilities resulting in a more sustainable and integrated community. An Aboriginal and Historical Heritage Assessment was provided as part of the CRDP and did not identify any issues.

The amendment seeks *“to create urban environments that are safe, functional and provide good quality with a sense of place and cultural identity”*. Planning and Responsible Authorities are to ensure good urban design is promoted, and that development (and redevelopment) contributes to the community by improving safety, diversity and choice and responds to its context in terms of urban character.

This amendment is expected to have a positive impact as the future development of the land will provide opportunities for new housing development, will assist in affordable housing and choice within the area, in accordance with the CRDP.

• Clause 16 - Housing

This Clause encourages the promotion of housing markets that meets community needs. Planning and Responsible Authorities are to facilitate an increase in the supply of housing in existing and growth urban areas, which is of good quality design and integrated within infrastructure and services.

The amendment provides opportunities for new housing development to assist in affordable housing and choice within the area.

The subject land is the last remaining parcels of land to be rezoned as part of the Development Plan.

- **Clause 18 - Transport**

Clause 18 nominates that *“planning should ensure an integrated and sustainable transport system that provides access to social and economic opportunities, facilitates economic prosperity, contributes to environmental sustainability, coordinates reliable movements of people and goods, and is safe.”*

A traffic impact assessment has been prepared as part of the CRDP to determine the impact of development on adjoining streets/roads, intersection locations and treatments and internal road hierarchy.

The existing layout, road hierarchy and intersection treatments to adjoining roads are considered acceptable.

- **Clause 19 - Infrastructure**

Clause 19 nominates that *“planning for development of social and physical infrastructure should enable it to be provided in a way that is efficient, equitable, accessible and timely.”*

The subject land is already serviced by nearby community infrastructure and the subject land’s future development will deliver a logical outcome to finalising the integration across the CRDP area.

How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment supports the strategic direction sought by the LPPF in providing for residential use and development consistent with the objectives and outcomes sought in Clause 21.05 Main Towns.

Local Planning Policy Framework

Relevant to the re-zoning of the subject land are the following clauses from the Local Planning Policy Framework (LPPF):

- **Clause 21.03 - Natural Environment Sustainability**

One of the objectives of Clause 21.03 is *“To protect and improve water quality and river health.”*

The amendment is consistent with Clause 21.03 as an Ecological Assessment has been prepared as part of the CRDP, to ensure the protection of indigenous flora and fauna on the subject land.

The Development Plan provides approximately 30 metre buffer distances to protect the two designated waterways.

- **Clause 21.04 - Built Environment Sustainability**

Clause 21.04 sits alongside Clause 21.05 in setting-out the overall land use framework for the smaller and larger settlements within the Latrobe region, as a 'networked city'. Whilst providing opportunities for each town to "...grow in its own right and maintain a 10 to 15 year urban land supply...". The policy further states that:

"Central to the concept of the networked city is acceptance by the community that higher order services and facilities (such as an art gallery or civic centre) that are provided in only one location can benefit the whole community and not just the town in which they are located. This should continue as the roles of towns evolve over time in response to changing social and economic influences..."

The role of the smaller settlements is to provide important diversity of housing and lifestyle as well as to be rural service centres."

The Policy goes on to state that due to *"the land use constraints around the major towns, there is an increasing need to reduce average residential property sizes so the remaining land is consumed at a more sustainable rate."*

The Policy cautions against unnecessary urban expansion and rural subdivision, and seeks to contain urban development within distinct boundaries. There is to be a clear distinction between each urban settlement, facilitating the self-containment and identity of each settlement.

The amendment is consistent with the objectives of Clause 21.04, by building upon a part of the existing township of Traralgon that is within the established settlement boundary as part of an integrated network of urban areas that maximises the use of existing infrastructure.

- **Clause 21.05 - Main Towns**

This Clause sets out the Structure Plans for the 'Main Towns' within the overall 'networked city' of Latrobe. This includes Traralgon at Clause 21.05-6 and the Traralgon Structure Plan. The subject land is identified on the Structure Plan as being within 'Area 1 - Future Residential'. The land is adjacent to the boundary on the north-western extent of the township, abutting an existing floodplain area to the north, an area denoted as 'existing

residential opportunity' (east) and a further area similarly denoted as 'future residential' (west), as set out in Figure 2 below.

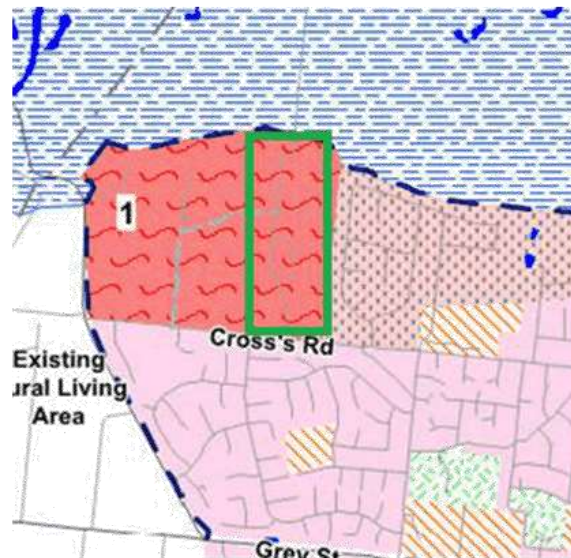


Figure 2 Extract from Traralgon Structure Plan showing location of the subject land.

With respect to residential land use, the accompanying policy states, amongst other things:

- *“Investigate flooding impact upon land designated as having existing or future residential opportunities in the structure plan; and
Where appropriate, mitigate flooding and encourage residential development within Areas 1, 11, and 12.”*

This proposal seeks to implement the endorsed development plan (Cross's Road Residential Precinct Development Plan), integrating conventional residential and acknowledging environmental constraints of the subject land. The land related to this amendment is the last remaining parcel to be rezoned as part of the Development Plan.

- **Clause 21.08 - Liveability**

This Clause seeks *“to enhance the quality of residents' lives by encouraging positive interrelated elements including safety, health, education, quality of life, mobility and accessibility, and sense of place”* and includes a number of strategies to achieve this.

Relevant to the proposal are the following issues associated with liveability, as identified in the policy:

- *The main towns of Latrobe City are experiencing growth. As these towns continue to grow, new residential development is located further from town centres, and therefore access to services and community facilities is reduced.*

- *New residential development on the fringe of expanding main towns within Latrobe City are at risk of being disconnected from community services and facilities without walkable access to local hubs.*

To address these issues, Council seeks (*inter alia*):

- *To provide for walkable neighbourhoods, ensuring public transport, shops, public open space and mixed-use community centres are close to all dwellings.*
- *To promote physical activity and walkability in all towns by ensuring all dwellings are within close walking distance of a community centre.*

This amendment is consistent with Clause 21.08 by providing for future residential development in a location well serviced by existing social and recreational services and infrastructure.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victoria Planning Provisions by applying a reformed residential zoning to the land consistent with Amendments V8 and V100 which introduced the Residential Growth, General Residential and Neighbourhood Residential Zones into the Victorian Planning Provisions.

Appropriate Victoria Planning Provisions are utilised. The amendment has considered and is consistent with the following Victorian State Government Practice and Advisory Notes:

- Practice Note 7 – Vegetation Protection in Urban Areas
- Practice Note 23 – Applying the Incorporated Plan and Development Plan Overlays
- Practice Note 30/Ministerial Direction No.1 – Potentially Contaminated Land
- Practice Note 46 – Strategic Assessment Guidelines
- Practice Note 78 – Applying the Residential Zones
- Advisory Note 34 – *Transport Integration Act 2010*
- Advisory Note 48 / Ministerial Direction No. 15 – The Planning Scheme Amendment Process
- Advisory Note 50 – Reformed Residential Zones

How does the amendment address the views of any relevant agency?

The views of relevant agencies were considered as part of the approval of the CRDP which includes the subject land. The amendment rezones land to allow for residential development consistent with the approved development plan and the Latrobe Planning Scheme Traralgon Structure Plan. None of the relevant agencies that have been consulted has raised any objection to the proposal.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is considered to be consistent with the objectives of the *Transport Integration Act 2010* as the rezoning facilitates an urban framework where future residents will have access to public transport services throughout the Latrobe Valley, and a transport system which enables residents to travel safely and efficiently on public transport. The CRDP has already considered transport issues in relation to its general subdivision layout design.

Resource and administrative costs**• What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment will have a negligible impact on the resource and administrative costs of the responsible authority. The amendment, if approved will result in a permit application to provide for the subdivision and development of the land due to the endorsed development plan already in place for the subject land. It is not considered that this application will have significant impact on the resource and administrative costs of the responsible authority, and this is an efficient means of land development.

Where you may inspect this Amendment

The amendment is available for public inspection, free of charge, during office hours at the following places:

- Latrobe City Council, Corporate Headquarters, 141 Commercial Road, Morwell VIC 3840
- Latrobe City Council, Traralgon Service Centre, 34-38 Kay Street, Traralgon VIC 3844
- Latrobe City Council, Moe Service Centre, 44 Albert Street, Moe VIC 3825
- Latrobe City Council, Churchill Service Hub, 9-11 Philip Parade, Churchill VIC 3842

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.dtpli.vic.gov.au/publicinspection .

Planning and Environment Act 1987

Panel Report

Latrobe Planning Scheme Amendment C93

Ashworth Drive, Traralgon

4 May 2016



Planning and Environment Act 1987
Panel Report pursuant to Section 25 of the Act
Latrobe Planning Scheme Amendment C93
Ashworth Drive, Traralgon

4 May 2016



Warwick Horsfall, Chair



Henry Turnbull, Member

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List of Abbreviations

CRDP	Cross's Road Development Plan
DELWP	Department of Environment, Land, Water and Planning
DTPLI	Department of Transport, Planning and Local Infrastructure (former)
EPA	Environment Protection Authority
GRZ	General Residential Zone
LPPF	Local Planning Policy Framework
MSS	Municipal Strategic Statement
SPPF	State Planning Policy Framework

Executive Summary

Amendment C93 seeks to rezone approximately 25 hectares of land held in 12 allotments with frontage to Ashworth Drive, Traralgon from Rural Living Zone – Schedule 3 to General Residential Zone. The Amendment was proposed by one of the landowners with Council taking the opportunity to seek a rezoning of all 12 lots on the basis that such a proposal would be consistent with the future use of the land as depicted in the Traralgon Structure Plan.

The exhibition and notification of the Amendment in August and September 2015 drew 21 submissions of which 13 were in objection. The issues raised in the submissions included the demand and supply of residential land in Traralgon, stormwater and drainage, cost of urban infrastructure, traffic, heritage, buffer to the Australian Paper Mill, amenity and impact on Council rates. As all of these issues could not be resolved, Council requested the appointment of a Panel to consider the submissions.

The Panel is satisfied that the Amendment is consistent with the broader and specific planning policy framework for Traralgon and the subject land respectively. The Panel has given significant weight to the depiction of the subject land in the adopted Traralgon Structure Plan that is embedded within the Municipal Strategic Statement of the Latrobe Planning Scheme. The Panel acknowledges that this is a clear statement of Council's preference for the future use of the subject land. The preparation of a Development Plan for Cross's Road area was also of assistance to the Panel by informing it of specific development matters relating to the subject land's future development.

The Panel was concerned however as to the suitability of the northern portion of the subject land for urban residential development, given its susceptibility to inundation. For this reason, this area is recommended for exclusion from the Amendment.

In reaching its recommendation, the Panel has considered all written submissions, as well as submissions presented to it during the Hearing. It has also been assisted by the information provided to it, as well as its observations of the subject land.

Based on the reasons set out in this Report the Panel recommends:

- 1. Amendment C93 to the Latrobe Planning Scheme be adopted as exhibited with the exclusion of Lots 5, 6 and 7 in PS126409.**

1 Introduction

1.1 Panel process

Latrobe Planning Scheme Amendment C93 (the Amendment) was prepared by the Latrobe City Council (the Council) as the Planning Authority. As exhibited, the Amendment proposes to rezone approximately 25 hectares of land held in 12 allotments located on, or adjacent to, Ashworth Drive, Traralgon from Rural Living – Schedule 3 to General Residential.

The Amendment was prepared at the request of the APP Corporation (formerly The Planning Group) on behalf of Steve and Gayle Wood (the Proponent) being owners of one of the allotments. The request was endorsed by Council on 13 April 2015 with a recommendation to seek authorisation, from the Department of Environment, Land, Water and Planning (DELWP), to proceed. The Amendment was subsequently authorised by DELWP on 7 July 2015.

The Amendment was placed on public exhibition between 6 August and 18 September 2015, with 21 submissions received, of which 13 were in objection for various reasons.

At its meeting of 26 October 2015, Council resolved to refer the submissions to a Panel. As a result, a Panel to consider the Amendment was appointed under delegation from the Minister for Planning on 1 December 2015 and comprised Warwick Horsfall (Chair) and Henry Turnbull.

A Directions Hearing in relation to the Amendment was held at Traralgon on 28 January 2016. Prior to the Directions Hearing, the Panel Chair undertook an unaccompanied inspection of the subject site and surrounds from publically accessible locations.

The Panel then met in the offices of Council in Morwell on 10 March 2016 to hear Council, the Proponent and submitters on the Amendment. Those in attendance at the Panel Hearing for all or some of the hearing are listed in Table 1.

Table 1 Parties to the Panel Hearing

Party	Represented by
Latrobe City Council (as the Planning Authority)	Shannon Davies, Senior Strategic Planner and Jason Pullman, Coordinator Strategic Planning, Latrobe City Council
Steve & Gayle Wood (as the Proponents)	Julie Katz of the APP Corporation (formerly The Planning Group)
Gordon Arthur	
Peter Rehfisch & Gillian Murray	Gillian Murray
Ralph Brown	Peter Dell
Robert Piper	
Tim & Sue Rankcom	Tim Rankcom
Terry Miller	

1.2 The proposal

(i) The subject area

The Amendment applies to land described as Lots 1-12 on PS126409 in Ashworth Drive, Traralgon as depicted in Figure 1 (the subject land). The Panel accepts the following description in the Proponent's presentation to the hearing as an acceptable representation of the subject land:

The subject site consists of twelve (12) parcels located within the Rural Living Zone - Schedule 3 (RLZ3) (see below) varying in size from 2-3ha each.

The site totalling some 29.4 ha is located on the northern side of Cross's Road, Traralgon. The site sits on the north-western precinct of Traralgon, wedged between existing and emerging residential neighbourhoods and farmland to the north.

The land is used for a variety of purposes including:

- *Agribusiness*
- *Grazing*
- *Residential/rural living*
- *Trucking businesses.*

The site is fairly flat with a local highpoint located within the property at 60 Ashworth Drive, and a ridgeline extending across the north of the site in an east-west direction through the adjacent properties to the west.

An existing waterway that at times has been known to flood traverses the land generally in a north-south direction within the properties located on the eastern side of Ashworth Drive. This waterway connects to another lesser drainage line which traverses the site in a south-west direction towards Cross's Road. It allows for approximately 30m buffer distance from these two designated waterways as required in the Cross's Road Development Plan.

There is some scattered exotic and native vegetation located in proximity to existing buildings and along road frontages, plus a limited number of remnant River Red Gums.

The precinct is accessed via Ashworth Drive a formed bitumen road which runs north from a T-intersection at Cross's Road which forms the southern boundary of the precinct.

Land to the east, west and south is within the General Residential Zone - Schedule 1 (GRZ1) and land to the north is within the Farming Zone.

The site is located on the northern boundary of existing Traralgon (see below).

The land is affected by the Development Plan Overlay - Schedule 5 (DP05) for Residential Growth Areas. This includes both the subject site and emerging development to the west.



Figure 1 Land to which the Amendment applies
Source: Amendment Explanatory Report

(ii) Amendment description

The Amendment proposes to rezone the subject land from Rural Living Zone – Schedule 3 to General Residential.

The purpose of the Amendment is to facilitate urban residential development in accordance with the future planning for Traralgon as expressed in the Municipal Strategic Statement (MSS) of the Latrobe Planning Scheme (the planning scheme).

1.3 Background to the proposal

The Amendment was first initiated by the Proponents in late 2013 with a view to permitting the subdivision of their land (Lot 8) into two lots. Following a meeting with Council officers, a preference was expressed for all of the land in Ashworth Drive to be rezoned for residential development at an urban density, as this was Council's strategic intention. In March 2014 the Proponents engaged with other landowners in Ashworth Drive to ascertain their support for Council's preferred outcome. In the Proponent's application to Council in January 2015 it was stated that "*local residents of Ashworth Drive were generally supportive of the proposed planning scheme amendment*" and again in their submission to the Panel,

the Proponent reiterated that *“there was a majority of owners who would support a rezoning”*.

In April 2015 Council endorsed their officer’s recommendation to commence the rezoning of all the land in Ashworth Drive to the General Residential Zone.

1.4 Issues dealt with in this report

The Panel considered all written submissions, as well as submissions presented to it during the Hearing. It has also been assisted by the information provided to it as well as its observations of the subject land. Having regard for this, the Panel considers the following issues as requiring a response in its report:

- Demand and supply of residential land in Traralgon
- Stormwater and drainage for the subject land (current and future)
- Cost and provision of urban infrastructure
- Traffic and interaction with Cross’s Road
- Heritage significance and influence of the Arthur residence
- Impact of buffer to the Australian Paper Mill at Maryvale
- Landowner support for the Amendment
- Amenity impacts for existing residents from urban residential development
- Impact of rezoning on rates (cost to existing residents).

2 Planning context

Council provided a response to the Strategic Assessment Guidelines by referencing part of the Explanatory Report to the Amendment.

The Panel has reviewed the policy context of the Amendment and made a brief appraisal of the relevant zone and overlay controls and other relevant planning strategies. References to clauses in this section of the report relate to the Latrobe Planning Scheme.

2.1 Policy framework and strategic planning

(i) State Planning Policy Framework

The operation of the State Planning Policy Framework is stated at clause 10 as:

The purpose of State policy in planning schemes is to inform planning authorities and responsible authorities of those aspects of State planning policy which they are to take into account and give effect to in planning and administering their respective areas. The State Planning Policy Framework provides a context for spatial planning and decision making by planning and responsible authorities.

Within this context, the following State Policies are considered relevant to the Amendment:

Supply of urban land (Clause 11.02-1)

The objective of this policy is to ensure there is an adequate supply of land for residential purposes. A minimum fifteen years supply is stated as one of the strategies to achieve this objective.

The supply of residential land in Traralgon is identified as an issue for the Amendment and is addressed in Section 3 of this report.

Planning for growth areas (Clause 11.02-2)

The objective of this policy is to have urban growth serviced by “efficient and effective infrastructure”. The subject land is relatively accessible to transport corridors and can be provided with all urban infrastructure such as water, sewerage, gas and electricity.

Structure planning (Clause 11.02-3)

The objective of this policy is to cater for growth in a forward planned environment. The future growth for Traralgon is adequately expressed in the Traralgon Structure Plan (the structure plan) and detailed in the Cross’s Road Development Plan (CRDP).

Urban growth (Clause 11.02-4)

The objective of this policy is to ensure that future development is appropriately sequenced. In some ways, the subject land is ‘infill’ rather than ‘greenfield’ development because it is surrounded on three sides by established and developing urban land and prevented from northerly expansion by the buffer to the Maryvale Paper Mill. In this sense, sequencing of development does not require intense interrogation.

Open space planning (Clause 11.03-1)

The objective of this policy is to match the provision and location of open space with the needs of the community. The Panel considers this objective is satisfied by the CRDP.

Regional settlement networks (Clause 11.05-1)

The objective of this policy is to promote growth in Victoria's regional centres. Traralgon is identified in the Regional Victoria Settlement Framework as part of 'Latrobe City', which is deemed to be a 'Regional City' within which the growth strategy is to 'facilitate major growth'. The Amendment is consistent with this.

Gippsland regional growth (Clause 11.08)

The objective of this policy is to grow a diverse economy, provide for a healthy environment, encourage sustainable communities and provide for infrastructure in the Gippsland Region, which extends eastwards from Westernport Bay to the NSW border. Within the broad general context of this policy, the Amendment is considered to be consistent.

Location of residential development (Clause 16.01-2)

The objective of this policy is to locate housing in areas that have good access to commercial and community services. Whilst the subject land is located on the fringe of Traralgon, it is accessible to the town centre. The Amendment is considered to be consistent with this policy as the subject land is in effect already within the urban area of Traralgon with access to all urban services and infrastructure.

Rural residential development (Clause 16.02-1)

One of the strategies of this policy is to:

Ensure land is only zoned for rural living or rural residential development where it:

- *Is located close to existing towns and urban centres, but not in areas that will be required for fully serviced urban development.*
- *Can be supplied with electricity and water and good quality road access.*

This policy supports the change in zoning proposed by the Amendment as the subject land is in an area strategically identified for fully serviced urban development and therefore, in a policy context at least, unsuited to the current Rural Living Zone.

Water supply, sewerage and drainage (Clause 19.03-2)

The objective of this policy is to plan for the provision of this infrastructure. The accessibility of the subject land to this infrastructure indicates consistency with this policy.

(ii) Local Planning Policy Framework

Those aspects of the LPPF that are directly relevant to the Amendment are addressed in this section.

The Amendment doesn't contradict the overall 'vision' for the Shire expressed at clause 21.02, although having regard to the number of objectors to the proposal within the Ashworth Drive community, it might not be considered 'harmonious'. The *Latrobe City Strategic Land Use Framework Plan* included in this clause shows the subject land as within

the town boundary and references the *Traralgon Structure Plan* that has the subject land designated as 'future residential'.

Clause 21.03-7 addresses flooding for which one of the objectives is "*to minimise the potential for loss of life, risk to health and damage to property*". One of the strategies to achieve this objective is "*discourage urban or rural residential development on areas subject to regular flooding*". There are two watercourses/drainage lines traversing the subject land. The extent to which flooding occurs in these areas has not been fully investigated although anecdotal evidence was presented to the Panel suggesting that localised flooding does occur following major rainfall events.

Council's vision for 'built environment sustainability' in Clause 21.04 includes "*to develop clear directions and strategies through consultation with the community ensuring sustainable and balanced development*". The clause states that it is Council policy to "*maintain a 10 to 15 year urban land supply*" for all towns, including Traralgon. In addition, "*future housing growth should be encouraged in future residential areas as designated in the relevant local structure plans*".

The Proponent submitted to the Panel that a 2009 assessment by Essential Economics of the supply of residential land in the municipality concluded that there was a shortage in Traralgon. Specifically the assessment determined there was between five and seven years supply of urban residential land and as little as three to four years of land available for development. The assessment recommended that if the land shown as 'future residential' in the structure plan were to be made available (i.e. rezoned) then the desired 15 year supply horizon for Traralgon would be re-established.

At the hearing, Council advised the Panel that it estimated the current supply of land shown on the structure plan for urban residential land in Traralgon was in the vicinity of 12 years. Council advised that the demand for new dwellings in Traralgon was in the vicinity of 260 per annum.

Clause 21.05 deals with the 'main towns' in the municipality and acknowledges that the majority of growth is accounted for by Traralgon. It is an objective "*to facilitate development in accordance with the specific Town Structure Plan attached to this clause*" and that the strategy to achieve this objective includes "*encourage consolidation of urban settlement within the urban zoned boundaries in accordance with the adopted structure plans*". This clearly indicates to the Panel that it is Council's intention to rely upon the structure plan as the 'road map' for future development in the town.

Specifically for Traralgon, strategies under Clause 21.05-6 include:

- *Investigate flooding impact upon land designated as having existing or future residential opportunities in the structure plan.*
- *Where appropriate, mitigate flooding and encourage residential development within Areas 1, 11, and 12¹.*

These clauses offer more support for the future development of the subject land for urban residential purposes, but require consideration for any potential flooding.

¹ Area 1 includes the subject land.

The Panel notes there are no Local Policies under clause 22 of the planning scheme.

(iii) Other strategic influences

Amendment C56 to the planning scheme was undertaken by the Minister for Planning at the request of Council. The purpose of this amendment was to address a shortage of land supply for residential development, particularly in Traralgon. It proposed the inclusion of the subject land but it was ultimately excluded prior to gazettal in May 2011 due to local objection.

The CRDP was approved by Council in September 2012 and covered an area of 76 hectares, including the subject land. It has been prepared in accordance with the extensive requirements of Schedule 5 of the Development Plan Overlay (DPO5). Council submitted that in preparing the CRDP it had been subjected to a rigorous consultation process, including with the residents of Ashworth Drive.

The *Traralgon Growth Areas Review* in 2013 identified a similar area of future residential land in the structure plan as a 'first stage greenfield site'.

The current structure plan was prepared in 2007 and introduced into the planning scheme in 2010 as part of Amendment C62. The structure plan designates the subject land as 'future residential'. A reviewed structure plan is currently part of another amendment (C87) but this has not yet been adopted by Council. The designation of the subject land remains the same in this reviewed document.

2.2 Planning scheme provisions

(i) Zones

The subject land is currently zoned Rural Living. The Amendment seeks to change the zoning to General Residential. This is the appropriate zone to develop land for general urban residential purposes and is the correct zone for the future development of Ashworth Drive.

(ii) Overlays

A small portion of the subject land along the northern boundary is within the Floodway Overlay (FO). The Land Subject to Inundation Overlay (LSIO) is applied to the southern edge of the FO for an additional distance of approximately 75 metres. These overlays are in recognition of the Latrobe River floodplain to the north of the subject land. It is noted that there are two additional minor watercourses within the subject land that are not covered by either flooding overlay.

The Development Plan Overlay has been applied to all of the subject land, for which the requirements of Schedule 5 – Residential Growth Areas need to be met. No development of the land can occur until a Development Plan is prepared to the satisfaction of Council, and adopted.

2.3 Ministerial Directions and Practice Notes

The Panel is satisfied that the Amendment meets the relevant requirements of the following Ministerial Directions and associated Practice Notes (where applicable):

- The Form and Content of Planning Schemes (s7(5))
- No 1 Potentially Contaminated Land
- No 11 Strategic Assessment of Amendments
- No 15 The Planning Scheme Amendment Process.

2.4 Discussion

The Panel concludes that the Amendment is supported by, and implements, the relevant sections of the State and Local Planning Policy Framework in the planning scheme.

Further, the Panel also concludes that the Amendment is well founded and is strategically justified subject to addressing the more specific issues raised in submissions as discussed in the following chapters.

3 Issues

This section of the report addresses the issues raised in submissions where relevant to consideration of the Amendment.

3.1 Drainage and flooding

(i) Submissions

The West Gippsland Catchment Management Authority (WGCMA) supports the Amendment subject to specific development controls being applied at the time of subdivision. The WGCMA notes that the northernmost lot in Ashworth Drive (Lot 6 in Figure 1) will be constrained for development by flooding expressed by both the FO and LSIO.

In its presentation to the Panel, Council noted that a Drainage Strategy was prepared in November 2011 as part of the CRDP. This strategy was undertaken in consultation with WGCMA and the authority's requirements for the future development of the land were incorporated in the Development Plan (e.g. 30 metre wide buffers to the two watercourses within the subject land). Further consultation with the WGCMA will need to be undertaken as part of the planning permit process in the future. Based on WGCMA's response, Council submitted that the effect of flooding on the northern part of the subject land can be scrutinised when an application for subdivision is made. This is also the position adopted by the Proponents at the hearing.

Two submitters from the adjoining estate to the east submitted that there is insufficient room to accommodate stormwater between their rear boundary and future development on the subject land. A submitter from within the subject land expressed concern that the drainage easement will be inadequate to cater for the increased stormwater run-off generated by future development. It was suggested that a better solution would be to pipe all stormwater underground to reduce the size of the drainage easements required above ground.

(ii) Discussion

The Panel notes that the Drainage Strategy for the Cross's Road precinct includes the subject land in Ashworth Drive. This strategy has been endorsed by the WGCMA, which the Panel considers to be the relevant independent authority on matters pertaining to drainage and flooding. The strategy has also been formulated having regard for the Development Plan prepared for the area.

The two drainage lines identified within the subject land converge within Lot 7 at the northern end of the subject land (see Figure 1). With 60 metre wide buffers straddling these drainage lines, this lot is severely constrained for development at an urban scale. It is likely that in a major rainfall event this lot would be at risk of inundation, and no evidence was presented to the Panel that would suggest otherwise. Lot 6 is also substantially constrained through the application of the FO and LSIO stemming from the influence of the Latrobe River flood plain. The lot adjoining this on the southern side (Lot 5) is constrained by one of the drainage lines with its associated 60 metre buffer. The Panel notes that the owners of these three lots all object to the Amendment.

The Panel considers that the issue of drainage and flooding has in the main, been adequately investigated as part of the Amendment via preparation of the Development Plan. However, the constraints associated with the east-west drainage line traversing Lots 5 and 7 represent an impediment for development. It is noted that the owners of these two lots as well as the owner of Lot 6 to the north closer to the Latrobe River flood plain all object to the Amendment. This goes some way to making the case for excluding these three lots from the General Residential Zone and retaining them in the Rural Living Zone.

(iii) Conclusion

The issues raised in regard to drainage and flooding supports modification of the proposed Amendment by excluding three lots at the northern end of the subject land.

The Panel recommends lots 5, 6 and 7 be excluded from the Amendment.

3.2 Cost of infrastructure

(i) Submissions

A number of the objecting submitters raised issues related to the cost of infrastructure and development, including:

- the small size of the individual holdings make the cost of development non-viable
- residents being forced to contribute to others' infrastructure, even though they themselves were not intending to develop or use the services
- the high cost of providing flood-free access to the land on the east side of Ashworth Drive, east of the waterway
- the cost of waterway rectification protection works from increased flows from adjacent development.

(ii) Discussion

The Panel agrees that the fragmented land holding makes normal residential development more difficult and generally more expensive.

While submitters claimed potential developers had told them that it was too expensive to create small parcels, there was no formal evidence in this regard. The Panel accepts however that the small lots could present problems for orderly development if not undertaken in a coordinated fashion.

The Panel notes that the CRDP has been structured in such a way as to allow vehicular access to lots even if the land holdings were developed separately. Accordingly, the Panel can identify many opportunities for partial development that would not require significant new major infrastructure but would rather, add-on and extend adjacent services.

During the hearing, Mr Pullman stated that "*the horse had bolted as far as infrastructure contributions were concerned.*" The Panel agrees that resident contributions would not occur unless a further development contributions scheme were initiated, but this idea was dismissed by Council.

The cost of extending infrastructure to service development would be a cost to the individual developer. The piecemeal development that could occur may present problems in terms of the standard and extent of infrastructure provided, as the CRDP will rely on services being made available to the adjacent allotments. This may well require the initial developer meeting additional costs that cannot be recouped when subsequent development is undertaken by their neighbour. Such a situation would occur for example, with the provision of the floodway crossings to service the land to the east of the waterway east of Ashworth Drive. While the CRDP shows the access route straddling the boundaries of adjacent lots, it is likely that one owner would seek to develop before the other (or may try and 'wait out' their neighbour).

In relation to the increased water flows within the watercourse in the north of the subject land across Lot 7, Council representatives noted that there was a drainage scheme associated with the development of the land to the west of the subject site and that it was not appropriate for there to be increased run-off. Mitigating measures would be the responsibility of the developers of the western land.

(iii) Conclusion

The Panel acknowledges the submitters' concerns regarding the cost of development and the difficulties presented by the fragmented ownership. The role of this Panel is not however, to make an assessment of the practicality of implementing the CRDP or to resolve any future development contribution issues.

The Panel believes that the fragmented ownership is likely to retard development of the area for typical residential allotments, partially due to a lack of economies of scale, access to infrastructure and associated costs.

The possible delay in development however, is not a reason to reject the rezoning, and while the Panel notes there will be some cost and apportionment issues to be dealt with in the future, it is satisfied that they will be able to be resolved.

3.3 Traffic

(i) Submissions

VicRoads did not object to the proposed Amendment but requested that a revised Transport and Traffic Impact Assessment Report (TIAR) be required as part of any future planning permit application for subdivision of the subject land. A TIAR was previously prepared as part of the Development Plan for the precinct in 2012. Council considered that a revised TIAR is not necessary.

(ii) Discussion

The proposed rezoning is consistent with the CRDP, which was informed by a detailed TIAR.

While the proposed rezoning is now a separate amendment, it forms part of CRDP and the traffic impacts were assessed at the time of the CRDP's adoption.

The report to Council in September 2012 recommending adoption of the CRDP included the following in relation to traffic and transport:

The Development Plan is supported by a Traffic and Transport Impact Assessment, which has been undertaken to determine the likely impact of the development on adjoining streets and roads, intersection locations and treatments and the internal road hierarchy of the site.

The key findings of the assessment were that:

- *When fully developed the site would be expected to generate approximately 5,821 vehicle trips per day, including 552 trips in the peak hour.*
- *The impact of additional trips on the capacity of Cross's Road and Tyers Road would be acceptable.*
- *The location of proposed access points onto Cross's Road would be suitable.*
- *Each of the intersections onto Cross's Road should provide an auxiliary left turn and channelized right turn treatment.*
- *The Cross's Road reserve width needs localised widening by 2.4m to accommodate the proposed intersection treatments into 150 Tyers Road and 240 Cross's Road.*
- *The mid-block assessment indicates that the eastbound and westbound traffic lanes on Cross's Road would operate at 33% and 38% of their capacity, respectively and the northbound and southbound traffic lanes on Tyers Road would operate at 20% and 18% of their capacity, respectively when the site is fully developed.*
- *In order to estimate the future year external traffic volumes, a 1.5% compounded annual growth factor has been added to the existing traffic volumes.*
- *The proposed access point locations on Cross's Road are suitable and the safe intersection sight distances on both approaches comply with the Austroads Guidelines.*

The proposed Development Plan has been assessed by Council's Infrastructure Development Department and VicRoads. Both considered that the Development Plan represented an acceptable outcome for the site and surrounding road network.

The Panel sees the subject area as an infill situation that will rely on existing and proposed road infrastructure as has already been assessed and accepted by VicRoads.

(iii) Conclusion

The Panel does not consider the issue of traffic warrants modification or refusal of the proposed Amendment and an additional TIAR is not considered necessary to assess the traffic impacts arising from the future development of the land.

3.4 Heritage

(i) Submissions

The owner of a restored older residence on Lot 1 (see Figure 1) raised concerns that the heritage value of the property may be detrimentally affected by the future development of the subject land for urban residential purposes. The detriment could involve being 'engulfed' by houses or through demolition to maximise the development potential of the land. The submitter requested that the rezoning of the land should be deferred for 10 years.

Council advised the Panel that the Latrobe Heritage Study did not assess the property for consideration as a heritage item under the Heritage Overlay (HO). The residence is also not included in the Victorian Heritage Register. Consequently, the residence has no formal heritage status in terms of the current planning regime applicable to Lot 1.

(ii) Discussion

The residence on Lot 1 is currently sited on 3.1 hectares of land with a maintained garden occupying approximately half of that area. It is set well back from the current boundaries of the lot. With these dimensions there is ample opportunity for the dwelling and all or part of its garden to be contained within a lot of appropriate proportions if the land is rezoned. Obviously this is at the discretion of the landowner at the time but there remains the opportunity for the heritage of the property to be protected from higher density development, both from within the lot itself and other land in Ashworth Drive.

The Panel notes the property is acknowledged within the Development Plan in that it "*may have heritage value and significance of these should be further investigated as part of a planning permit application. The site is suitable for community uses and such activities should be encouraged in future use, management and development of the site*" (page 19). The future status and use of this property is not a matter for the Panel to contemplate.

(iii) Conclusion

The Panel does not consider the issue of heritage, particularly with regard to the property at Lot 1, warrants modification or refusal of the proposed Amendment.

3.5 Buffer to Australian Paper Mill at Maryvale

(i) Submissions

In response to notification, the EPA submitted to Council that the Amendment was not supported, on the grounds that part of the subject land was situated within the default five kilometre buffer for the type of industrial activity undertaken by the Australian Paper Mill at Maryvale (the mill). Council noted that under the EPA guidelines, recommended separation distances between a potentially offensive source and sensitive receivers can be varied if justified by a detailed study of site conditions. The reduced distance then becomes the Adjusted Amenity Buffer.

(ii) Discussion

Amendment C87 to the planning scheme related to implementation of the *Traralgon Growth Areas Review*. The June 2015 Panel report on this amendment addressed in some detail the issue of the buffer around the mill. That Panel concluded that *“while it has some concerns about various aspects of the modelling as outlined above, the implementation of a non-radial of the shape depicted by the CALPUFF modelling is justified”*. After considering a number of options as to the definition of the buffer, that Panel recommended that it be based on the non-radial *“10 odour unit buffer modelled by GHD”*. By this definition, all of the subject land would be outside of the Adjusted Amenity Buffer for the mill. That Panel report noted that the mill had no objection to all areas within the town boundary of Traralgon being excluded from the Adjusted Amenity Buffer. Council advised at the hearing for Amendment C87 that the EPA had indicated support for the Adjusted Amenity Buffer but that *“it was not official”*.

In its submission to Amendment C93 in September 2015, the EPA acknowledged the agreed Adjusted Amenity Buffer for the mill but noted that *“Council are yet to adopt any documentation that recognises the ‘Adjusted Urban Amenity Buffer’ in its planning scheme.”* This is a reference to Council not yet having adopted the recommendations of the Panel for Amendment C87, although it was the position supported by Council’s representatives at the Panel hearing for Amendment C93 as well as the proponent.

The EPA did not request to be heard at the Panel hearing and thus unfortunately were unable to contribute to any discussion on this issue. In the absence of the EPA, the Panel is accepting of the location of the Adjusted Amenity Buffer as recommended by the Panel to Amendment C87.

(iii) Conclusion

The issue of the odour buffer to the mill alone does not warrant modification or refusal of the proposed Amendment. However, other issues leading to the retraction of the proposed zoning from the northern end would further distance intensive future urban residential development from the mill. This would reduce, albeit slightly, the number of future residents at risk of odour impacts if the buffer were exceeded.

3.6 Majority landowner objection**(i) Discussion**

This is not an issue raised in submissions but one raised by the Panel. There are 12 independent landowners within the area to which Amendment C93 applies. Of these, eight lodged objecting submissions to the Amendment. This is despite claims by the Proponent that there was general acceptance of the proposal amongst Ashworth Drive landowners. Three landowners supported the Amendment and one did not submit.

As all lots are approximately two hectares in area (the exception is Lot 1 at 3.1 hectares) the proportion of objection to support (73%) across the 11 submitters is more or less the same for land area as it is for number of landowners. Given there is a substantial majority in objection, there is a question as to whether or not this is grounds alone for abandoning the Amendment, regardless of the planning merits of the proposal.

The justification for any amendment involving rezoning lies principally with strategic planning. The current *Traralgon Structure Plan* was prepared in 2007 and introduced to the planning scheme in 2010 as part of Amendment C62. Whilst the Panel isn't aware of the process undertaken in preparing this structure plan, it is assumed it involved a detailed analysis of constraints and opportunities relating to the future development of Traralgon. Council advised at the Panel hearing that the structure plan was subjected to a public exhibition process and community consultation, including with authorities. The adopted structure plan designates the subject land as 'future residential', which is to the Panel a statement of clear intent by Council that it is required for the future urban residential development of Traralgon.

It can be argued therefore that the 'die was cast' for the future of the subject land at the time of the structure plan in 2007 and its inclusion in the MSS in 2010. In other words, the time for debating the merits of the subject land being developed for urban residential purposes was when the structure plan was being prepared. Consequently the current Amendment could be viewed as simply the means of giving effect to an adopted strategic plan through a change in zoning via the planning scheme.

The Panel is aware that a reviewed structure plan is currently part of another amendment (C87) that has not yet been adopted by Council. The designation of preferred future land use on the subject land remains the same in this reviewed document.

The Panel is empathetic to the objectors and their being in the majority as landowners within the subject land. However, unless there are unforeseen issues arising from the Amendment process that were not considered or have changed since the time of the structure plan preparation or its review, the Panel considers that the adopted strategic position of Council should prevail.

(ii) Conclusion

The issue of majority landowner objection alone does not warrant modification or refusal of the proposed Amendment. However, other issues leading to the amendment of the proposed zoning from the northern end would at least better meet the concerns of three of the objectors.

3.7 Amenity (lifestyle)

(i) Submissions

This was a common issue raised by a number of submitters to the Amendment both from within and adjoining the subject land. Council summarised these amenity concerns in their presentation to the Panel as follows:

- *Dwellings in the adjoining estate of Riverslea Boulevard would lose the rural outlook if Ashworth Drive was to be intensively developed.*
- *Landowners purchased land in Ashworth Drive for the lifestyle and intensification around the precinct will negatively impact on the current lifestyle.*
- *Truck businesses exist in the area that will be impacted if new residents were to be located in Ashworth Drive.*

- *The area is currently considered liveable, quiet, sociable with no vandalism or disturbance of any kind.*
- *Increased noise due to the construction phase.*
- *There would be privacy issues for properties abutting Ashworth Drive.*
- *Landowners were informed by the developer of Riverslea Boulevard that Ashworth Drive would not be developed.*

Council contended that the future development of the subject land for urban residential purposes was established with the preparation of the structure plan in 2007. The inclusion of the structure plan in the planning scheme in 2010 in effect made the preferred future use of the land Council policy. The adoption of the Development Plan in 2012 provided further confirmation of this position. This is also the contention of the proponent.

Council makes the point that existing transport businesses within Ashworth Drive will be permitted to continue under the proposed zoning courtesy of existing use 'rights'. In addition, residential privacy issues can be addressed through the assessment and approvals process for subdivision and development.

(ii) Discussion

The overall concern of submitters within the subject land in raising this issue is the change to the current semi-rural environment enjoyed by residents that will be brought about by an intensification of residential development. It is true that the current residential environment will change with the density of developed envisaged by applying the General Residential Zone. This change will be significant with the current permissible density being 1 dwelling per 2 hectares, and the equivalent density under the General Residential Zone being in the vicinity of 20 to 25 dwellings for each 2 hectares.

The seven objecting submissions from outside of the subject land emanate from the western side of Riverslea Boulevard. The rear boundary of these properties adjoins the subject land and currently offers residents of these lots a semi-rural aspect to the north west. It is the loss of this aspect through development of the subject land for urban residential purposes that mostly concerns these residents as well as the proximity of new housing. The Panel cannot comment on claims by some submitters from the adjoining estate that the developer and/or his real estate agent indicated the subject land would not be developed at an urban density.

The Panel's response to submissions based on this issue is the same as that by Council in that the subject land has been designated for future urban residential development since 2007. As the Panel commented earlier, the time for debating the merits of this designation was then rather than at the rezoning stage of the process. The Panel notes that it is a held principle in planning law that 'no-one owns a view'.

(iii) Conclusion

The issue of amenity does not warrant modification or refusal of the proposed Amendment.

3.8 Rates

(i) Submissions

Some submitters from within the subject land object to the Amendment on the basis that the resulting increase in land value will be reflected in an increase in rates.

The Proponent submitted at the hearing that a potential increase in rates *“is not a consideration under the planning scheme”* and in any case *“the land has been identified for growth since 2007 and the current rating according to valuation processes takes into account its future potential for development”*.

Council’s view on this issue is similar to the Proponent but also makes the point that *“changing property values (either rising or decreasing) are often the subject of objection of planning scheme amendments, however, it is difficult to single out one matter as the reason for property values changing.”*

(ii) Discussion

The Panel agrees that this issue is not a planning consideration. It is noted however, that whilst there is maybe a chance that there would be some increase in rates, this can be offset by the corresponding increase in the value of the asset.

(iii) Conclusion

The issue of rates does not warrant modification or refusal of the proposed Amendment.

4 Conclusion and recommendation

Having considered all written submissions, as well as submissions presented to it during the Hearing, the Panel is satisfied that the Amendment is justified subject to the exclusion of a portion of the subject land at the northern end of Ashworth Drive. Consequently, the Panel recommends:

1. **Amendment C93 to the Latrobe Planning Scheme be adopted as exhibited with the exclusion of Lots 5, 6 and 7 in PS126409.**

Appendix A Submitters to the Amendment

No.	Submitter
1	Department of Environment, Land, Water & Planning
2	Gippsland Water
3	VicRoads
4	West Gippsland Catchment Management Authority
5	EPA Victoria
6	Ralph Brown
7	Heather Rowe on behalf of Ralph Brown
8	Steven & Gayle Wood
9	NJ & NF Bransgrove Pty Ltd
10	Six landowners within the subject land (Murray, Blackwood, Arthur, Lowe, Miller, Piper, Rankcom & Maloney)
11	Gordon & Sauni Arthur
12	David & Diane Grant
13	Tim & Sue Rankcom
14	Terry Miller
15	Frances Foster
16	Sharafat Malek & Farhana Rahman
17	Emma & Jon Standen
18	Rob Piper
19	Megan & Travis Day
20	Janne & Charlie Speirs
21	Onibokun family

Appendix B Document list

No.	Date	Description	Presented by
1	10 Mar 16	Photographs of Open Day	Gordon Arthur
2	10 Mar 16	Council presentation	Latrobe City Council
3	10 Mar 16	Attachments to presentation	Latrobe City Council
4	10 Mar 16	Submission on behalf of Mr & Mrs Wood	Julie Katz – APP
5	10 Mar 16	Submission of Gillian Murray	Gillian Murray
6	10 Mar 16	Submission on behalf of Mr Brown	Peter Dell
7	10 Mar 16	Submission of Robert Piper	Robert Piper
8	10 Mar 16	Submission of Mr & Mrs Rankcom	Tim Rankcom
9	10 Mar 16	Photograph of localised flooding	Terry Miller
10	10 Mar 16	Photograph of localised flooding	Terry Miller
11	10 Mar 16	Submission of Terry Miller	Terry Miller
12	10 Mar 16	Odour contour map for paper mill	Latrobe City Council
13	10 Mar 16	APM submission to C87	Latrobe City Council
14	10 Mar 16	EPA submission to C87	Latrobe City Council

CORRESPONDENCE

11. CORRESPONDENCE

Nil reports

PRESENTATION OF PETITIONS

12. PRESENTATION OF PETITIONS

12.1 PETITION REQUESTING LATROBE CITY COUNCILLORS TO ENDORSE THE FUTURE MORWELL REVITALISATION PLAN INCORPORATING THE MORWELL CIRCUIT AND TO HAVE THE PLAN ADOPTED BY 22 SEPTEMBER 2016.

General Manager

Community Services

For Decision

PURPOSE

The purpose of this report is to present Council with a petition received 10 August 2015, requesting Council endorsement and adoption of the Future Morwell Urban Design Revitalisation Plan incorporating the Morwell Circuit by 22 September 2016.

EXECUTIVE SUMMARY

A petition containing 273 signatories was received on 10 August 2016, stating:

We the undersigned call on Latrobe City councillors to endorse the Future Morwell Revitalisation Plan incorporating the Morwell Circuit. We seek to have this plan adopted by the 22 September 2016”.

The petition was presented by Ray Burgess and is included in attachment two.

According to correspondence from Ray Burgess, an on-line petition has also been established and has attracted a further 124 followers. The total support for the petition over the two platforms is 397 as of 2.00 pm on 10 August 2016.

RECOMMENDATION

That Council:

- 1 Agrees to lay the petition requesting endorsement and adoption of the Future Morwell Urban Design Revitalisation Plan incorporating the Morwell Circuit, on the table until the Ordinary Council Meeting to be held on 12 September 2016.**
- 2 Advises the head petitioner of Council’s decision in relation to the petition requesting endorsement and adoption of the Future Morwell Urban Design Revitalisation Plan incorporating the Morwell Circuit by 22 September 2016.**

DECLARATION OF INTEREST

No officer declared a conflict of interest under the *Local Government Act 1989* in the preparation of this report.

OFFICER COMMENTS

Details of the requirements of the contract pertaining to the development of the Future Morwell Urban Design Revitalisation Plan can be found at Confidential Attachment 1.

Attachments

1. Confidential Attachment Future Morwell (Published Separately) (Confidential)
2. Petition (Published Separately) (Confidential)

CHIEF EXECUTIVE OFFICE

13. CHIEF EXECUTIVE OFFICE

Nil reports

CITY DEVELOPMENT

14. CITY DEVELOPMENT

**14.1 CONSIDERATION OF SUBMISSIONS TO AMENDMENT C97 -
PLANNING SCHEME REVIEW AND MUNICIPAL STRATEGIC
STATEMENT UPDATE**

General Manager

City Development

For Decision

PURPOSE

The purpose of this report is for Council to consider all written submissions received in response to proposed Amendment C97 and to seek Council approval to progress the amendment to the next stage.

EXECUTIVE SUMMARY

Amendment C97 will give effect to a number of key recommendations of the adopted Latrobe Planning Scheme Review (2014). In particular the amendment seeks to rewrite and update policy directions within the Local Policy Framework of the Latrobe Planning Scheme.

In accordance with prescribed processes the amendment has been through public exhibition and has resulted in nine submissions; three in support and six raising concerns or requesting changes to the current form of the documentation.

As a result a review has been undertaken to incorporate changes (as appropriate) into the planning policies that have been suggested as part of the exhibition process. However, not all issues raised by the submissions are able to be resolved and so outstanding matters need to be forwarded to Planning Panels Victoria for consideration.

The options available to Council are as follows:

1. Refer all submissions to an Independent Planning Panel who will hear and consider the submissions and prepare a report.
2. Decide to not continue with the amendment and abandon the amendment.

The officer recommendation is that Council, in accordance with Section 23(1) of the *Planning and Environment Act 1987* request the Minister for Planning to establish a planning panel to consider the submissions.

RECOMMENDATION

That Council:

- 1 Having considered all written submissions received to Amendment C97 requests the Minister for Planning establish a planning panel to consider submissions for Amendment C97 and prepare a report; and,
- 2 Advises those persons who made written submissions to Amendment C97 of Council's decision.

DECLARATION OF INTEREST

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

Latrobe 2026: The Community Vision for Latrobe Valley

In 2026, Latrobe Valley benefits from a well-planned built environment that is complementary to its surrounding, and which provides for a connected and inclusive community.

Strategic Objectives - Governance

In 2026, Latrobe Valley has a reputation for conscientious leadership and governance, strengthened by an informed and engaged community, committed to enriching local decision making.

Latrobe City Council Plan 2013 – 2017

Theme and Objectives

Theme 5: Planning for the future

To provide clear and concise policies and directions in all aspects of planning.

Strategic Direction – Planning for the future

Provide efficient and effective planning services and decision making to encourage development and new investment opportunities.

In consultation with the community, review Council's Municipal Strategic Statement and the Latrobe City Planning Scheme.

Legislation

The discussions and recommendations of this report are consistent with the provisions of the *Planning and Environment Act 1987* (the Act) and the Latrobe Planning Scheme.

BACKGROUND

The need for a review of the Latrobe Planning Scheme was identified in the Council Plan 2013-2017, including reviewing the Local Planning Policy Framework (LPPF), zones and overlays, and a general review of its format and content. The Latrobe Planning Scheme Review Report was adopted by Council on 14 November 2014.

Amendment C97 proposes to implement the recommendations of the Latrobe Planning Scheme Review Report through:

- A revised Local Planning Policy Framework (LPPF) including an updated Municipal Strategic Statement (MSS) with adopted land use planning strategies.
- Reflecting Council policy changes notably the Council Plan, the Municipal Public Health and Wellbeing Plan, and the Economic Development Strategy.
- Inserting adopted policies and reference documents into the Latrobe Planning Scheme where it meets the following test:
 - has been through a community consultation process
 - is an adopted document of Council
- Reflects the 'Further Strategic Work' outlined in the Planning Scheme Review Report.
- Reorganises the LPPF into a new format to reflect changes to the structure consistent with recommendations of the State Government.

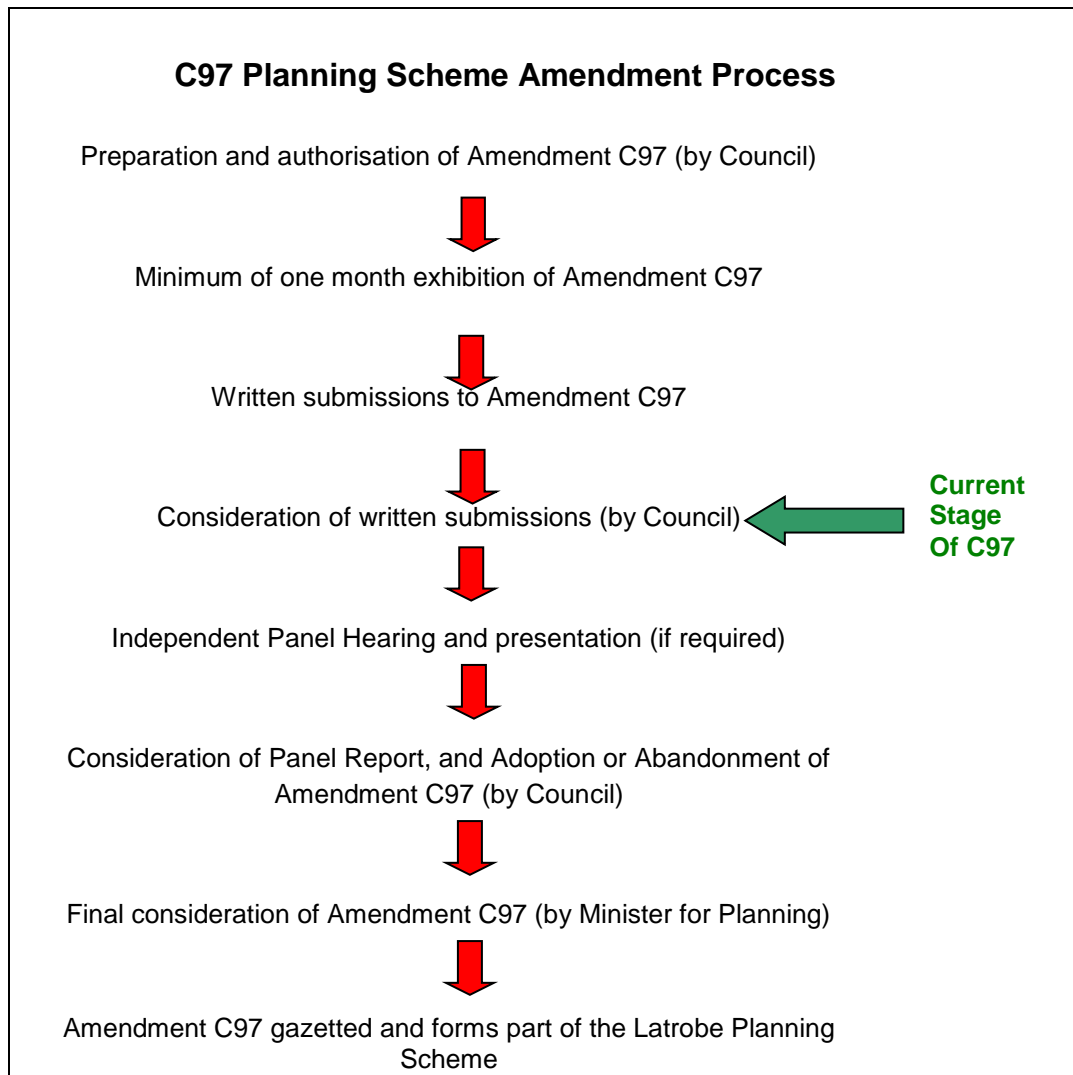
In accordance with the Council resolution made at the 13 April 2015 Ordinary Council Meeting, an application for a section 20(4) amendment for the Latrobe Planning Scheme Review Report (October 2014) to undergo a fast track amendment was made to the Minister for Planning. After initially applying for a fast track amendment Department Environment Land Water and Planning (DELWP) advised Council that it did not support this approach for a Planning Scheme Amendment. A briefing was provided to Councillors regarding this matter on the 31 August 2015.

Authorisation was granted by DELWP on 23rd September 2015 to undertake a full planning scheme amendment (including the need to undertake public exhibition).

Public exhibition was undertaken from 26 October to 4 December 2015. During this time letters were sent to key stakeholders, a notice was placed in both the Latrobe Valley Express and the Government Gazette on 29 October 2015.

Statutory Requirements

The C97 planning scheme amendment process is shown in the figure below and provides an indication of the current stage of C97.



In accordance with the *Act*, the municipal council, as a planning authority, has a number of duties and powers. These duties and powers are listed at Section 12 of the *Act*. Under Section 12 a planning authority must have regard to (*inter alia*):

- The objectives of planning in Victoria;
- The Minister's directions;
- The Victoria Planning Provisions;
- The Latrobe Planning Scheme;
- Any significant effects which it considers a planning scheme amendment might have on the environment or which it considers the environment might have on any use or development envisaged by the amendment.

Sections 22 and 23 of the *Act* require that Council must consider all submissions received to C97 and where a submission requests a change that can't be satisfied, request the Minister for Planning to establish a planning panel to consider submissions.

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The recommendations of this Council Report are in accordance with Sections 22 and 23 of the *Act*.

INTERNAL/EXTERNAL CONSULTATION

The amendment is subject to the prescribed process in accordance with the public notice and consultation requirements of Section 19 of the *Act*.

This included advertising in the government gazette and local newspapers as well as written notification to landowners and occupiers that may be materially affected by the amendment.

All statutory and servicing authorities likely to be materially affected have also been notified of the proposed amendment.

Amendment C97 was placed on public exhibition during the period 26 October to 4 December 2015.

Public Submissions

Following public exhibition, nine (9) written submissions were received by Latrobe City Council in response to C97.

Section 22 of the *Act* requires that a planning authority consider all submissions to an amendment.

Amendment C97 Submissions	
Support	3
Object	3
Requested changes	3
Total Submissions	9

Key issues and comments raised in submissions that have been received by Council in response to Amendment C97 are outlined in this report with a more comprehensive submission table forming Attachment 1.

KEY POINTS/ISSUES

As a result of the submissions there are a number of changes that are recommended to Amendment C97. The changes do not compromise the intent of the amendment. It is considered that Council will be able to demonstrate to submitters, the community and to Planning Panels Victoria that issues raised have been considered and where appropriate, responded to.

Attachment 1 summarises each of the issues and Councils intended response. Attachment 2 contains a table that outlines all of the proposed changes post exhibition.

In brief, the key issues in the submissions and responses are as follows;

- Key issue: Agencies requesting changes based within the LPPF. For example, the points made by DELWP were with respect to how clauses were written regarding the environment and reference to indigenous vegetation rather than native vegetation.

In most cases, these changes have been accommodated. Amended planning clauses have been made to reflect the changes that can be

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incorporated. However, not all changes can be supported (see Attachment 1).

West Gippsland Catchment Management Authority (WGCMA) requested new reference documents be incorporated into the planning scheme. Support is provided to include the West Gippsland Catchment Management Authority Guidelines for Development in Flood Prone Areas 2013 as a Reference Document in the proposed MSS. Support is not provided to include the West Gippsland Regional Catchment Strategy and the West Gippsland Regional River Health Strategy into C97. These Strategies are already Policy Guidelines contained within State Planning Policy Clause 13.02 Floodplains. A full table of the changes to the policies that are proposed are contained in Attachment 2.

- Key issue: Concern with policy directions contained in some of the reference documents.

In some instances it is considered appropriate to make some minor specific changes that will respond to submitter concerns. For example, in response to the submission by Sibelco it is recommended to remove Traralgon Inner South Precinct Master Plan 2010 as a proposed reference document to Clause 21.09-4. It is considered appropriate to await the result of the Live Work Latrobe project before making this (or similar) changes to the planning scheme. Overall the decision to not include the Traralgon Inner South Precinct Master Plan 2010 as a reference document will not have a detrimental impact to the overall Planning Scheme Amendment C97.

Not all changes that have been requested can be resolved as part of this Planning Scheme Amendment. For example, submission 6 by the Friends of the Gippsland Bush Inc has expressed concerns with Council's adopted Native Environmental Sustainability Strategy (NESS) which is being introduced as a reference document and through policy objectives. Amendment C97 seeks to introduce the adopted document and reflect its policies. However, C97 is not the opportunity to review the substance of the adopted strategy.

- Key issue: Request for site specific rezonings and concern relating to the State Planning Policy Framework.

No changes are proposed in response to these concerns. The intent of the amendment is to update the LPPF and not to undertake site specific rezonings.

Council is unable to affect or make any changes to the State Planning Policy Framework. All local content must be consistent with the State's policies and planning framework.

On this basis discussions have been held with some submitters to resolve their concerns and, where possible, will result in minor redrafting of the proposed policy documents to accommodate concerns and recommendations. However, it is unlikely that all submissions will be able to be resolved therefore submissions must be referred to Planning Panels Victoria for consideration in accordance with the Act.

- Key issue: Latrobe City Council refinements.

A review has been undertaken of the proposed wording of the planning policy and further refinements have been made to ensure that the new MSS is able to be relied upon by Council and is clear and concise. A couple of areas in the proposed MSS are expected to be reworded and some sections have been deleted post exhibition to ensure that Council will be on a firm basis at VCAT. One particular change suggested as part of this refinement, is that the areas referring to neighbourhood character have been revised and further strengthened. It is also important to note that Urban Design Guidelines are currently being developed as part of the Live Work Latrobe project which may result in specific inclusions and updated policy at a later time.

Additionally, proposed changes to the MSS policy seek to introduce the new Economic Development Strategy rather than rely on the 2011 document that has already been superseded by Council.

RISK IMPLICATIONS

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

The adoption of the Review and subsequent forwarding to the Minister has fulfilled the statutory requirement under the *Planning and Environment Act 1987*. Implementing the findings of the Review through a Planning Scheme Amendment is the next step towards meeting Council's economic and planning objectives and strategies outlined in the Council Plan 2013-2017.

If Amendment C97 is not progressed then there is a risk that the reference documents and supporting policies that are drafted to be updated into the planning scheme will not be able to be used with any certainty at VCAT and at Planning Panels Victoria.

FINANCIAL AND RESOURCES IMPLICATIONS

The prescribed fees for planning scheme amendments are detailed in the *Planning and Environment (Fees) Regulations 2012*. The costs associated with a planning scheme amendment include: considering a request to amend a planning scheme, consideration of submissions, providing assistance to a panel and adoption and approval of an amendment.

Funds have been allocated in the current 2016/2017 budget year to enable the planning scheme amendment to proceed.

OPTIONS

The options available to Council are as follows:

1. That Council, after considering all written submissions received to Amendment C97 resolves to abandon the exhibited planning scheme amendment C97 and inform the Minister for Planning.

Or

2. That Council, after considering all written submissions received to Amendment C97, resolves to request the Minister for Planning to

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establish a planning panel to consider submissions and prepare a report.

The recommendation to Council is to support option 2. This will provide the opportunity for all submitters to be heard by an independent planning panel in accordance with the formal processes established by the *Planning and Environment Act 1987*.

CONCLUSION

It is considered that subject to minor changes, the current proposal to update the Planning Scheme is appropriate.

Given that there are still unresolved submissions, Council must request the Minister for Planning establish an independent Planning Panel to progress the amendment to the next stage.

SUPPORTING DOCUMENTS

Planning Scheme Review Report 2014

Attachments

1. Summary of submission table and response
2. Post exhibition changes table

14.1

Consideration of submissions to Amendment C97 - Planning Scheme Review and Municipal Strategic Statement Update

- | | | |
|----------|--|------------|
| 1 | Summary of submission table and response..... | 477 |
| 2 | Post exhibition changes table | 481 |

Sub #	Submitter's Name	Submitter's Address	Submission of Support/ Objection	Submission Summary	Planning Comment	Change to exhibited C97 documents Y/N
Agencies						
1.	Environmental Protection Authority (EPA)	PO Box 1332 Traralgon 3844	Support	The submitter has no concerns with C97 or with the information that has been provided.	Comments noted.	Not required
2.	Department of Environment, Land, Water & Planning (DELWP)	71 Hotham Street Traralgon 3844	Requests changes	<p>The submitter supports C97 and commends LCC on the work to improve the MSS, but would like the following items to be considered:</p> <ul style="list-style-type: none"> A lack of actionable strategies and timelines for achieving a number of environmental objectives as described in proposed Clause 21.03. The existing natural values and issues have not been well described in Clause 21.03, and there is a lack of connection between existing values, the proposed environmental objectives and strategies, and the actions to be implemented. It is not clear how C97 gives effect to Clause 12 in the SPPF, particularly Clauses 12.01-1 and 12.01-2. There is little direction about the application of the planning tools appropriate to protecting biodiversity and managing native vegetation at a local or regional level, or actions to achieve the environmental objectives identified. <p>Noting the above, the submitter provides five key recommended modifications to the wording of Clauses 21.03 and 21.10 and general comment to Sustainability Objective 1 and associated Strategies of Clause 21.03-1.</p>	<p>C97 Clause 21.03 has been drafted having regard to Council's adopted <i>Natural and Environment Sustainability Strategy (NESS) 2014-2019</i>.</p> <p>C97 Clause 21.10 has been drafted having regard to Council's adopted <i>Planning Scheme Review Report 2014</i>.</p> <p>The submitters comments relate directly to parts of an already adopted position of the NESS and the Planning Scheme Review Report.</p> <p>Support is provided to the submitter's three recommended modifications to the wording of Clause 21.03.</p> <p>Support is provided to rewording Sustainability Objective 1 and associated Strategies of Clause 21.03-1.</p> <p>Support is not provided to the submitter's two recommended modifications to the wording of Clause 21.10. This is due to the requested changes:</p> <ul style="list-style-type: none"> not being in accordance with Council's adopted <i>Planning Scheme Review Report 2014</i>. being better achieved through Council's normal business planning and budget planning processes. 	Yes

3.	VicTrack	GPO Box 1681 Melbourne3 000	Support	The submitter has no comment and supports Councils intention to update the MSS through C97.	Comments noted.	Not required
4.	West Gippsland Catchment Management Authority (WGCMA)	PO Box 1374 Traralgon 3844	Requests changes Two submissions received	<p>The submitter supports C97 and requests that the following documents be included as Reference Documents in C97:</p> <ul style="list-style-type: none"> • <i>West Gippsland Regional Catchment Strategy;</i> • <i>West Gippsland Regional River Health Strategy;</i> • <i>West Gippsland Catchment Management Authority Guidelines for Development in Flood Prone Areas 2013.</i> <p>The submitter states that the first two strategies are already Reference Documents in the current Latrobe Planning Scheme while the Guideline has been developed since the last MSS was placed in the Latrobe Planning Scheme.</p>	<p>Support is provided to include the West Gippsland Catchment Management Authority <i>Guidelines for Development in Flood Prone Areas 2013</i> as a Reference Document in the proposed MSS.</p> <p>Support is not provided to include the West Gippsland Regional Catchment Strategy and the West Gippsland Regional River Health Strategy into C97. These Strategies are already Policy Guidelines contained within State Planning Policy Clause 13.02 Floodplains. Therefore, there is no need to repeat their reference in the proposed C97 MSS.</p>	Yes
5	VicRoads	120 Kay Street Traralgon 3844	Support	The submitter has reviewed C97 and has no objections.	Comments noted.	Not required
Groups						
6.	Friends of Gippsland Bush Inc	515 Upper Middle Creek Road, Budgereee, 3870	Objection	<p>The submitter states that Council's environment/biodiversity policy in C97 has changed due to updates to the <i>Natural and Environment Sustainability Strategy (NESS) 2014-2019</i>. The submitter acknowledges that Council will not be able to address the submitter's concerns through C97 but still wishes to lodge a submission to express disappointment in Council not having a strong focus on the environment.</p> <p>The submitter provides a history of Council's environmental policies since 1997.</p>	<p>The submitter's comments are noted. C97 has been drafted having regard to Council's adopted <i>Natural and Environment Sustainability Strategy (NESS) 2014-2019</i>.</p> <p>C97 forms part of amendment where existing objectives relating to the environment which referenced the previous NESS were required to be removed as the policy has changed and these provisions within the Scheme were now redundant.</p> <p>The submitter's comments have been forwarded to the Council's Environmental Sustainability team where the submission may be able to inform future environmental policies outside of the Latrobe Planning Scheme.</p>	No

Public submissions						
7.	Jack Kraan on behalf of Sibelco	28 Janette Street Traralgon 3844	Objection	<p>The submitter states that the C97 policies and strategies have the potential to adversely impact on the future activities conducted on the Sibelco lime manufacturing site in Traralgon. The C97 policies of particular concern are contained within proposed Clause 21.09.4 relating to Main Towns, and in particular Traralgon, which promote the review of industrial land containing the Sibelco site and its environs with the view of its potential conversion to residential development. Sibelco has no intention to move out and is currently undertaking a multi-million-dollar capital works program.</p> <p>The submitter acknowledges that the submitter's requested changes to Clause 21.09 are outside of the scope of C97 because C97 includes existing policies that were previously adopted by Council. The submitter confirms that the submission is not a formal objection but rather another opportunity to raise Sibelco's opposition to transition the area to a residential use in the future.</p>	<p>In response to the submission by Sibelco it is recommended to not include <i>Traralgon Inner South Precinct Master Plan 2010</i> as a reference document at this time.</p> <p>The Panel Report for Latrobe C62 New MSS and Latrobe C87 Traralgon Growth Areas Review already considers the matters raised in the C97 submission.</p> <p>The C62 Panel suggested that Council undertake further work with regards to resolving and understanding the future of industrial land. Given that Council are currently completing this piece of work through <i>Live Work Latrobe</i> it is suggested that the issues raised be considered through the Live Work Latrobe process.</p> <p>The submitter has been encouraged and is participating in Council's <i>Live Work Latrobe Project</i> that is currently reviewing industrial needs across the municipality. The Project is likely to recommend changes to the Latrobe Planning Scheme that may result in future planning scheme amendments.</p>	Yes
8.	Anthea Beani	37 Michelle Boulevard Traralgon South 3844	Objection	<p>The submitter wishes to subdivide a Rural Living Zone lot at Callignee to enable subdivision of the land and to build houses for the submitter's two sons and states that rural areas at Traralgon South and Callignee need to be reconsidered for future housing development.</p> <p>The submitter comments that the existing State Planning Policy Framework (SPPF) and the C97 MSS does not support subdivision of rural land.</p>	<p>C97 does not change any existing zone or overlay contained in the Latrobe Planning Scheme and cannot make any changes to the SPPF. The ability of applying for a planning permit for subdivision and development in the Rural Living Zone is subject to the relevant zone or overlay provisions. The C97 MSS or existing MSS doesn't trigger the need or prohibit subdivision and development. Therefore, the issues raised by the submitter are outside the scope of the C87.</p> <p>The submitter has been encouraged and is participating in Council's <i>Live Work Latrobe Project</i> that is currently reviewing housing and</p>	No

					rural needs across the municipality. The Project is likely to recommend changes to the Latrobe Planning Scheme that may result in future planning scheme amendments.	
9.	AGL Loy Yang	PO Box 1799 Traralgon 3844	Objection	<p>The submitter notes that C97 has missed the opportunity to implement the recommendations arising from C87 Traralgon Growth Areas Review Planning Panel report. Some of these recommendations relate to the discouragement of intensification of residential land along the south eastern boundary of Traralgon due to geotechnical landform movement and the need the expand coal buffers <i>et al.</i></p> <p>The submitter states that Council should not ignore the information it gained through the C87 process and requests changes to the wording of a number of C97 MSS clauses.</p>	<p>Some of the comments raised by the submission have been considered and changes have been made as part of the revised documentation post exhibition.</p> <p>However, the Panel Report for Latrobe C87 Traralgon Growth Areas Review already considers some of the matters raised in the C97 submission and changes have already been made through the C87 Amendment process.</p> <p>It is considered inappropriate to make any further substantial changes to the MSS as requested by this submission at this time.</p>	Yes

Proposed Local Planning Policy Framework						
Clause	Page	Objective	Strategy	Changes from Exhibition	Reason	Submission
21.01-5	2	N/A	N/A	Deletion of the Structure Plan that was exhibited and insertion of new plan	This update is consistent with an amendment C86 (Lake Narracan PSP) that was updated after exhibition. It is consistent with the existing planning scheme	LCC Refinement
21.02-1	2	4	N/A	Balance the need for urban expansion and the potential land use conflict caused by coal mining operations.	Incorporated the intent of part of the AGL Submission with respect to this clause.	No. 9 - AGL Submission
21.02-1	2	5	5.1	Rewording of clause to state; Encourage housing that meets the needs of a diverse community.	There was some concern regarding the meaning of universal and whether or not this would be able to be implemented	LCC Refinement
21.02-1	2	5	5.3	Rewording of the clause to state; encourage the provision of social housing within the municipality	There was some concern regarding the meaning of an adequate supply	LCC Refinement
21.02-1	2	5	5.4	Rewording of the clause to state; Encourage well designed, infill residential development throughout the existing urban area, especially in locations close to activity centres, areas of open space and areas with good public transport accessibility.	The rewording of this clause is returning to the existing MSS at Clause 21.05-2 the concern was that the new changes were not as good as the existing MSS.	LCC Refinement
21.02-2	2	N/A	N/A	Delete final sentence from the description " Recent zoning changes have added about another 800ha of land to the residential land supply in the main towns."	The paragraph has been slightly amended without changing the intent of the clause.	LCC Refinement
21.02-4	4	N/A	N/A	Rural residential living has been a popular and attractive lifestyle choice in Latrobe City and continues to attract residents. However, given the land use constraints around the major towns, a more sustainable approach to the consumption of limited developable land is now required. The main urban settlements have zone boundaries that serve to contain urban development and use. Low density residential development on the periphery of urban areas provides a relatively compatible transition in the land use pattern to the rural areas and non urban corridors.	Reworded for clarity	LCC Refinement
21.02-4	4	1	1.2	1.2 Discourage further rural living or low density residential development on the fringes of the major towns where land is designated as a long-term urban growth corridor.	Discourage further rural living or low density residential development on the fringes of the major towns where land is designated as a long-term urban growth corridor.	same
21.03-1	1	N/A	N/A	Clause has been reworded to; Latrobe enjoys one of Australia's most beautiful natural environments. Latrobe's biodiversity, water and air quality must continue to remain of the highest quality. Latrobe will strive to <u>maintain and enhance its</u> natural vegetation, improve air and water quality, reduce and reuse waste, encourage energy-efficient technologies, educate the community and industry in better waste management and environmental protection.	Based on the submission from DELWP the clause has been reworded.	No. 2 - DELWP
21.03-1	1	1	N/A	To identify, maintain and enhance natural ecosystems and biodiversity values within rural and urban areas.	Based on the submission from DELWP the clause has been reworded	No. 2 - DELWP
21.03-1	1	1	1.1	1.1 Adopt precautionary behaviour where there are possible or identified threats of serious or irreversible <u>native vegetation</u> and environmental damage.	Based on the submission from DELWP the clause has been reworded.	No. 2 - DELWP
21.03	all	all	all	Replace native with indigenous	Based on the submission from DELWP the clause has been reworded.	No. 2 - DELWP
21.03	1	2	2.3	Reworded; Encourage that dwellings, subdivision design and other buildings are energy and water efficient.	Reworded to reflect that it is encouraged because not all in some cases this is not a trigger.	LCC Refinement
21.04	1	New 1	1.2	Delete word ensure and insert encourage	this makes it consistent with the IDM which allows for some variation	LCC Refinement
21.04	2	New 3	N/A	Reword objective to state: To promote energy efficient building design to reduce the effects of climate change.	This incorporates some of the intent from previously worded Objective 1	LCC Refinement
21.04	2	New 3	3.1	Reworded clause to state: Encourage new residential buildings to be environmentally sustainable by encouraging best practice design and to achieve a seven star energy ratings.	Clarifying intent and expressing the best practice component rather than relying on seven star rating	LCC Refinement

21.04					all	Delete objective	Objective and strategies are not land use or planning related	LCC Refinement
21.04		3			1.1	Reword clause to state; Encourage that the design, siting and layout of new open cut mines are protected from fire risk.	Reworded to reflect clarify intent and result in better outcome	LCC Refinement
21.04		4			1.2	Reworded; Encourage that adequate buffers are provided from open cut mines to new timber plantations.	Reworded to reflect and clarify intent and to result in better outcomes	LCC Refinement
21.05						No changes to this clause post exhibition		
21.06		1			key issue	Include the statement; Future housing growth should be encouraged in future residential areas as designated in the relevant local structure plans.	include sentence given that it was reworded as part of C86 which was added to PS after exhibition	C86
21.06		1			key issue	Renamed Key issue to Built environment (from urban)	make it consistent with title of clause	LCC Refinement
21.06		1			Key issue	Reworded key issue slightly to make it clearer with intent of key issue	Reworded to reflect and clarify intent and to result in better outcomes	LCC Refinement
21.06		1			Obj 1	Reworded key issue slightly to make it clearer with intent of key issue	Reworded to reflect and clarify intent and to result in better outcomes	LCC Refinement
21.06		1			Obj 2	Reworded key issue slightly to make it clearer with intent of key issue	Reworded to reflect and clarify intent and to result in better outcomes	LCC Refinement
21.06		1			2.2	Delete existing 2.2 because it is not a land use tool and as a subsequent action re number strategies.	Reworded to reflect and clarify intent and to result in better outcomes	LCC Refinement
21.06		2			3.2	Include additional strategy that supports the objective	Reworded to reflect and clarify intent and to result in better outcomes	LCC Refinement
21.06		2			obj 4	slightly reword objective	Reworded to reflect and clarify intent and to result in better outcomes	LCC Refinement
21.06		2			4.1	Use correct title of guidelines that are elluded to by the universal design	Reworded to reflect and clarify intent and to result in better outcomes	LCC Refinement
21.06		2			all	Reworded strategies to clarify intent	Reworded to reflect and clarify intent and to result in better outcomes	LCC Refinement
21.06		1			1.2 and 1.3	Insert clauses that were previously under objective 3	This is an overarching clause	LCC Refinement
21.06		2			2.2	At clause 2.2 include the words unless net community benefit can be demonstrated	Reword to assist with strategic intent of clause and for consistency with Heritage overlay	LCC Refinement
21.06		3			2.4	Deleted clause 3 which was exhibited and have reworded it into a strategy at 2.4	Clarify the intent	LCC Refinement
21.06		3			2.4	Delete existing 2.4 because it is repetition	Deleting repetition	LCC Refinement
21.06		3&4			All	This clause has been significantly reworded.Six strategies have been deleted (exhibited 1.2, 1.3,1.4, 1.5,1.6 and 1.7). Two new strategies have been added that are generally drawn from existing MSS and the last two strategies have been slightly reworded and renumbered.	There was some concern that this clause and reference to a neighbourhood character would be indefensible at VCAT. Instead it has been reworded to reinforce the importance of the identity of the features and local qualities.	LCC Refinement
21.07		1				insert the following commentry; This means that mining and power generation has underpinned the broader manufacturing, maintenance and fabrication industries in the Latrobe Valley. ... A key competitive strength, that is recognised nationally, is the quality of the manufacturing and engineering expertise that exists locally. From these strengths are many opportunities including a focus on support for education, training, brand development and well as industry development and attraction.	This clause should acknowledge the role the mining and power generation indstry plays in underpinning th broader manuaufacturing, maintenance and fabrication industries in the Latrobe Valley. The strong and supportative links between mining and power generation indstriy and the education and training industries should be noted	No. 9 AGL Submission
21.07		1				Instead of Economic Development Strategy 2011 update with2016 strategy	The 2016 Strategy has been adopted since Coucnil exhibited the MSS. However, it has been througuh a public consultation process and only received 17 submissions - mainly in support. The strategies and objectives that are outlined in it are generally consistent with the 2011 strategy	LCC Refinement

21.07		1	1		Delete the former Gas and Fuel Lurgi plan in Morwell	This property is now in private ownership and no longer considered a key opportunity.	LCC Refinement
21.07		2	2	key issue	An important directive with regard to the Moe, Newborough and Lake Narracan area in the short term is to protect existing businesses, with particular emphasis on the Moe Primary Activity Centre centres that which plays a weekly shopping role. In the long term, with emphasis on the development of Transit Cities Principles and investment by Latrobe City Council, there is potential for the creation of private investment opportunities to improve current retail formats and attract new retail development to fulfil market gaps.	Include paragraph given that it was reworded as part of C86 which was added to PS after exhibition	C86
21.07		2	2	3.3	Strategy has been reworded to: Encourage buildings that are high quality, accessible and demonstrate environmentally sustainable design.	Assist with clarity of the clause	LCC Refinement
21.07		2	2	3.4	Strategy has been reworded to: Provide infrastructure that encourages coordinated walking, cycling, pedestrian and vehicular movement.	Assist with clarity of the clause	LCC Refinement
21.07		2	2	3.5	Strategy has been significantly reworded.	Assist with clarity of the clause	LCC Refinement
21.07		2	2	3.6	Strategy has been significantly reworded.	Assist with clarity of the clause	LCC Refinement
21.08		1	0		Additional paragraph and rewording has occurred	Assist with clarity of the clause	LCC Refinement
21.08		2	3	key issue	Rewording and change of description	Identifying opportunities rather than gaps	LCC Refinement
21.08		2	2	1.2	Slightly reworded objective 1.2 to be consistent with other parts of new MSS	Assist with clarity of the clause	LCC Refinement
21.09					Update all clauses with carparking words from C94	Introduced by C94	C94
21.09		1	1	Churchill	Insert Clause; Ensure that there is an adequate car parking regime framework for the Churchill Town Centre that acknowledges car parking supply and demand needs.	Insert Clause which was introduced through C94	C94
21.09		2	2	Moe- Newborough	Rewording of Moe clause for consistency with C86	Reworded by C86 - Lake Naracan	C86
21.09		1			Updated the Structure Plan for consistency with C86	Introduced by C86	C86
21.09		6	4	Traralgon	Delete reference and implementation of the Traralgon Inner South Precinct Master Plan		
21.09		12	4	Traralgon	Insert Strategy; Support the development of a Neighbourhood Activity Centre on the corner of Traralgon Maffa Road and Marshalls Road (Area 11) in accordance with the Traralgon North Neighbourhood Activity Centre Development Plan to meet the local convenience needs of the local area.	Introduced by C89	C89
21.09		all	All	All	Moved maps so that they directly follow on from section referring to township. i.e. Moe/Newborough maps follow on from section about Moe/Newborough	Clarity and ease of use of PS.	LCC Refinement
21.10		1		Zones	Include Apply Urban Growth Zone...	Introduced by C86 - Lake Naracan	C86
21.10		3	3		Introduce 2016 Economic Development Strategy rather than 2011 EDS	2011 Economic Development Strategy is out of date already	LCC Refinement
21.10		3			Include, Retail Advice – Lake Narracan Structure Plan (2013) & Moe and Newborough Structure Plan, March 2015	Already introduced by C86 - Lake Naracan since time of exhibition	C86
21.10		3	3		Delete reference and implementation of the Traralgon Inner South Precinct Master Plan	Consistent with Sibelco submission	Sibelco
21.01		3			Introduce further work and Car Parking Framework Review Traralgon & Morwell (2014) reference document	Introduced by C94	C94

14.2 GREAT FOREST NATIONAL PARK**General Manager****City Development****For Decision****PURPOSE**

This report provides Council with details of the potential economic impact of the proposed Great Forest National Park (the proposed park) and an update on the progress of the Ministerial Taskforce.

EXECUTIVE SUMMARY

A proposal has been developed to establish a new national park in Victoria. The impetus for the proposed park has been the discovery of colonies of the Leadbeater's Possum in the Central Highlands Forest.

The proposed park, to be known as the Great Forest National Park will encompass much of the Central Highlands Regional Forest Area (RFA). Native Hardwood Timber from this RFA supplies many timber processors and users throughout Victoria.

Latrobe City's largest private sector employer, Australian Paper, sources wood fibre from the Central Highlands RFA. The company advises that if the proposed park proceeds Australian Paper will lose access to 34 percent of its wood fibre supply. The company has further advised that currently there are no alternative commercially available sources of supply.

Deloitte Access Economics advise that 895 jobs in Morwell (i.e. Australian Paper) are impacted by timber derived from the Central Highlands RFA. Australian Paper have advised that the company contributes \$750 million in Gross Regional Product to the local economy and has a direct and indirect impact on more than 6,000 jobs, most of which are in regional Victoria.

In 2015, the Victorian State Government established an industry taskforce to examine the potential for the new park. The Terms of Reference require that the Taskforce will deliver a set of agreed recommendations to the Government by the end of June 2016.

Advice has been received that a Statement of Intent has recently been presented to the Premier. When the Statement is accepted by the State Government, a series of recommendations will be drafted. This process will take several months.

RECOMMENDATION

That Council:

- 1. Notes the potential economic impact of the proposed Great Forest National Park on Latrobe City and its industry participants**
- 2. Seeks clarification on the Statement of Intent and recommendations developed by the industry taskforce**
- 3. Issues a media release regarding the importance of industry being able to maintain access to timber from the Central Highlands Forest Management Area.**

DECLARATION OF INTEREST

No officer declared a conflict of interest under the *Local Government Act 1989* in the preparation of this report.

STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

Latrobe 2026: The Community Vision for Latrobe Valley

Strategic Objectives:

- *Actively pursue long term economic prosperity for Latrobe City, one of Victoria's four major regional cities.*
- *Actively pursue further diversification of business and industry in the municipality.*
- *Actively pursue and support long term job security and the creation of new employment opportunities in Latrobe City.*

Latrobe City Council Plan 2013 - 2017

Theme and Objectives

Theme 1: Job creation and economic sustainability

Strategic Direction – Work in partnership with business, industry and government to create new jobs and investment in Latrobe City.

BACKGROUND

At the Ordinary Council Meeting on the 23 May 2016, Council adopted the following:

That Council:

- 1. Requests that the Chief Executive Officer prepares a report on the Assessment of the economic and social impacts of the proposed Great Forest national Park to the Latrobe City municipality;*

2. *Requests that the Mayor writes to the Premier and the minister for Energy, Environment and Climate Change and to express our disappointment that there is no local government voice on the Taskforce looking at the great Forest National Park. That the Mayor request that either MAV or Timber Towns Victoria are given a position on this Taskforce.*

In accordance with the second part of the motion, a letter was sent to the Premier and the Minister for Energy, Environment and Climate Change on 5 July 2016 expressing Council's concern that there was no Local Government representation on the Taskforce. The letters also detailed Council's concern about the potential impact on the local economy. (See attachment one)

The proposed park area will stretch from Kinglake to Mt Baw Baw and north-east up to Eildon. The proposal will add 355,000 hectares of protected forests to the existing 170,000 hectares of parks and protected areas in the Central Highlands of Victoria. The proposed park will encompass significant areas of the Central Highlands RFA.

KEY POINTS/ISSUES

A collective of environmental groups have proposed the establishment of a new national park, to be known as the Great Forest National Park (attachment two). The impetus for the proposal was the discovery of colonies of Leadbeater's Possums in the Central Highlands Forests.

In 2015, the Federal Government upgraded the status of the Leadbeater's possum from "endangered" to "critically endangered" - the last step before extinction in the wild.

The State Government established an industry taskforce in May 2015 to examine the potential for the new park and 'to come to a "consensus" that would meet conservation needs, as well as protect jobs and the forest industry.' The Terms of Reference for the Taskforce state:

The process will be three broad phases:

Phase One: Scoping

1. *Develop a shared information and understanding of the challenges and concerns.*

Phase Two: Deliberating

2. *Co-develop a range of options and possible solutions.*

Phase Three: Deciding

3. *Make decisions and reach a set of agreed and durable solutions and recommendations.*

The Terms of Reference state that the Taskforce will deliver a set of agreed recommendations to Government by the end of June 2016, unless extension is formally and jointly agreed by Government and Taskforce members. Members of the Taskforce are bringing their organisations research and position statements for consideration in developing the Statement of Intent.

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)**

The appointed membership of the industry taskforce comprises two groups:

- The Planning Group comprises Jane Calvert (CFMEU - Construction Forestry Mining and Energy), Tim Johnston (VAFI - Victorian Association of Forest Industries), Amelia Young (TWS Victoria - The Wilderness Society Victoria);
- The Core Group comprises the Planning group plus Vince Hurley (ASH - Australian Sustainable Hardwoods), Peter Williams and Julian Mathers (AP - Australian Paper), John McConachy (harvest and haulage contractors), Alex Millar (CFMEU - Construction Forestry Mining and Energy), Sarah Rees (My Environment), Matt Ruchel (VNPA - Victorian National Parks Association), and Jess Abrahams (ACF - Australian Conservation Foundation).

Advice has been received that the Statement of Intent has recently been presented to the Premier by the Taskforce. After the Government has considered the Statement and agreement is reached, a series of recommendations will be prepared by the Taskforce. It has been advised that this process will take several months to complete.

Economic Impact

The following economic impact information has been derived from a number of internal sources, i.e. no external consultancy was required to collate this information. However, to determine the social impact of the proposed park a separate study would be required.

The proposed park will impact on the native hardwood supply available in the Central Highlands RFA. The current proposal has no impact on plantation hardwood and softwood so there will be no direct impact on HVP or Carter Holt Harvey at this time.

A recent study conducted by Deloitte Access Economics found that as a result of the VicForests' operations and the native timber harvesting in 2013-14, the Central Highlands RFA Area, \$357 million of Gross Regional Product (GRP) was added to the Victorian economy.

This \$357 million in GRP reflects, amongst other things, \$573 million in revenue earned by VicForests (\$76 million) and its direct customers (\$497 million) in the 'Impacted Communities' - Morwell is listed as an impacted community because of the native hardwood timber fibre provided to Australian Paper.

The Central Highlands RFA operations resulted in the direct employment of 2,117 full time equivalent workers. Beyond the employment that VicForests provides (281 FTE), there is employment by customers and contractors of VicForests.

Deloitte Access Economics estimate that 895 FTE in Morwell are impacted by timber supplied from the Central Highlands RFA. Almost all of these jobs would be at Australian Paper. This figure does not include indirect employment, such as haulage contractors.

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)**

(It is interesting to note that Deloitte Access Economics estimate that 205 FTE are impacted in the Maffra region – these jobs are attributed to Australian Sustainable Hardwoods. The report notes that Morwell and Maffra are the two areas most impacted by the native hardwood supply from the Central Highlands RFA.)

Australian Paper advises that the business currently source 29 percent of its fibre directly from Vic Forests and a further five percent of Mountain Ash chips is sourced from Australian Sustainable Hardwoods. If the proposed park proceeds, Australian paper estimates that it will lose access to 34 percent of its fibre requirements. They further advised that there is currently no commercially viable replacement for this wood.

Australian Paper has previously advised Council that its operations generate in excess of \$750 million of GRP for the economy annually. The flow-on impact of employment is approximately 6,000 FTE across Australia, most of which is in regional Victoria.

The worst case scenario from the proposed park is that Australian Paper cannot source the required volumes of hardwood fibre from alternative sources, therefore impacting on the viability of its operation.

RISK IMPLICATIONS

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

Should the proposed Park proceed, there is a significant risk that Australian Paper could not source enough wood to service its operations, resulting in closure and the loss of over 1000 jobs in the Latrobe City.

FINANCIAL AND RESOURCES IMPLICATIONS

The potential closure of Australian Paper as a result of the approval of the proposed park would result in the loss of over 1000 direct jobs within the municipality.

Should the proposed Park be approved, there is a risk that Council rate revenue derived from Australian Paper would reduce. This could have flow on effects to businesses serving Australian Paper.

INTERNAL/EXTERNAL CONSULTATION

Officers have been in contact with members of the Taskforce, Industry and Advocacy associations in relation to this issue. Council is also represented on Timber Towns Victoria and the National Timber Councils Taskforce, both of which have represented the interests of Council on this issue.

OPTIONS

Council has the following options:

1. Note the report into the potential economic impact of the proposed Park and take no further action prior to the Taskforce report. This would allow Council the opportunity to understand what is proposed prior to continuing advocacy activities;

ORDINARY COUNCIL MEETING AGENDA 22 AUGUST 2016 (CM488)

2. Note the report into the potential economic impact of the proposed Park and continue advocating the importance of industry being able to maintain access to timber from the Central Highlands Forest Management Area. This would assure that Council continues to represent the interest of the local timber and paper industries; or
3. Take no further action at this time.

CONCLUSION

The establishment of the Great Forest National Park would have a major impact on Latrobe City's largest business, Australian Paper, in that it would lose access to 34 percent of the wood fibre it needs to produce its products. Australian Paper advises that there are currently no alternative commercially available sources of wood fibre. As a result, the proposed park provides a serious threat to the company.

The company currently contributes \$750 million to the local economy GRP per annum and employs approximately 1,000 people directly and contributes to indirect employment and other businesses (e.g. HVP) with employment estimated to be 6,000 FTE.

Council needs to advocate strongly to the State Government that the establishment of the Great Forest National Park will have a significant impact on the Latrobe region and beyond.

When the recommendations from the Taskforce are published a further report will be prepared for Council's consideration and guidance.

SUPPORTING DOCUMENTS

- Deloitte Access Economics: Economic Assessment of the Native Timber Industry in the Central Highlands RFA Area Report 1: Economic and Financial Impact
- Great Forest National Park Terms of Reference

Attachments

1. Letter to Premier and Minister: Proposed Great Forest National Park
2. Great Forest National Park - proposed area

14.2

Great Forest National Park

- 1 Letter to Premier and Minister: Proposed Great Forest National Park..... 493**
- 2 Great Forest National Park - proposed area..... 497**



Our Ref:
MR:BC

5 July 2016

The Hon. Daniel Andrews MP
Premier of Victoria
Office of the Premier
1 Treasury Place,
MELBOURNE VIC 3002

Latrobe City ABN 92 472 314 133
Telephone 1300 367 700
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Dear Premier

PROPOSED GREAT FOREST NATIONAL PARK

Latrobe City Council is aware that the State Government appointed a task force in 2015 to consider the development of a new National Park, to be known as the Great Forest National Park.

Latrobe City Council (Council) adopted the following Notice of Motion at its Ordinary Council Meeting held 23 May 2016:

That Council:

- 1. Requests that the Chief Executive Officer prepares a report on the Assessment of the Economic and Social Impacts of the Proposed Great Forest National Park to the Latrobe City Municipality;*
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Council would like to express its concern that there was no Local Government representation on the task force and would like to request that either the Municipal Association of Victoria or Timber Towns Victoria be given the chance to participate in any future activities that emanate from the recommendations of the task force into the future.

The impact of the new proposed park would have a major impact on the local Latrobe City economy. Council's largest private sector employer, Australian Paper (AP), sources wood fibre from the Central Highlands Regional Forest Area. AP advises that if the proposed Great Forest National Park proceeds the company will lose access to 34 percent of its wood fibre supply.

The company has further advised that currently there are no alternative commercially available sources of supply.

AP contributes in excess of \$750 million in Gross Regional Product to the Australian economy and provides direct employment for more than 1000 people locally. The indirect employment from Australian Paper activities in excess of 6000.

Council would also like to request that we be kept advised of all processes moving forward (advisory or otherwise) given the proposed National Park would have a major economic impact on industry in our region.

If you require further information please contact Bruce Connolly, Manager Economic Development on (03) 5128 5759 or via email bruce.connolly@latrobe.vic.gov.au.

Yours sincerely



CR MICHAEL ROSSITER
Mayor



Our Ref:
MR:BC

5 July 2016

The Hon. Liliana D'Ambrosio
Minister for Energy, Environment & Climate Change
Minister for Suburban Development
Level 36, 121 Exhibition Street,
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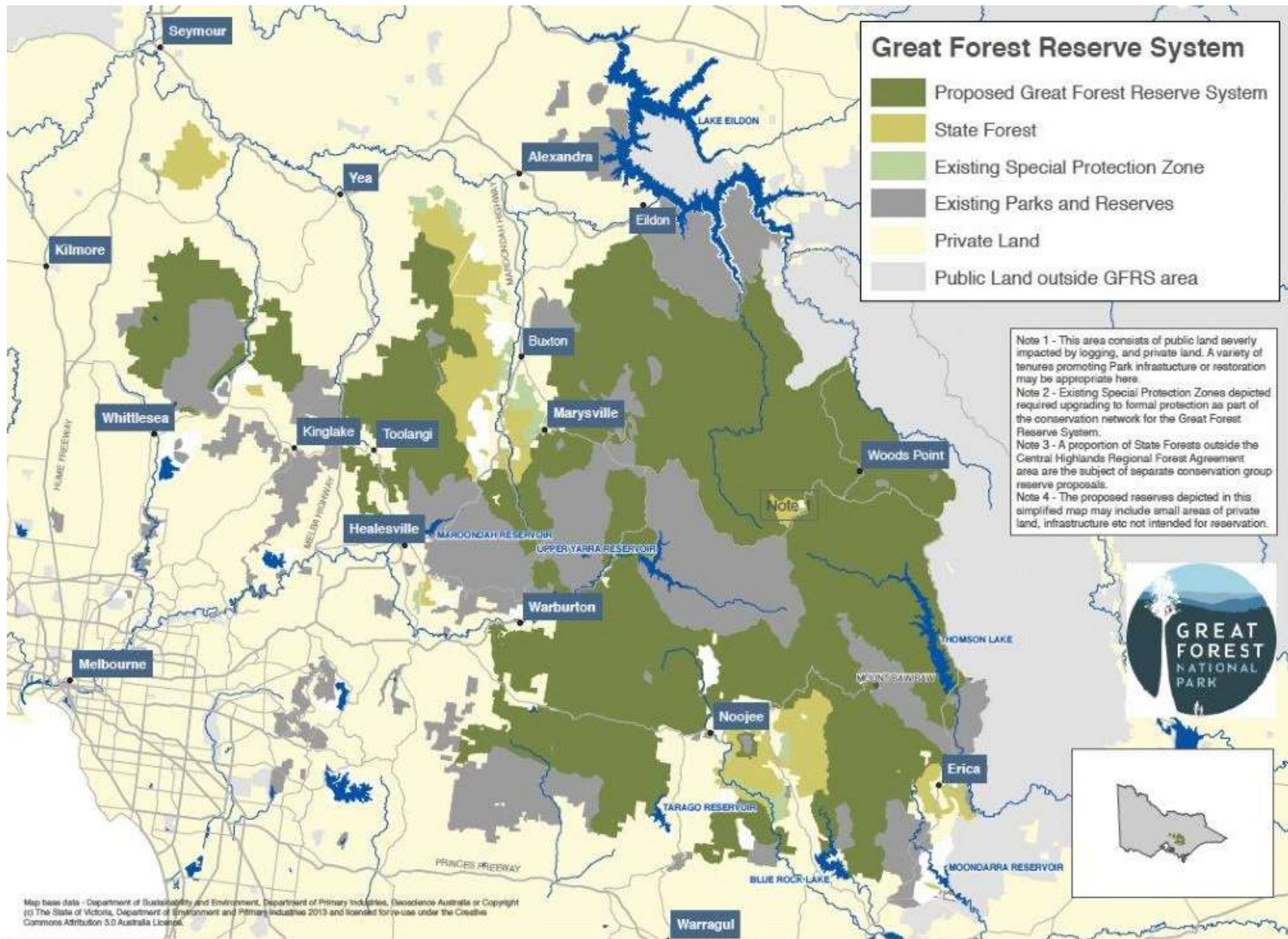
Council would also like to request that we be kept advised of all processes moving forward (advisory or otherwise) given the proposed National Park would have a major economic impact on industry in our region.

If you require further information please contact Bruce Connolly, Manager Economic Development on (03) 5128 5759 or via email bruce.connolly@latrobe.vic.gov.au.

Yours sincerely



CR MICHAEL ROSSITER
Mayor



14.3 PROPOSED LIVESTOCK SALES FACILITY**General Manager****City Development****For Decision****PURPOSE**

This report presents findings from a Pre-Feasibility Study into the establishment of a livestock sales facility in Latrobe City to Council.

EXECUTIVE SUMMARY

Since 2013, a group of local farmers have been advocating for the establishment of a Livestock Sales Facility in Latrobe City. Council initially worked with the group to seek funding for a feasibility study. As this funding could not be secured, Council has resolved to complete a pre-feasibility study.

The Study has now been completed and has identified that a new facility is not considered feasible at this time. Reasons for this include the availability of well serviced facilities within the region, declining national herd numbers and the trend towards online selling.

The Study has concluded that the closure of at least one regional facility, together with increased throughput would be required in order to justify a new facility.

RECOMMENDATION**That Council:**

- 1. Endorse the findings of the Pre-Feasibility Study into the establishment of a livestock sales facility in Latrobe City.**
- 2. Take no further action pursuing the development of a Livestock Sales Facility in Latrobe City at this time.**

DECLARATION OF INTEREST

No officer declared a conflict of interest under the *Local Government Act 1989* in the preparation of this report.

STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

Latrobe 2026: The Community Vision for Latrobe Valley

Strategic Objectives - Economy

The proposal of a new facility aligns with Latrobe 2026 and the Latrobe City Council Plan 2013 – 2017, in actively pursuing the diversification and expansion of business and local industry in the municipality. Equally, the Economic Sustainability Strategy 2011-2015 supports the development of

ORDINARY COUNCIL MEETING AGENDA 22 AUGUST 2016 (CM488)

well-planned infrastructure seen to enhance the marketability of the municipality to industries and investors.

Latrobe City Council Plan 2013 - 2017

Theme and Objectives

Theme 1: Job creation and economic sustainability

- Actively pursue long term economic prosperity for Latrobe City, one of Victoria's four major regional cities
- Actively pursue further diversification of business and industry in the municipality

Actively pursue and support long term job security and the creation of new employment opportunities in Latrobe City

BACKGROUND

Officers have been in discussions with a group of local farmers, led by Mr Evenden since February 2013 to discuss the proposed livestock selling facility.

At that time Mr Evenden stated that the key drivers behind the need for a new facility were:

- Warragul saleyards is privately owned and at capacity.
- Baw Baw Shire Council will not commit to a new greenfield site.
- Sale saleyards is owned by the Victoria Livestock Exchange and was under refurbishment to comply with current livestock selling standards.
- Both Sale and Warragul saleyards are inadequate and to transport livestock to Koonawarra or Pakenham is over 80 kilometres and has significant cost implications for local farmers.
- The local livestock industry has expressed their encouragement of a greenfield livestock selling facility to be located in Latrobe City.

A formal letter was received from Novola Consulting requesting support for the proposal on 6 September 2013 (Supporting Document one), this proposal was presented to Council on 21 October 2013. Council resolved the following:

“That Council write to Nevola Consulting Pty Ltd, advising that in order to consider the proposed livestock selling facility, further information is required in the form of a detailed feasibility study including a cost benefit analysis and letters of support from identified stakeholders.”

Following further discussions with the project proponents, a request to assist with costs associated in conducting a feasibility study was received. At the Ordinary Council meeting of Monday, 28 April 2014 Council resolved the following:

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)**

“That Council seek funding contributions from the Victorian and/or Australian Governments to enable a scoping study into the development of a Livestock Sales Facility in Latrobe City.”

Council wrote to the Victorian Government on 7 May 2014 (Supporting Document two) requesting funding support to develop a scoping study. A response was received on 2 June 2014 from Regional Development Victoria stating that Regional Development Victoria do not fund projects related to livestock sales facilities (Supporting Document three).

Since that time officers have had informal discussions with proponents, however funding for a scoping study has not been committed. The issue has also been raised at Council and Victorian Farmers Federation meetings.

At the Ordinary Council meeting of Monday, 2 May 2016 Council resolved the following:

That Council:

- 1. Complete a pre-feasibility study into the establishment of a Livestock Sales Facility within the municipality.*
- 2. That a further report outlining the results of the pre-feasibility study be presented to Council.*

Requests for proposals to undertake the pre-feasibility study were sent to five consulting groups with appropriate experience. AEC Group were the appointed consultants to undertake the pre-feasibility study.

KEY POINTS/ISSUES

AEC Group was engaged to complete the pre-feasibility study, a copy of the report is provided (attachment one). Key findings of the study are as follows:

- The surrounding catchment features five well established livestock selling operations;
- Any new facility would face significant competition for throughput from these established operations, particularly the surrounding saleyards at Warragul, Sale and Leongatha;
- Declining national herd numbers, capacity upgrades at existing facilities and industry trends towards direct and online selling suggest limited requirements for additional saleyard capacity in the medium term;
- Successfully establishing a new facility in Latrobe City would require the closure of the existing Baw Baw Livestock Exchange. Facilitating such a transition would be subject to the relocation of selling agents into the new facility and drawing a further (i.e. in addition to the throughput of Baw Baw) 10,000 head per annum from existing facilities in the region;
- Based on a facility with the throughput of 50,000 head per annum, the capital costs are estimated at \$7.7 million;

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)**

- Pre-feasibility financial modelling suggests the returns from such a facility would be marginal given the perceived level of risk. The project is assessed as delivering a negative return of -\$2.7 million (Net Present Value) over 25 years at a 10% nominal discount rate, with an Internal Rate of Return of 6.0%, implying the facility is financially undesirable based on the parameters examined.

The analysis undertaken suggests that the establishment of a facility in Latrobe City is not feasible given the current environment.

RISK IMPLICATIONS

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

There is currently a risk that should Council further pursue the livestock sales facility given the findings of the pre-feasibility study, additional resources will be expended with similar findings.

FINANCIAL AND RESOURCES IMPLICATIONS

Should Council resolve to progress to a full feasibility study it is estimated this would cost \$50,000. A full feasibility study would examine both the demand for a livestock facility and fully investigate potential locations, costs and infrastructure requirements. There is no budget allocation for further work in relation to the establishment of a livestock sales facility in Latrobe City.

INTERNAL/EXTERNAL CONSULTATION

Extensive consultation has been conducted with the group of local farmers, led by Don Evenden throughout the various stages of the process to date. Officers have also conducted discussions with Councils across Gippsland, livestock agents, Agribusiness Gippsland and Regional Development Victoria.

OPTIONS

Council has the following options:

1. Endorse the findings of the pre-feasibility study into the establishment of a livestock sales facility and take no further action. This is consistent with the pre-feasibility study findings;
2. Resolve to complete a full feasibility study. This would provide more detailed information regarding the potential for the establishment of a facility in Latrobe City. However, given the findings of the pre-feasibility work it is highly unlikely a facility is feasible.
3. Request further information.

CONCLUSION

A pre-feasibility study into the establishment of a livestock sales facility in Latrobe City has now been completed and has identified that a new facility is not deemed feasible at this time. Reasons for this include the

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)**

availability of well serviced facilities within the region, declining national herd numbers and the trend towards online selling

SUPPORTING DOCUMENTS

1. Letter to Mayor from Nevola Consulting regarding Proposed Livestock Selling Facility
2. Letter from Acting GM to Jane Oakley regarding scoping study into the development of a livestock sales facility
3. Victorian Government response letter – Funding for scoping study for livestock exchange

Attachments

1. Pre-feasibility study report

14.3

Proposed Livestock Sales Facility

- 1 Pre-feasibility study report 505**

PRE-FEASIBILITY OF A LIVESTOCK SALES FACILITY IN LATROBE CITY

LATROBE CITY COUNCIL

JULY, 2016

aecgrouppltd.com



PRE-FEASIBILITY OF A LATROBE CITY LIVESTOCK SALES FACILITY



DOCUMENT CONTROL

Job ID: 18554BNE
Job Name: Pre-Feasibility of a Latrobe City Livestock Sales Facility
Client: Latrobe City Council
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Document Name: Latrobe Livestock Prefeasibility Draft 1.1
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Draft 1.1	19/07/2016	MK	AP
Final Draft	29/07/2016	MK	AP

Disclaimer:

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EXECUTIVE SUMMARY

BACKGROUND & PURPOSE

The trend of saleyard rationalisation with the recent closure of smaller and older saleyards in regional areas (including to the east of Melbourne) has led to Latrobe City Council exploring the need for a new and modern regional livestock sales facility within Latrobe City to service the south east Victoria livestock market.

There are mixed market messages regarding the potential viability of a greenfield livestock sales facility being developed. Latrobe City Council have engaged AEC Group Pty Ltd (AEC) to develop an initial investigation to inform future planning and decision making regarding the validity of further investment and investigation of such a facility in Latrobe City Council area.

KEY FINDINGS

Through a review of key industry trends, analysis of available data and consultation and engagement with key industry stakeholders, the following key findings were identified:

- Cattle are seen as the primary opportunity for a livestock saleyards based in Latrobe City.
- The estimated catchment area for a Latrobe City livestock sales facility features a cattle herd of approximately 1 million head (roughly evenly split between dairy and beef cattle) in addition to around 400,000 head of sheep.
- The surrounding catchment features five well established livestock selling operations, including three large operations and four modern/upgraded facilities. Of note:
 - Recent record prices have underpinned strong performance at the region's major saleyards over the past 12 months.
 - Any new Latrobe City facility would face significant competition for throughput from these established operations, particularly the surrounding saleyards at Warragul, Sale and Leongatha.
 - Flat regional and declining national herd numbers, capacity upgrades at existing facilities and industry trends towards direct and online selling suggest limited requirements for additional saleyard capacity within the next few years.
- Successfully establishing a new facility in Latrobe City would likely require the closure of the existing Baw Baw Livestock Exchange, as there is unlikely to be sufficient throughput to support both facilities. Facilitating such a transition would be subject to the relocation of selling agents into the new facility. It is understood, despite some older facilities that the Baw Baw Livestock Exchange has experienced solid throughput, with a dedicated agent base. It is unclear whether development of a new facility is a cost effective alternative compared to potential upgrade of the existing Baw Baw Livestock Exchange facilities at Warragul.
- It is estimated that subject to the closure of Baw Baw Livestock Exchange, a new Latrobe City facility could potentially attract in the vicinity of 50,000 head of adult cattle per annum. However, potential throughput levels are highly uncertain given the numerous alternative regional saleyards.
- Pre-feasibility financial modelling suggests the returns to from such a facility would be marginal given the perceived level of risk. The project is assessed as delivering a negative return of -\$2.7 million (Net Present Value) over 25 years at a 10% nominal discount rate, with an Internal Rate of Return (IRR) of 6.0%, implying the facility is financially undesirable based on the parameters examined.

PRE-FEASIBILITY OF A LATROBE CITY LIVESTOCK SALES FACILITY



Table ES1: Net Present Value Analysis

Discount Rate	PV Costs (\$M)	PV Benefits (\$M)	NPV (\$M)
7%	\$16.5	\$15.7	-\$0.8
10%	\$14.4	\$11.7	-\$2.7
15%	\$12.2	\$7.7	-\$4.5

Note: Totals may not sum due to rounding.
Source: AEC

- While the project is assessed as being financially undesirable, it may bring additional socio-economic benefits to the Latrobe City community. Potentially significant socio-economic benefits include:
 - Economic development outcomes, including direct and indirect employment during construction and operations as well as additional retail/ wholesale trade if the facility attracts new visitors to the region.
 - Increased selling options for local producers and potentially better returns.
 - Enhanced competition within the regional livestock selling sector.

A significant regional livestock herd creates the potential for establishing a new livestock sales facility within Latrobe City. However, the market is serviced by a number of established operators including large and modern facilities. The success of any new facility is highly dependent on the ability to draw throughput away from these established operators.

The development of a greenfield livestock sales facility should be further investigated where the following conditions are met:

- An identified need for additional saleyards capacity.
- Strong stakeholder support.
- The facility has the potential to be financially viable, even with conservative parameters (i.e. high cost and low throughput and sales value).
- The fees and charges to allow the facility to be viable are competitive within the regional market.

The analysis undertaken through this study suggests that this is not currently the case in the Latrobe City area. However, this may change in the future given additional throughput growth and/or changing circumstances at the existing regional livestock sales facilities.

NEXT STEPS

Acquiring firm commitments from established selling agents is a critical step in de-risking the establishment of a new facility. Further steps to consider should Council wish to proceed towards a full feasibility study include:

- Site selection.
- Confirm potential ownership and operational models.
- Design and quantity surveying.
- Operational risk assessment.
- Financial impacts to Council.

PRE-FEASIBILITY OF A LATROBE CITY LIVESTOCK SALES FACILITY



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1. INTRODUCTION

1.1 BACKGROUND

There is a changing landscape for the sale of livestock across Australia. The trend of saleyard rationalisation with the recent closure of smaller and older saleyards in regional areas (including to the east of Melbourne) has led to Latrobe City Council exploring the need for a new and modern regional livestock sales facility within Latrobe City to service the broader south east Victoria livestock markets.

There are mixed market messages regarding the potential viability of a greenfield livestock sales facility being developed, and it is prudent to explore and understand the likely viability of a facility being financially sustainable into the future prior to undertaking more detailed feasibility analysis.

1.2 PURPOSE OF THE STUDY

The pre-feasibility study presents an initial investigation to inform future planning and decision making regarding whether investment in such a facility should be further pursued. The pre-feasibility study is the precursor to a full feasibility and design costing and any subsequent master planning and capital raising stages, should the project be determined as viable.

1.3 APPROACH

The following diagram maps out the approach undertaken for this study.

Figure 1.1: Project Approach



Source: AEC

The development of a greenfield livestock sales facility should be further investigated if the following is identified through the course of this study:

- An identified need for additional saleyards capacity.
- Strong stakeholder support.
- The facility has the potential to be financially viable, even with conservative parameters (i.e. high cost and low throughput and sales value).
- The fees and charges to allow the facility to be viable are competitive within the regional market.



2. MACRO INFLUENCING FACTORS

The last ten years has been a period of restructuring in the Australian saleyards sector with major rationalisation of older, local government owned and operated facilities in particular. The restructuring has been in response to several drivers of change including those specific to the agricultural sector as well as broader macro trends in policy, market and environmental factors. Key trends observed are examined below.

2.1 POLICY FACTORS

2.1.1 Animal Welfare Considerations

Animal welfare requirements for saleyards are only provided as guidelines for saleyard operators and are not currently enforced. However, increasing consumer and industry demands indicate the focus and requirement to appropriately cater for animal welfare guidelines will increase in the future, resulting in the development of legislative and enforceable animal welfare obligations for saleyard operators.

Key considerations relating to animal welfare will be the size of the pens, the flow logic of the facility and expectations relating to the future requirements (and designs that support and minimise risk in this area).

2.1.2 Environmental Legislation

Any future development will need to ensure compliance with environmental legislation and associated conditions to ensure ecological processes are maintained and quality of life is not threatened. Key in this will be appropriate water (storm and waste) management systems and processes. It is likely the cost of roofing (to separate storm from waste water) could be justified by reducing the need to treat all stormwater runoff to increasingly stringent standards.

2.1.3 Driver Fatigue Legislation

Driver fatigue legislation was introduced in September 2008. It provides rules for worker driving and rest times relating to regulated heavy vehicles and buses that seat more than 12 passengers. This legislation is relatively complex, however, roughly dictates that in any 24-hour period a driver is limited to 12 hours working hours and must receive 7 hours of continuous rest in that period (at a minimum).

Under this legislation it is not only the driver that is responsible for driver fatigue management (DFM) but the whole delivery chain, which is referred to as the 'chain of responsibility'.

In the context of the livestock industry this means that the farmer, stock agent, saleyard (load) manager and abattoir are responsible for driver fatigue management and that loading/unloading occurs in adequate time. Critical to the management and compliance with the new legislation is a sale facility with appropriate infrastructure to support efficient loading, good stock flow, and a high standard of operational practice.

2.2 ENVIRONMENTAL FACTORS

2.2.1 Climatic Variation

Even in relatively small livestock production areas there can be significant climatic variations on a year to year basis. This has implications for saleyards as variations in rainfall patterns in particular are a key driver of saleyards throughput.

Smaller yards are often reliant on a relatively stable volume of throughput and cannot handle either very large sales or prolonged periods of smaller sales, particularly if the saleyards is reliant on one, local, catchment. Larger saleyards, which draw stock from a broader catchment, are better placed to handle the additional throughput required by the biggest saledays and to offset regional downturns in one area with increased throughput from another.



2.2.2 Weather Conditions

Long term weather conditions play a significant role in determining the supply of livestock for saleyards. The relationship between climate and throughput is complex with poor conditions, increasing throughput due to destocking while better conditions can decrease throughput while herds are rebuilt or increase throughput as production increases.

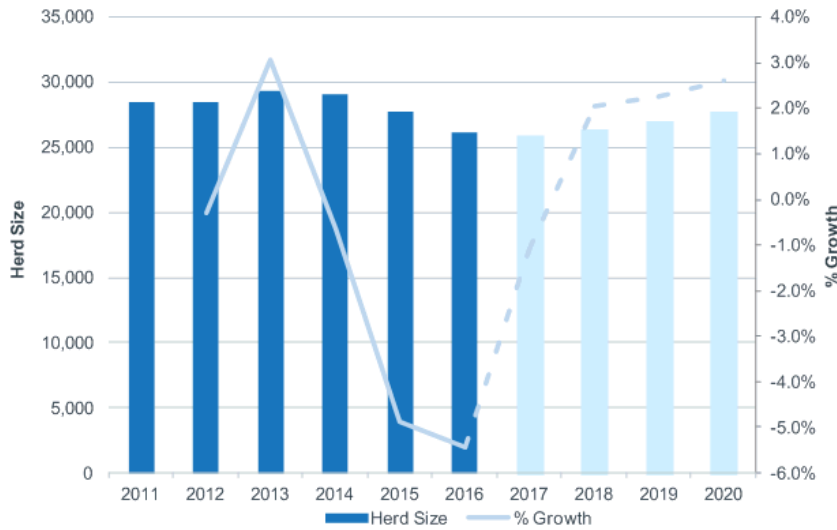
2.3 MARKET FACTORS

2.3.1 Declining Cattle Herd

The Australian cattle herd is currently around 26 million head. Australia’s cattle herd is projected to drop to a 20-year low next year due to a combination of drought conditions in key producing areas and strong global prices encouraging turnoff.

While numbers are projected to recover somewhat to 2020, the smaller herd size is expected to limit saleyards throughput over the coming years.

Figure 2.1: Australian Cattle Herd



Source: MLA (2016a)

2.3.2 Prices

Beef prices are currently around record highs with Eastern Young Cattle Indicator (EYCI)¹ benchmark around \$6.50/kg carcass weight (cwt). Strong prices have been driven by a range of factors, including:

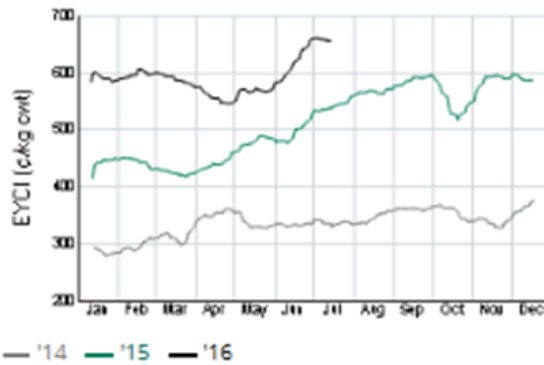
- Robust demand growth in China and Vietnam.
- The falling Australian dollar.
- A limited supply of quality cattle due to drought conditions over recent years and constrained supply globally.

¹ The EYCI index is calculated based on a seven-day rolling average expressed in cents per kilogram carcass (or dressed) weight and is sourced from sale data from 26 saleyards in New South Wales, Queensland and Victoria.

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Figure 2.2: EYCI Prices (2014-2016)



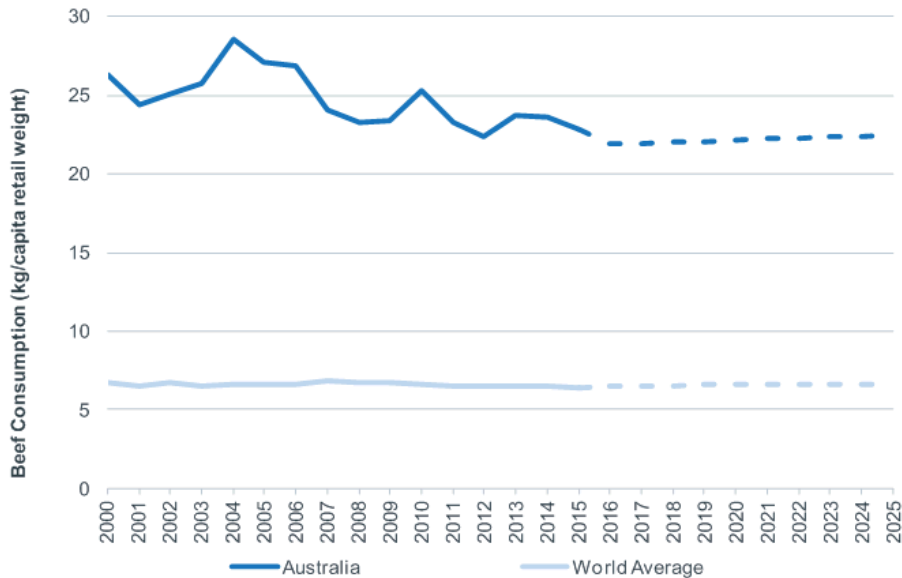
Source: MLA (2016b)

2.3.3 Consumption

Globally, per capita consumption of beef has been largely flat over the last 10 years at around 6.5 kg/capita. Rising health consciousness among developed world consumers is expected to continue to limit growth in Australian domestic red meat consumption from already high levels (IBISWorld, 2015; OECD, 2016).

With a relatively flat consumption outlook, industry growth will be driven by population growth, or significant expansion supported by new market access, in particular trade into Asia. The recently delivered Australian-China Free Trade Agreement will be a key long term driver. The gradual removal of beef tariffs are expected to deliver \$270 million per annum in additional beef production value (MLA, 2014).

Figure 2.3: Beef Consumption Trends



Source: OECD (2016)

PRE-FEASIBILITY OF A LATROBE CITY LIVESTOCK SALES FACILITY



2.3.4 Incorporation of Technological Change

Newer regional selling facilities boast state of the art facilities compared to traditional saleyards. These facilities feature roofing, soft floors and modernised drafting, weighing and transport facilities. The stock flow of new facilities are intended to be more sophisticated and allow for reduced stock processing time, minimum stress to animals and good opportunities for buyers to observe the stock.

Any new facility will need to ensure competitiveness with these facilities as they will set the baseline of market expectation regarding operating standards and buyer/seller and agent expectations.

2.3.5 Reduced Logistics Costs

Over recent years, improvements in road infrastructure, vehicle technology and understanding of meat science has increased the distance which sheep and cattle can be transported for sale cost effectively without a deleterious effect on the animal or the quality of the end product.

The impact of reduced logistics costs has been increased competition between saleyards. Historically, saleyards have not competed with each other to attract throughput, instead they relying on the geographic convenience to producers to attract cattle. However, it is no longer uncommon for producers to sell stock at facilities hundreds of kilometres away in order to access the greatest number of buyers and highest sale price.

The impact of these drivers can be seen in the emergence of regional selling centres, saleyards which have been developed to replace traditional facilities with larger, safer and more environmentally sensitive facilities which exploit economies of scale. Examples of these developments in other regions around Australia include Carcoar, Wagga Wagga, Roma and Dubbo.

2.3.6 Changing Selling Methods

In common with many other industries, the livestock sector has seen the emergence of new selling techniques, including:

- **Over-the-hooks (direct) selling:** encompasses graziers selling directly to processors from the paddock and typically includes larger lot sizes and relatively consistent product (i.e. homogenous size, weight and fat scores) to generate value for the grazier. This has always taken place and is unlikely to drive significant changes in market share for livestock selling centres moving forward.

Over the past few years, there has been an increase in direct selling at a State and National level driven by increasing strength of over-the-hooks prices which is likely to continue to strengthen over time, however, the market share is relatively small compared to mainstream auctioning methods.

To reduce the impacts of direct selling it will be important to provide a facility that sufficiently caters to the needs of buyers and sellers (i.e. one that facilitates and cultivates a 'healthy' market). A successful market generating good prices will be highly competitive and support the attraction of buyers and sellers.

- **On-Line Selling:** On-line selling through facilities such as "Auctions Plus" presents opportunities for graziers to trade their stock without the use of saleyards. AuctionsPlus is a service provider to rural communities offering real-time Internet Auctions. AuctionsPlus allows commodity transaction, reserve price setting and legal change of ownership without the seller, buyer or product having to come together physically at the time of the sale.

AuctionsPlus Pty Limited started in 1986 as Computer Aided Livestock Marketing (CALM). CALM was established as a Section 16 Committee of the Australian Meat and Livestock Corporation (AMLC) and commenced trading on 1 July 1987. During a restructure of the AMLC during 1996, CALM was separated from the AMLC and formed into a new company - CALM Services Pty Limited. In 2000, CALM Services changed its name to AuctionsPlus Pty Limited. Following a modest take up, AuctionsPlus now has an established market share and may experience continued incremental increases in market share moving forward.

PRE-FEASIBILITY OF A LATROBE CITY LIVESTOCK SALES FACILITY



Despite recent growth in alternative selling practices, saleyard auctions still account for around 65% of beef cattle sales in Southern Australia (ABARES, 2015). The key to competing against alternative selling methods is to generate and maintain a competitive market place with strong prices.

2.4 IMPLICATIONS FOR A NEW LATROBE CITY SALEYARDS

Key points of note arising from the review of macro influencing factors for the viability of a new Latrobe City livestock saleyards include:

- There are significant compliance aspects to be considered in the design of a new facility.
- Any new facility will need to apply best practice to be competitive with other regional selling centres (for example, modern technology, roofing and soft flooring).
- While strong prices are underpinning interest in the livestock sales sector, declining herd numbers, decreasing logistical costs and the rise of alternative selling methods are driving increased competition for throughput between establishments. The consolidation of smaller livestock selling facilities seen of the past 10 years is likely to continue.



3. MARKET PROFILE

3.1 CATCHMENT AREA

For the purposes of this pre-feasibility assessment, the competitive catchment area for a Latrobe City based saleyards has been assumed to incorporate the following Statistical Areas Level 2 (SA2). The catchment has been developed based on consultation with industry stakeholders and in consideration of the distribution of existing saleyards facilities:

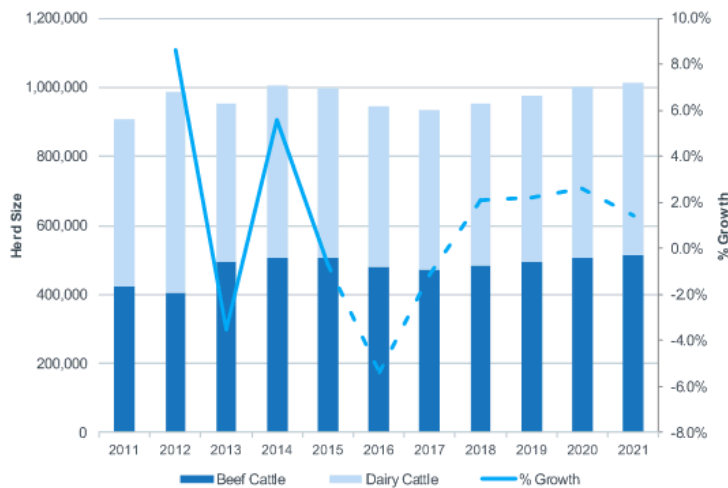
- Churchill.
- Drouin.
- Foster.
- Korumburra.
- Leongatha.
- Longford-Loch Sport.
- Maffra.
- Moe-Newborough.
- Morwell.
- Mount Baw Baw Region.
- Phillip Island.
- Rosedale.
- Traralgon.
- Traralgon.
- Warragul.
- Wonthaggi-Inverloch.
- Yallourn North-Glengarry.
- Yarram.

It should be noted the identified catchment includes the locations of existing saleyards which the new Latrobe City facility would need to compete with to draw stock from.

The catchment area incorporates a cattle herd of approximately 1 million head (roughly evenly split between dairy and beef cattle) in addition to around 400,000 head of sheep. Projections for the catchment cattle herd to 2021 based on broader regional and national benchmarks are provided in the figure below².

Based on the herd size, the likely turnoff would potentially be in the vicinity of 200,000 and 350,000 head of cattle per annum. Consultation with industry stakeholders indicates that turnoff is currently split approximately 60% through saleyards and 40% direct (over the hooks) selling with small volumes of online and paddock sales.

Figure 3.1: Catchment Cattle Herd



Source: ABS (2011-2015), MLA (2016)

² SA2 level data available for 2011 year only.

PRE-FEASIBILITY OF A LATROBE CITY LIVESTOCK SALES FACILITY



3.2 EXISTING SALEYARDS

There are currently five operational livestock saleyards within a 100km radius of the Latrobe City Local Government Area (LGA) (down from nine facilities in the 1980's):

- Leongatha.
- Pakenham.
- Sale (Gippsland Regional Livestock Exchange).
- Bairnsdale (East Gippsland Livestock Exchange).
- Warragal (Baw Baw Livestock Exchange).

Three of the five saleyards are operated by the Victorian Livestock Exchange (VLE), the region's two largest facilities (Leongatha and Pakenham) and the newly upgraded Gippsland Regional Livestock Exchange at Sale. East Gippsland Shire Council owns and operates the East Gippsland Livestock Exchange at Bairnsdale. Dineen Group owns the Baw Baw Livestock Exchange at Warragul.

Figure 3.2: Regional Saleyards



Source: Google Earth Pro (2016)

Strong prices and increasing competition for cattle throughput have seen significant regional investment in saleyard facilities over recent years, including:

- A \$3.3 million refurbishment at Sale, including an upgrade and expansion of facilities aimed at attracting a greater share of regional livestock. The VLE expect the upgraded facility to attract around 60,000 head per year, up from around 30,000 head per annum prior to the upgrades. The upgraded facility was opened in April 2016 (though selling operations continued throughout construction).
- A \$1.2 million upgrade and expansion at VLE Leongatha Saleyards including additional selling pens and roofing over the delivery yards.

Four of the five regional facilities have been modernised including undercover pens and soft flooring, with the Baw Baw Livestock Exchange the only remaining older style concrete facility. Estimated throughput levels range from around 30,000 head per annum at Sale to over 150,000 head per annum at Leongatha and Pakenham (see Table 3.1).

PRE-FEASIBILITY OF A LATROBE CITY LIVESTOCK SALES FACILITY

**Table 3.1: Existing Regional Saleyards**

Facility	Est. Annual Livestock Sales	Operator
Leongatha	160,000 head cattle	VLE
Pakenham	170,000 (incl. 125,000 head cattle)	VLE
Sale (Gippsland Regional Livestock Exchange)	30,000	VLE
Bairnsdale (East Gippsland Livestock Exchange)	140,000 (incl. 80,000 head cattle)	East Gippsland Shire Council
Warragal (Baw Baw Livestock Exchange)	50,000 head cattle	Dineen Group
TOTAL	540,000 (415,000 head cattle)	n.a.

Note: Includes cattle, sheep and horse sales.

Source: Various saleyards websites and industry stakeholders, AEC

A brief overview of each of the existing facilities is provided below.

Leongatha Livestock Exchange

Located at Koonawarra, the Leongatha Livestock Exchange is the region's largest livestock sales facility. Operated by VLE, the facility runs up to four regular sales per week:

- Monday: Dairy sale (during season).
- Wednesday: Prime sale, sheep sale.
- Thursday: Store sale (alternates fortnightly with Pakenham).

The saleyards were purchased by VLE in 2006 along with yards at Korumburra, Traralgon and Yarram, which were consolidated into the Leongatha facility.

Pakenham Livestock Exchange

The Pakenham Livestock Exchange is the region's second largest livestock sales facility, with adult cattle throughput of approximately 123,000 head per annum (VLE, 2015). Operated by VLE, the facility runs up to four regular sales per week:

- Monday: Prime sale (vealers, steers and heifers up to 700kg).
- Tuesday: Export sale (larger cattle including cows and bulls for the export trade), calf, sheep, goat and pig sale.
- Thursday: Store sale (alternates fortnightly with Leongatha).

Gippsland Regional Livestock Exchange

Located at Sale, the Gippsland Regional Livestock Exchange was recently upgraded to include modern facilities and 104 pens. Operated by VLE, the facility offers weekly prime and calf sales, fortnightly sheep sales and occasional store sales.

East Gippsland Livestock Exchange

Located at Bairnsdale, the East Gippsland Livestock Exchange offers weekly prime sales and fortnightly store and sheep sales. Owned and operated by East Gippsland Regional Council, the saleyards includes modern covered facilities with capacity for 3,000 head of cattle and 20,000 sheep/lambs.

Baw Baw Livestock Exchange

Located at Warragal and owned by Baw Baw Shire Council, the Baw Baw Livestock Exchange facilitates three sales per week:

- Monday: Calf sale.
- Wednesday: Prime sale (Vealers, fat cattle, steers and heifers).
- Thursday: Export sale (Cows, Bullock, Bulls).

PRE-FEASIBILITY OF A LATROBE CITY LIVESTOCK SALES FACILITY



- Dairy cattle sales are held during the season.

Facilities include 120 outside selling pens, 100 undercover holding pens, a rotunda for dairy sales and truckwash facilities. Published throughput statistics are unavailable for the facility, however, stakeholders indicate between 700-1,200 adult cattle sold each week.

3.3 IMPLICATIONS FOR A NEW LATROBE CITY SALEYARDS

Key points of note relating to this pre-feasibility study arising from the market profile include:

- The regional market appears to be well serviced with livestock sales facilities given recent upgrades and expansions, including four modern/upgraded facilities.
- VLE is the dominant market player, controlling three out of five regional saleyards (including the two largest).
- It is unclear at this stage what the impact of the recently upgraded Gippsland Regional Livestock Exchange will be on the broader market. Potential exists for the upgraded facility to compete for a greater share of throughput from the surrounding Baw Baw and East Gippsland Livestock Exchange.

4. STAKEHOLDER CONSULTATIONS

In order to inform this study, telephone consultations were undertaken with a selection of key industry stakeholders, including agents, saleyards operators and graziers.

4.1 STAKEHOLDER INPUT

The following sections outline a summary of stakeholder input regarding key aspects of establishing a new livestock saleyards in Latrobe City.

Demand for a New Saleyards Facility

- “The capacity of existing saleyards is sufficient given the upgrades at Sale and elsewhere. However, this may change at some point in the future due to herd growth.”
- “While I’m not in a position to put numbers on any facility, my understanding is that the capacity of current operations is sufficient.”
- “A new facility at Latrobe would draw strong numbers from around the region and improve competition between operators.”
- “Turnoff has been flat at best, the yards that have increased throughput over recent years have done so via drawing cattle away from direct selling.”
- “There are a number of good potential sites within Latrobe with highway access.”
- “Graziers would be best served trucking a bit further to the large established saleyards for more buyer competition and a better price.”

Livestock Supply Catchment

- “A new facility at Latrobe would replace the run down/ out of date facility at Warragul. Need to build the facility now to capture the opportunity, otherwise someone else will.”
- “Would need to compete strongly with the new facility at Sale, would expect a Latrobe Saleyards to draw predominately from the South and West.”
- “Cattle are the main opportunity, there is also potential to incorporate sheep sales at some point in the future (maybe 3-4 per year at around 3,000-4,000 head).”

Potential to Attract Selling Agents and Buyers

- “Some agents would relocate to a new Latrobe facility; others are opposed due to the 50km drive from their current base.”
- “The potential to reduce the market share of VLE and maintain competition would be a strong incentive for agents.”
- “The existing saleyards have a strong established agent base (including Warragul), which does not exist in Latrobe City. Therefore, there is no guarantee that agents will bring stock even if a new facility is constructed.”
- “The Warragul (Baw Baw) Livestock Exchange has dedicated agents, consistent throughput and good access (including B-Double). Facilities are well suited including covered pens with sawdust. The centre continues to operate competitively and the yards’ current owners did not purchase the facility to see it shut down.”
- “Attracting large meatworks buyers typically requires 1,000 plus head of quality cattle at a sale. Without interest from large volume buyers such as JB Swift or Teys Brothers it often leads to lower prices due to limited competition between a small number of commission buyers”

PRE-FEASIBILITY OF A LATROBE CITY LIVESTOCK SALES FACILITY



4.2 IMPLICATIONS FOR A NEW LATROBE CITY SALEYARDS

A range of views were expressed by local stakeholders regarding the potential for a new livestock saleyards facility based at Latrobe City. Key points of note relating to this pre-feasibility study include:

- Cattle are seen as the primary opportunity for a livestock saleyards based in Latrobe City.
- Given current throughput levels, the current supply of livestock saleyards is considered sufficient.
- To achieve a sufficient level of throughput, the new facility would have to draw demand from existing centres, including the recently upgraded Gippsland Regional Livestock Exchange, which is currently seeking to significantly increase its own throughput.
- Stakeholders felt a new facility was most likely to replace the ageing Baw Baw Livestock Exchange. However, such an outcome is currently far from certain, particularly given the established and committed agent base in Warragul.



5. FACILITY DEMAND & CAPACITY

5.1 FACILITY DEMAND

The following demand profile has been developed based on the outcomes of the market profile and stakeholder consultations in order to inform the pre-feasibility analysis.

It is assumed if a new livestock saleyards is developed in Latrobe City, it would replace the current Baw Baw Livestock Exchange, providing an estimated throughput of around 40,000 head of cattle per year. It should be noted that this is a strong assumption, given the significant indication from some industry stakeholders that the centre has a strong following and plans to operate well into the future. However, regional livestock supply is unlikely to be sufficient to support both the existing Baw Baw Livestock Exchange and a new facility within Latrobe City.

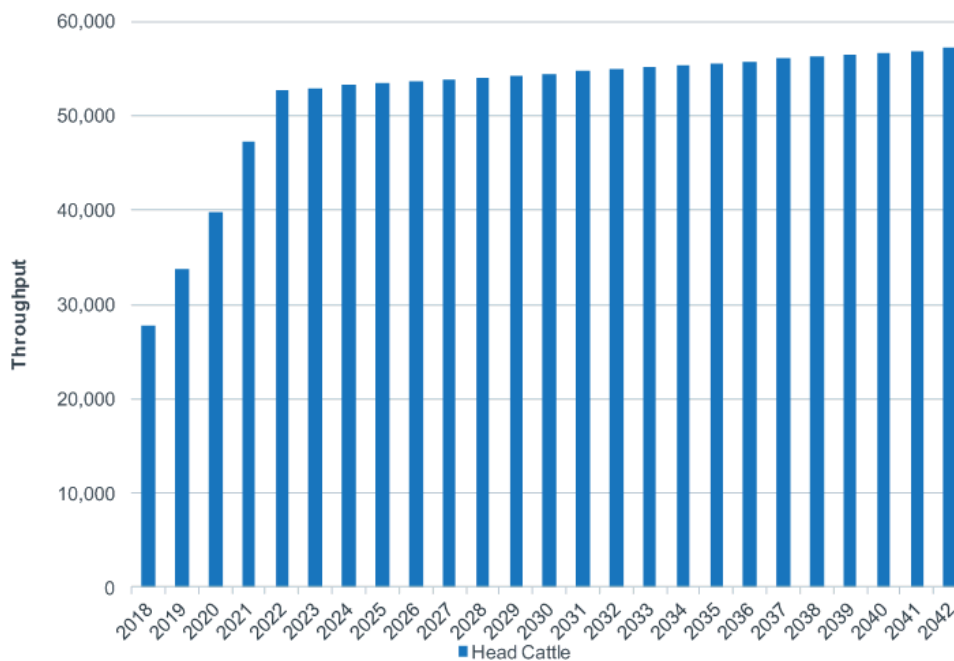
The new facility is assumed to draw a further 10,000 head of cattle from the surrounding operations at Leongatha, Pakenham and Sale, providing initial demand of approximately 50,000 head per annum once fully operational.

It is typical for new facilities to experience a “ramp up” period as they gain market share. The prefeasibility assessment assumes a five year ramp up period, starting from 60% of potential throughput in year one.

From this baseline level of demand, 25 year projections have been developed based on the following assumptions:

- 2018-2021: Variable annual growth rate based on MLA (2016) turnoff projections.
- 2021-2042: Fixed 0.4% annual growth.

Figure 5.1: Projected Throughput (Head)



Source: ABS (2011-2015), MLA (2016), AEC

It is likely that the new facility would operate two sales per week (assumed 96 sales per year) each targeted at a specific market:

- Prime sales (vealers, fat cattle, steers and heifers (typically up to 700kg)).

PRE-FEASIBILITY OF A LATROBE CITY LIVESTOCK SALES FACILITY



- Export sales (larger cows, bullocks, bulls) or store sales (steers, heifers, cows and calves and bulls for on growing).

A new facility would also service significant calf sales (currently offered at Baw Baw Livestock Exchange weekly).

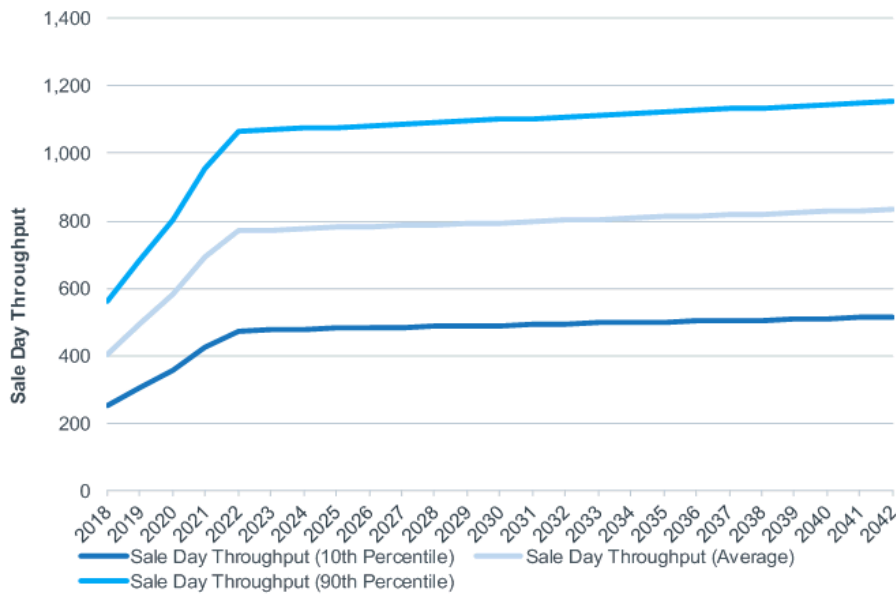
For this assessment it is assumed that 70% of throughput would be facilitated through the weekly prime sale, with 30% of throughput occurring during the second weekly sale.

5.2 FACILITY CAPACITY

Given the seasonal fluctuation in sale day numbers, a distribution of the percent of livestock sold in the surrounding catchments was examined to identify the likely peaks and troughs for future capacity. It is recommended the facility be designed to ensure the facility at year 3-5 is able to cater for at least 90% of the saleday capacity requirements (with the remaining 10% of sales facilitated through double penning³).

This would equate to an initial capacity of around 1,000 head, additional expansions could then be applied over time as dictated by demand.

Figure 5.2: Projected Sale Day Throughput (Prime Sale)



Note: Represents a preliminary estimate only and should not be relied upon for the capacity estimate in the feasibility study.
Source: AEC

³ Double penning of stock involves the sale of stock earlier in the day and the reuse of pens for later day selling on any single sale day.

6. FACILITY SPECIFICATIONS

The following sections develop high level facility inputs and costings to apply to the pre-feasibility financial assessment.

6.1 SALEYARD ELEMENTS & CAPITAL COST

While facilities vary significantly depending on site location and scale, a new saleyard facility will typically require the following elements:

- Receival & drafting area.
- Weighing and sale areas.
- Delivery.
- Special use areas.
- Spelling and lay over pens.
- Canteen/ administration and amenities.
- Parking and truck wash.

The following high level cost estimates have been developed based on the preceding sections (1,000 head capacity) and high level industry construction cost benchmarks. Capital costs will vary significantly depending on site location and design specifications.

Table 6.1: Capital Cost Estimates

Item	Est. Cost	Notes
Land Purchase	\$600,000	Will vary significantly depending on site selection
Earthworks Cut and Fill	\$350,000	Will vary significantly depending on site suitability
Offices and Amenities	\$250,000	Estimate based on indicative industry data
Yards	\$5,000,000	Adapted from Wiley (2014) based on 1,000 head capacity including pens, drafts, soft flooring and roofing, scales and delivery
Electrical	\$250,000	Estimate based on indicative industry data
Truckwash	\$200,000	Highly variable depending on the nature and size of the water treatment solution
Landscaping	\$15,000	Estimate based on indicative industry data
Fencing	\$20,000	Estimate based on indicative industry data
Professional Fees	\$335,000	5% of total costs
Contingency	\$700,000	10% of total costs
Total	\$7,720,000	-

Note: Indicative estimate for pre-feasibility study only.
Source: AEC

No allowance for saleyard expansions have been included in the analysis period, with increasing demand assumed to be accounted for through double penning.

6.2 OPERATING REVENUES

It is difficult to accurately delineate comparable price benchmarks for livestock marketing centres due to differences in financial structures and the distribution of costs between agents, vendors and contractors. Pricing level vary significantly between operations, with council run operations typically charging much lower rates than commercial operators.

For the purposes of this analysis an average fee of \$19.50 per head has been assumed based on the published fees for live weight selling of fat cattle at Bairnsdale saleyards (East Gippsland Regional Council, 2016).

PRE-FEASIBILITY OF A LATROBE CITY LIVESTOCK SALES FACILITY

**Table 6.2: Assumed Fees Per Head**

Fee Type	Sales Fees
Yarding Fee	\$8.50
Cattle Scanning	\$3.40
Live Weight Selling Fee	\$7.60
Total Fees	\$19.50

Source: East Gippsland Regional Council (2016)

This fee level is on the upper end of regional benchmarks, as highlighted in the table below. It should be noted that fees vary significantly depending on the mix of throughput (e.g. store sales, prime sales etc.).

Table 6.3: Recent Sales Fees Benchmarks

Saleyard Location	Sales Fees/Head
Leongatha	\$18.60
Pakenham	\$18.60
Sale	\$21.34
Bairnsdale	\$15.80

Source: Myers (2015)

The following table summarises the fees and charges applied for the prefeasibility assessment. The table sets out the rationale for each charge as well as the initial rate to be applied. It has been assumed charges would increase in line with a long-term inflation rate of 2.5% (the same annual increase has been applied to operating costs).

Table 6.4: Initial Fees and Charges

Fees and Charges	Rationale	Rate (\$2016-17)
Levies on Sales		
Charge per head of cattle sold	Recognises the costs of providing the facility in particular the physical structures and maintenance and capital improvement programs and the need to weigh fat cattle.	• \$19.50/head
Agents Fees and Charges		
Agent selling fee	Recognises the costs of having the agents on site in particular the running costs of the facility including staff and equipment, power, water and wastewater.	• \$300/agent/sale
Assumed:		
• Avg. 3 agents per week		
Other Fees and Charges		
Wash down facility	Recognises the cost specifically associated with the wash down facility including the capital cost of the facility and the ongoing operations including power, water and waste water. Facilities are typically charged on a cost recovery basis.	• Other fees assumed to total 5% of combined sales levies and agent fees
Feeding Areas	Recognises the costs of providing feed for livestock awaiting sale and or onward transportation.	

Source: AEC

6.3 OPERATING COSTS

It has been estimated the saleyards would incur fixed operating costs of approximately \$320,000 per annum in current dollar terms. These costs would include all employee expenses associated with a full-time yard manager,

PRE-FEASIBILITY OF A LATROBE CITY LIVESTOCK SALES FACILITY



additional yard labour as well as associated management and administration costs (including facility insurances, accounting and bank charges).

The saleyards would also incur a series of variable costs associated with the actual operation of the yard. It is estimated in order to meet initial throughput estimates, variable yard operating costs would equate to approximately \$155,000 in 2016-17 dollar terms. These costs include the vehicle and other equipment needed by yard staff as well as various consumables and other business inputs. It has been assumed these costs would increase in line with throughput as demand increases.

An annual provision of 1.5% of capital expenditure on the built structures has been included in the operating costs to recognise required repair and maintenance expenditure. This provision includes an allowance for capital renewals provision, which is used to accumulate funds needed for asset replacement. No allowance for depreciation has been included.

Table 6.5: Operating Cost Assumptions

Operating Cost	Assumption	\$2016-17 Estimate
Variable Costs		
Saleyards	25% of sales levies	\$135,000
Wash down facility and feeding areas	70% of wash down and feeding areas revenue	\$20,000
Total Variable Costs	n.a.	\$155,00
Fixed Costs		
Repairs and maintenance	0.5% of capex per annum	\$35,000
Renewals Allowance	1.0% of capex per annum	\$70,000
Other fixed overheads	\$20,000 admin and management expenses \$70,000 insurance \$125,000 employee expenses	\$215,000
Total Fixed Costs	n.a.	\$320,000
Total Costs Per Annum	n.a.	\$475,000

Source: AEC

PRE-FEASIBILITY OF A LATROBE CITY LIVESTOCK SALES FACILITY



7. FINANCIAL ASSESSMENT

A high-level financial analysis of the model saleyards over a 25 year period is provided in the table below. The financial model is based on numerous assumptions regarding throughput as well as estimates of capital and operating cost elements as described in the previous chapter. The model is more simplistic than the commercial experience of an operational business. However, it serves to illustrate the potential financial outcomes that might be associated with a new Latrobe City saleyards.

Table 7.1: Financial Assessment

Year No.	0	1	2	3	4	5	10	15	20	25
Year	2017	2018	2019	2020	2021	2022	2026	2031	2036	2041
Stock Throughput										
Annual Throughput		27,780	33,706	39,793	47,319	52,787	53,636	54,718	55,821	56,946
Prime Sale Day (10th Percentile)		250	303	357	425	474	482	492	501	512
Prime Sale Day Throughput (Avg.)		405	492	580	690	770	782	798	814	830
Prime Sale Day (90th Percentile)		561	680	803	955	1,065	1,083	1,104	1,127	1,149
Revenue										
Sale Fees		\$555,253	\$690,549	\$835,624	\$1,018,503	\$1,164,601	\$1,306,194	\$1,507,633	\$1,740,137	\$2,008,497
Agent Fees		\$44,280	\$45,387	\$46,522	\$47,685	\$48,877	\$53,951	\$61,040	\$69,062	\$78,137
Other Revenue		\$29,977	\$36,797	\$44,107	\$53,309	\$60,674	\$68,007	\$78,434	\$90,460	\$104,332
Total Revenue		\$629,509	\$772,733	\$926,253	\$1,119,497	\$1,274,152	\$1,428,152	\$1,647,107	\$1,899,658	\$2,190,966
Costs										
Capex	\$7,720,000									
Variable Operating Costs										
Saleyards		\$138,813	\$172,637	\$208,906	\$254,626	\$291,150	\$326,548	\$376,908	\$435,034	\$502,124
Truckwash and Feeding Areas		\$20,984	\$25,758	\$30,875	\$37,317	\$42,472	\$47,605	\$54,904	\$63,322	\$73,032
Fixed Costs										
Repairs and Capital Renewals		\$109,470	\$112,207	\$115,012	\$117,887	\$120,834	\$133,379	\$150,906	\$170,736	\$193,172
Other Fixed Overheads		\$220,375	\$225,884	\$231,531	\$237,320	\$243,253	\$268,506	\$303,789	\$343,710	\$388,876
Total Costs	\$7,720,000	\$489,642	\$536,486	\$586,324	\$647,149	\$697,709	\$776,038	\$886,507	\$1,012,802	\$1,157,205
Net Profit/Loss	-\$7,720,000	\$139,868	\$236,247	\$339,928	\$472,348	\$576,443	\$652,114	\$760,600	\$886,857	\$1,033,762

Source: AEC



7.1 NET PRESENT VALUE

Decision Criteria:

The Net Present Value (NPV) is a key decision criteria for economic and financial appraisal. The NPV of a project expresses the difference between the Present Value (PV) of future revenues and PV of future costs, i.e.: $NPV = PV \text{ Benefits} - PV \text{ Costs}$.

Where the economic appraisal results in a:

- Positive NPV: the project will be deemed as being desirable.
- NPV equal to zero: the project will be deemed neutral (i.e., neither desirable nor undesirable).
- Negative NPV: the project will be deemed undesirable.

The Internal Rate of Return (IRR), which indicates the discount rate which would return an NPV of \$0, is also reported.

Based on the previous assumptions and after 25 years of operations the project is assessed as deriving a negative NPV of approximately \$2.7 million using a 10% nominal discount rate. Highlighting it is financially undesirable as an investment.

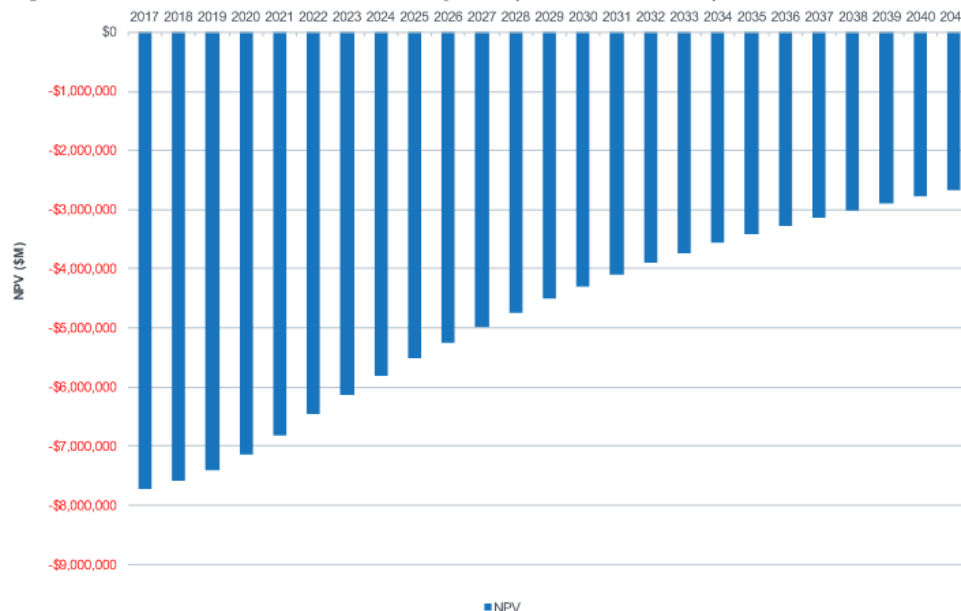
The project presents an IRR of 6.0%, which is considered low given the inherent risk of establishing and operating a new facility.

Table 7.2: Net Present Value Analysis

Discount Rate	PV Costs (\$M)	PV Benefits (\$M)	NPV (\$M)
7%	\$16.5	\$15.7	-\$0.8
10%	\$14.4	\$11.7	-\$2.7
15%	\$12.2	\$7.7	-\$4.5

Note: Totals may not sum due to rounding.
Source: AEC

Figure 7.1: Cumulative Net Present Value by Year (10% Discount Rate)



Source: AEC

PRE-FEASIBILITY OF A LATROBE CITY LIVESTOCK SALES FACILITY



7.2 SENSITIVITY ANALYSIS

This section examines the sensitivity of the financial analysis to key model inputs and assumptions used in the NPV assessment.

Sensitivity analysis in this section has been undertaken using a Monte Carlo analysis across the following key assumptions used in the financial modelling.

- Revenues:
 - Sale fees.
 - Agent fees.
 - Other revenues.
- Costs:
 - Capital costs.
 - Variable costs.
 - Fixed costs.
- Other:
 - Throughput.

Each of the above assumptions has been tested in isolation with all other inputs held constant, with the results reported in the table below in terms of the modelled change in NPV resulting from the variance in the base assumptions at a discount rate of 10%. The final row of the table examines each assumption simultaneously⁴ to provide a 'combined' or overall sensitivity of the model findings to the assumptions used. The table also outlines the distribution used allowing for a 10% confidence interval, with the '5%' and '95%' representing a 90% probability that the distribution and NPV will be within the range outlined in the table.

Table 7.3: Sensitivity Analysis Summary, Discount Rate 10%

Variable	Distribution of Tested Variable ^(a)		Net Present Value (AUD \$M)	
	5%	95%	5%	95%
Revenues				
Sales Fees	81.4%	118.6%	-\$4.7	-\$0.7
Agents Fees	81.3%	118.6%	-\$2.8	-\$2.6
Other Revenues	81.3%	118.6%	-\$2.8	-\$2.6
Costs				
Capital Costs	81.4%	118.6%	-\$4.1	-\$1.2
Variable Costs	81.4%	118.6%	-\$3.2	-\$2.1
Fixed Costs	81.3%	118.6%	-\$3.3	-\$2.0
Other				
Throughput	81.3%	118.6%	-\$4.2	-\$1.1
Combined^p	As above	As above	-\$5.3	\$0.0

Notes: (a) The percent distributions outlined in the table represent the deviation from the base assumptions for these variables using a +/- 5% confidence level. The values in the table denote the percent increase/decrease at 5% and 95% confidence levels, each variable was tested to a maximum +/-30%. (b) Excludes throughput due to the strong correlation with other variables.
Source: AEC

The analysis indicates at a discount rate of 10%; there is a 90% probability the project will provide an NPV of between -\$5.3 million and \$0.0 million. Sensitivity testing returned a negative NPV on approximately 95.3% of the 5,000 iterations run in Monte Carlo analysis. This means that under the vast majority of the input parameters examined in this assessment the project results in a negative NPV.

The NPV is influenced most strongly by sales fees, throughput and capital expenditure.

⁴ Excluding throughput due to co-linearity with other variables.

8. SUMMARY OF FINDINGS & IMPLEMENTATION

8.1 KEY FINDINGS

The findings of this pre-feasibility study suggest that the development of a new livestock sale facility in Latrobe City is subject significant risk:

- The surrounding catchment features five well established livestock selling operations, including three large operations and four modern, well equipped facilities.
 - Any new facility would face significant competition for throughput from these established operations, particularly the surrounding saleyards at Warragul, Sale and Leongatha.
 - Flat regional and declining national herd numbers, capacity upgrades at existing facilities and industry trends towards direct and online selling suggest limited requirements for additional saleyard capacity within the next few years.
- Successfully establishing a new facility in Latrobe City would likely require the closure of the Baw Baw Livestock Exchange. Facilitating such a transition would be subject to the relocation of selling agents to the new facility. It is unclear whether development of a new facility is a cost effective alternative compared to potential upgrade of the existing facilities at Warragul.
- Pre-feasibility financial modelling suggests that the financial returns to Council would be marginal given the perceived level of risk. The project is assessed as delivering a negative return of - \$2.7 million NPV over 25 years at a 10% discount rate with an IRR of 6.0%, thereby making the facility financial undesirable, under the parameters examined in this prefeasibility.
- While the project is assessed as being financially marginal, it may bring additional socio-economic benefits to the Latrobe City community, including:
 - Economic development outcomes, including direct and indirect employment during construction and operations, as well as additional retail/ wholesale trade if the facility attracts new visitors to the region.
 - Increased selling options for local producers and potentially better returns.
 - Enhanced competition within the regional livestock selling sector.

A significant regional livestock herd creates the potential for establishing a new livestock sales facility within Latrobe City. However, the market is serviced by a number of established operators including large and modern facilities. The success of any new facility is highly dependent on the ability to draw throughput away from these established operators.

The development of a greenfield livestock sales facility should be further investigated where the following conditions are met:

- An identified need for additional saleyards capacity.
- Strong stakeholder support.
- The facility has the potential to be financially viable, even with conservative parameters (i.e. high cost and low throughput and sales value).
- The fees and charges to allow the facility to be viable are competitive within the regional market.

The analysis undertaken through this study suggests that this is not currently the case in the Latrobe City area. However, this may change in the future given additional throughput growth and/or changing circumstances at the existing regional livestock sales facilities.

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8.2 IMPLEMENTATION

Key steps for Council to undertake, should it wish to progress the opportunity for a livestock selling facility in Latrobe City beyond this pre-feasibility study are highlighted in the table below.

Table 8.1: Implementation Plan

Action	Timing
Confirm demand from selling agents to commit to a new saleyards at Latrobe City	0-12 months, ongoing as required
Confirm potential site locations	+0-6 months
Undertake full feasibility study, including: <ul style="list-style-type: none"> • Design and quantity surveying • Ownership and operational models • Financial impacts to Council 	+12-18 months
Negotiate operating terms/ contractual agreements: <ul style="list-style-type: none"> • Selling agents • Saleyards operator • Construction contractors 	+6 months – ongoing as required
Facility construction	+6-12 months, ongoing as required
Ongoing operations and maintenance	Ongoing

Source: AEC



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OUTCOME DRIVEN



INFRASTRUCTURE AND RECREATION

15. INFRASTRUCTURE AND RECREATION

15.1 PAX HILL TENNIS CLUB - REQUEST FOR LOAN FROM COUNCIL

General Manager

Infrastructure and Recreation

For Decision

PURPOSE

This report presents Council with information relating to a request for a loan from Council for the resurfacing of four (4) tennis courts by the Pax Hill Tennis Club at the Maskrey Reserve in Traralgon.

EXECUTIVE SUMMARY

A Facility Condition & Compliance report for the tennis courts at Maskrey Reserve Traralgon completed by 2MH Consulting in December 2014 recommended that the four (4) courts require complete reconstruction.

In May 2016 the Pax Hill Tennis Club requested that Council provide funding so that the four (4) courts at Maskrey Reserve Traralgon could be resurfaced. The club initially proposed contributing \$30,000 of their own funding towards the project and were requesting Council provide the remaining funds.

Following this proposal by the Pax Hill Tennis Club in May 2016, Council officers met with the Pax Hill Tennis Club and then advised the club that they could resurface two (2) of the four (4) courts. The courts would then be monitored for their performance, so an informed decision could be made in the future about whether funding for the resurfacing of the two (2) remaining courts would be recommended.

In June 2016, the Pax Hill Tennis Club formally requested a loan from Council for \$32,000 to fund the resurfacing of the four (4) tennis courts at Maskrey Reserve in Traralgon.

The proposal to resurface the four (4) courts does not address many of the recommendations in the Facility Condition & Compliance report. The report has recommended that the four (4) courts be reconstructed rather than resurfaced. The treatment suggested by the Pax Hill Tennis Club will not address the problems with a compromised sub-base, drainage and court dimensions and is considered to be a short term solution to the issues currently being experienced.

RECOMMENDATION

That Council:

- 1. Authorises the Pax Hill Tennis Club to undertake resurfacing of two (2) courts only at the Maskrey Reserve with their own funds; and**
- 2. Officers monitor the performance of the resurfacing product for 18 months to assess its performance and longevity, and provide a further report to Council 18 months after completion of the resurfacing project.**

DECLARATION OF INTEREST

No officer declared a conflict of interest under the *Local Government Act 1989* in the preparation of this report.

STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

Latrobe 2026: The Community Vision for Latrobe Valley

Strategic Objectives - Recreation

In 2026, Latrobe Valley encourages a healthy and vibrant lifestyle, with diversity in passive and active recreational opportunities and facilities that connect people with their community.

Latrobe City Council Plan 2013 - 2017

Theme and Objectives

Theme 2: affordable and sustainable facilities, services and recreation

Strategic Direction –

- Promote and support more involvement of children in active recreation and sport
- Develop and maintain community infrastructure that meets the needs of our community
- Promote and support opportunities for people to enhance their health and wellbeing

BACKGROUND

The Pax Hill Tennis Courts are situated at Maskrey Reserve in Barker Crescent in Traralgon. The courts are co-located with community facilities that include a pre-school and local play space.

During 2013/14, Council reviewed the Traralgon Outdoor Recreation Plan (2006). On 30 June 2014, Council endorsed the Traralgon Outdoor Recreation Plan (2014). This plan provides a master plan for each of the

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active reserves in Traralgon, including the tennis courts at Maskrey Reserve.

The master plan identified a range of opportunities for the reserve, including the following priorities:

- Upgrade surface, drainage and line marking to all tennis courts. Consider multi-purpose line marking to increase court usage opportunities;
- Upgrade existing clubhouse with accessible toilets and amenities;
- Investigate the potential installation of court lighting (two northern courts), including an assessment of the potential impact on neighbouring residential properties;
- Upgrade the existing play space. Ensure the play space is accessible and within sight lines of tennis court facilities;
- Resurface and formalise reserve entry road and car park.

In October 2014, Latrobe City Council received a letter from the Pax Hill Tennis Club requesting \$42,000 to resurface the four tennis courts at Maskrey Reserve Traralgon. The club was proposing that the courts be resurfaced with a Latexite tennis acrylic system and provided a quote from the supplier of the product.

In order to ascertain the geotechnical status of the courts at Maskrey Reserve and to determine whether the solution proposed by the club would be effective, Council officers engaged 2MH Consulting to undertake a Facility Condition & Compliance report for the tennis courts at Maskrey Reserve.

The report was jointly funded by Council, Pax Hill Tennis Club and Tennis Victoria. The courts condition assessment, including geotechnical investigations was completed in December 2014 and a copy of the report was sent to the Pax Hill Tennis Club Secretary in March 2015.

The report provides a thorough condition summary of the four courts at Maskrey Reserve. The courts are old with the asphalt surface in a deteriorated state. There is substantial cracking through the pavements of all four courts, with the majority of the cracks having been previously repaired with a black emolium product, which has again reopened along with many new cracks.

The drainage surrounding the courts is of a poor standard and there is evidence that water sits in and around the court areas. This is not ideal, as water can migrate under the asphalt and undermine the base of the pavement.

The four courts are not compliant with inadequate run-off distances and court dimensions. Supporting structures such as the fencing and net posts are in a poor condition.

Access from the clubhouse to the courts is a via grass verge. There is a small steel ramp connecting to the clubhouse decking, this is fixed well, however it is unlikely to be within DDA requirements. There is also a

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concrete pad at the south eastern pedestrian gate threshold. This does not finish flat at either the clubhouse or court pavement side, creating trip points. There is a secondary access gate through the Western boundary pedestrian gate; however, there is no path connection.

The report provides the following recommendations for remediation of the courts:

Short Term recommendations

As noted these courts will continue to deteriorate and require significant ongoing funds to repair. Any repair works will be short lived this is already evident with the cracks opening where they have been previously repaired. This is because the undermined base and poor perimeter drainage will continue to deteriorate the pavement.

The Facility Condition & Compliance report states that in the short term (1-3 years) the courts are playable, however courts 3 & 4 should continue to be monitored for deterioration due to the condition of the pavement and the severe cracking along the southern baseline run off area.

Medium/Long Term recommendations

To achieve a desirable long term outcome a full reconstruction of the existing pavements is recommended. A sound planning process should be followed.

The proposal put forward by the Pax Hill Tennis Club to resurface the courts with the Latexite system in 2014 is not supported by the investigation undertaken by 2MH Consulting. The Latexite system is a resurfacing option when the sub-base of the tennis court is sound, without drainage or compliance issue. The Maskrey Reserve courts sub-base is unsound, requiring complete reconstruction. The courts are also non-compliant and require extension and realignment to comply with International Tennis Federation guidelines.

In their Facility Condition and Assessment report, 2MH Consulting have recommended a full reconstruction of the four courts and provided cost estimates for three potential options.

In May 2016, the Pax Hill Tennis Club again approached Council regarding resurfacing the four (4) courts at Maskrey Reserve Traralgon and the possible upgrade of the toilet facilities.

The club advised that the total cost of resurfacing four (4) courts was approximately \$55,000. The club requested that Council provide the \$25,000 shortfall required to fund the complete project.

Council officers met with the club's representatives on site to discuss the request. The club advised that they have raised \$30,000 towards the resurfacing of the courts, with \$15,000 provided from the #lovegippsland Stronger Communities Program, with a further \$15,000 being provided from the club's savings.

Following the onsite meeting, Council wrote to the Pax Hill Tennis Club on the 30 May 2016 to advise that the club could proceed with the resurfacing of two (2) courts at Maskrey Reserve Traralgon with the club's \$30,000 of

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funds that they have secured to date, however no funds would be provided by Council.

The two (2) resurfaced courts would then be monitored to test the performance of the treatment and provide a solid evidence base, prior to any funding being considered for the 2017/18 financial year for resurfacing of the remaining two (2) courts.

On the 30 June 2016 Council received further correspondence (attached) from the Pax Hill Tennis Club requesting that Council provide an interest free loan of \$32,000 (in addition to the club's \$30,000) so that all four (4) courts could be resurfaced at a cost of \$59,004. The loan amount includes an extra \$3,000 for incidentals that may be required during works. This amount will be repaid if not required.

The club are committing to repaying the proposed loan with repayments of \$1000 per year, with further payments to be made when able. The club would like the option to provide a submission to Council for them to allocate money to fund this project in the 2017/18 budget, which would then be discharged to the club from the loan.

The club has indicated in the most recent correspondence that the club's priority is to have all four (4) courts resealed at the same time, as this would have significant benefits including:

- A significant construction cost would be saved by doing all four (4) courts at the one time;
- With all courts done, the club is eligible for the Tennis Australia Court Rebate Scheme;
- The top courts are accessible to the community 24/7 and would be safer with the new surface in wet conditions for use all year round;
- It would increase the value and status of the Council's owned asset;
- With the new court surface, the membership of the club should grow. This will enable the club to commit and continue leasing the facility. Taking our club into the future as caretakers of a wonderful new and vibrant west end facility.

KEY POINTS/ISSUES

As indicated in the information provided in the background section of this report, the resurfacing of the four (4) courts at Maskrey Reserve Traralgon is not supported by the recommendations of the Facility Condition & Compliance report completed by 2MH Consulting in December 2014.

Based upon this professional investigation, including geotechnical investigations, 2MH Consulting have recommended a full reconstruction of the four courts be completed.

The recent May 2016 proposal by the Pax Hill Tennis Club resulted in a proposal being offered by Council in to the Pax Hill Tennis Club to allow resurfacing of two (2) courts. This offer was proposed on the basis that it would allow for the resurfacing works to be completed for two (2) with the

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Pax Hill Tennis Club's current funding (\$30,000) and allow for the resurfacing product to be monitored for its efficacy and longevity.

The proposal

The proposal by the Pax Hill Tennis Club is to resurface the courts. A product called "Guardian" will be used to seal the existing cracks in the courts. The product information (attached) states *that "Guardian" provides outstanding longevity and durability, assuring long-term success of the repaired cracks.* In the company's brochure, it indicates that the product has proven so successful, that the company will provide a two (2) year warranty for the product that covers the replacement cost, material and labour were any section of the "Guardian" product fail. The courts once treated with the "Guardian" product will then be resurfaced with a non-cushioned acrylic product, similar to plexi-pave.

Officers have contacted the contractor engaged to provide the quote for the Pax Hill Tennis Club, Advanced Sporting Surfaces SA. A review of the contractor's recent works indicates that the company's major work revolves around the resurfacing of school and private hard courts.

Advanced Sporting Surfaces has advised that the only Council related work they have been engaged with using the "Guardian" product proposed for the Maskrey Reserve courts was the resurfacing of the Mildura Netball Courts approximately 12 months ago.

Officers contacted the Mildura Rural City Council to gather further information about the works undertaken by the contractor. Mansell Reserve in Mildura is the home of the Mildura Netball Association. The reserve has 12 plexi-pave courts, which were constructed approximately 6 – 7 years ago. The courts have experienced significant cracking around the entire perimeter of the court complex. This is due to the courts abutting grass and significant trees, which suck the moisture from the surrounding soil. There are no cracks on the interior of the court complex.

The Mildura Rural City Council has not undertaken a geo-technical investigation or assessment of the courts. They have also not undertaken a Condition and Assessment report.

A tender was advertised to address the cracking on the courts, and Advanced Sporting Surfaces were selected to provide the treatment. The treatment is the same as being proposed at Maskrey Reserve in Traralgon. The treatment involved the filling and sanding of 750 metres of significant cracking. Then the "Guardian" product was placed over the cracking, then the non-cushioned acrylic product (plexi-pave) finished the treatment. As previously stated, this work was completed approximately 12 months ago. The assessment by the Mildura Rural City Council is that the product is performing to their satisfaction, and no further cracking has occurred.

It should be noted that the treatment being suggested deals with "cracking" only. It does not deal with issues with the degraded sub-base.

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The proposal by Pax Hill Tennis Club to resurface the courts, instead of reconstruct the courts does not address many of the non-compliance issues identified in the condition and assessment report.

All four (4) courts are not compliant with inadequate run-off distances and court dimensions. The courts do not currently meet Tennis Australia (ITF) run off standards, and will not until they are reconstructed.

The proposal to resurface the courts will also not address the currently inadequate drainage, which is causing ground water to pool and be retained under the current pavements. The proposal will also not address the significant failures in the existing sub-base of the courts.

2MH Consulting has advised that the cost to reconstruct the four (4) courts at Maskrey Reserve is \$450,000 - \$600,000, depending upon the court surface treatment applied.

Use of Maskrey Reserve Traralgon

The Pax Hill Tennis Club is an annual user of the Maskrey Reserve facility and are required to apply to use the facility each year for the coming season/year.

National Court Rebate Scheme

Officers have contacted Tennis Victoria regarding this project's eligibility for the National Court Rebate Scheme. Advice provided indicates that the project is eligible to submit an Expression of Interest.

Funding for the National Court Rebate Scheme depends on the type of facility and number of courts, the type of courts being constructed or resurfaced and the funding mix for the project. The project may not be supported, as the courts will not meet current Tennis Australia and ITF guidelines for the court run offs.

An Expression of Interest process must be followed, with the 2016 National Court Rebate Scheme closing for expressions of interest on 25 August 2016. A lodgement of an expression of interest does not guarantee funding.

Court Surface Renewal Program

The Latrobe City Council annual capital program funds the renewal of external hard court surfaces such as tennis and netball courts.

In 2016/17 Latrobe City Council budget, an allocation from this program (\$100,000) has been made to the resurfacing of the Gaskin Park Churchill netball court. This court was identified in the Hard Court Surface Audit as high priority, requiring urgent attention to address the court surface, court dimensions and run off for the court.

The audit, conducted across the municipality for all external hard court surfaces has highlighted a number of courts which are of a High priority and in need of immediate reconstruction or resurfacing in the short term (1 – 3 years).

These include:

- Flynn Recreation Reserve – Tennis Courts

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- Traralgon South Recreation Reserve – Tennis Courts
- Ronald Reserve – Morwell East Netball Courts

Detailed designs are currently being completed for the Flynn Recreation Reserve tennis courts and the Ronald Reserve netball courts. The above projects will be put forward for consideration in the 2017/18 Court Surface Renewal Program based upon their priority, cost and design preparedness.

The Facility Condition & Compliance report for the courts at Maskrey Reserve states that in the short term (1- 3 years) the courts are playable, however courts 3 & 4 should continue to be monitored for deterioration due to the condition of the pavement and the severe cracking along the southern baseline run off area.

In the medium to long term (3 – 5 years) to achieve a desirable long term outcome a full reconstruction of the existing pavements at Maskrey Reserve is recommended.

Recreation Needs Assessment

The Latrobe City Council Recreation Needs Assessment commenced in July 2016. This project will review all active sport and recreation projects currently identified in all Latrobe City Council master plans and strategies.

Projects will be reviewed on the basis of:

- Current and future demographics
- Current demand and participation
- Future demand for active recreation activities
- Analysis of future demand that may impact on levels of participation in sport and active recreation in Latrobe City

Following this review a five year implementation plan will identify priority projects for funding based upon the above matrix.

The reconstruction of the tennis courts at Maskrey Reserve in Traralgon has been identified in the Traralgon Outdoor Recreation Plan (2014). This project along with many other tennis related projects will be reviewed along with all other projects identified in Council's master plans and strategies to determine its overall priority.

Loan from Latrobe City Council to community groups

The Pax Hill Tennis Club is proposing that Council loan them \$32,000 as an interest-free loan. The club is proposing that they repay this loan at a rate of \$1,000 per year. If these terms are accepted, the club would take 32 years to repay the loan.

The club has proposed an additional option that Council allocate \$32,000 from the 2017/18 Latrobe City Council budget to discharge the loan.

Latrobe City Council has a *Loans/Guarantees to Community Groups Policy*.

ORDINARY COUNCIL MEETING AGENDA 22 AUGUST 2016 (CM488)

The policy states:

“Latrobe City will examine requests from community clubs and organisations to render financial assistance in cases where the organisation cannot borrow from financial institutions because of a lack of legal status. Loans are only to be provided to community organisations in accordance with the procedures set out below.

Guarantees on behalf of community groups will only to be provided in accordance with set procedures. Loans and or guarantees will only be available to community organisations for the acquisition or construction of durable assets up to a maximum amount equal to the lesser of \$20,000 or two thirds of the cost of the project or asset whichever is the lesser.”

The loan request is greater than \$20,000, and is also greater than 50% of the total project.

Latrobe City Council has approved a number of loans to community groups in the past. These include:

Group	Financial Year	Amount	Interest Rate%	Term	Purpose	Other comments
Traralgon Tennis Association (TTA)	2006/07	\$13,000	0.0%	3 years	TTA's contribution towards the Court Resurfacing Program	TTA's total contribution was \$33k with \$20k paid upfront
Latrobe Valley Racing Club	2006/07	\$50,000	0.0%	7 years	Glenview Park Racecourse – General Financial Assistance	
Falcons 2000 Soccer Club	2009/10	\$7,000	0.0%	14 months	Repairs on 2007 New Holland MC28 Mower	
Moe Golf Club	2015/16	\$20,000	0.0%	4 years	Removal of the pine trees and revegetation	*Not yet drawn on
Boolarra Football Club	Prior to 2006	Not known		Not known	Not known	The only records that Council has for this loan is a final repayment in 2006.
Churchill Tennis Club	Prior to 2006	Not known		Not known	Not known	The only records that Council has for this loan is a final repayment in 2006.
Churchill United Soccer Club	Prior to 2006	Unknown		Not known	Complete the building of the social rooms	
Traralgon Tennis Association	2012	\$75,000	0.0%	3 years	Payment of the contribution towards the 2011 TTA Court Resurfacing project	This was payment of an invoice, rather than a formal loan from Council.

ORDINARY COUNCIL MEETING AGENDA 22 AUGUST 2016 (CM488)

The 2016/17 Latrobe City Council budget has been adopted by Council. There is no discretionary funding for an allocation of funding to be made to the Pax Hill Tennis Club for this proposal.

RISK IMPLICATIONS

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

There are significant risks with allowing the club to resurface the courts at Maskrey Reserve.

Professional advice provided by 2MH Consulting clearly states that resurfacing the courts is a temporary solution only. The Condition and Assessment report provides advice that all four (4) courts require complete reconstruction.

The warranty provided by the contractor for the "Guardian" product is only for two years. If the product fails after two (2) years the courts will require further treatment and/or complete reconstruction.

The resurfacing proposal fails to address significant compliance issues in relation to the courts. The courts currently do not meeting ITF standards for court run-off, and the resurfacing solution fails to address the significant issues experienced at the courts with drainage and water retention.

FINANCIAL AND RESOURCES IMPLICATIONS

Latrobe City Council has a *Loans/Guarantees to Community Groups Policy*.

The policy states:

"Latrobe City will examine requests from community clubs and organisations to render financial assistance in cases where the organisation cannot borrow from financial institutions because of a lack of legal status. Loans are only to be provided to community organisations in accordance with the procedures set out below.

Guarantees on behalf of community groups will only to be provided in accordance with set procedures. Loans and or guarantees will only be available to community organisations for the acquisition or construction of durable assets up to a maximum amount equal to the lesser of \$20,000 or two thirds of the cost of the project or asset whichever is the lesser."

The loan request is greater than \$20,000, and is slightly more than 50% of the total project.

The 2016/17 Latrobe City Council budget has been adopted by Council. There is no discretionary funding for an allocation of funding to be made to the Pax Hill Tennis Club for this proposal.

Council's policy position in relation to loans to community groups identifies a maximum loan amount of \$20,000. Any loan amount approved by

ORDINARY COUNCIL MEETING AGENDA 22 AUGUST 2016 (CM488)

Council greater than this amount would set a precedent for future proposals.

INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

Significant community consultation and engagement was undertaken in the formation of the Traralgon Outdoor Recreation Plan (2014).

Community engagement methods included letters, emails, workshops and one on one meetings with the Pax Hill Tennis Club.

Details of Community Consultation / Results of Engagement:

Following significant community consultation and engagement a site specific master plan for Maskrey Reserve was developed and included as part of the Traralgon Outdoor Recreation Plan.

OPTIONS

Council have the following options:

1. Approve a loan for \$32,000 to the Pax Hill Tennis Club for the resurfacing of the four (4) courts at Maskrey Reserve Traralgon.
2. Not approve a loan for \$32,000 to the Pax Hill Tennis Club for the resurfacing of the four (4) courts and allow the club to resurface two (2) courts at Maskrey Reserve Traralgon with their funds.
3. Not approve a loan for \$32,000 to the Pax Hill Tennis Club for the resurfacing of the four (4) courts and defer resurfacing of all four (4) courts until the outcomes of the Latrobe City Council Recreation Needs Assessment are known.

CONCLUSION

A Facility Condition & Compliance report completed by 2MH Consulting in December 2014 recommends that all four (4) courts at Maskrey Reserve Traralgon be reconstructed not resurfaced.

The proposal by the Pax Hill Tennis Club does not address many of the non-compliance issues identified in the Facility Condition & Compliance report.

Latrobe City Council has commenced the Recreation Needs Assessment which will review all projects currently identified in master plans and strategies based upon a matrix of participation, current and future demand, current and future demographics and the future demand for active recreation activities.

The option to allow the Pax Hill Tennis Club to resurface two (2) of the poor condition courts, allows Council officers to assess the ongoing performance and longevity of the treatment product to determine the treatment options available for the two (2) remaining courts.

SUPPORTING DOCUMENTS

Traralgon Outdoor Recreation Plan 2014

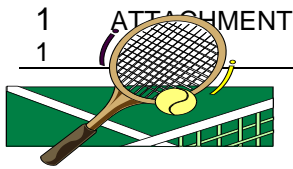
Attachments

1. Request for loan from Pax Hill Tennis Club
2. Quote for resurfacing project
3. Condition & Assessment report for Maskrey Reserve Traralgon
4. Cost estimates for reconstruction of Maskrey Reserve tennis courts
5. Email advice to Pax Hill Tennis Club May 2016
6. Guardian Crack System

15.1

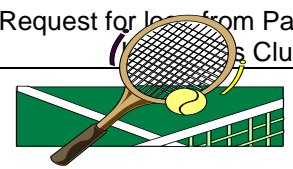
Pax Hill Tennis Club - Request for Loan from Council

1	Request for loan from Pax Hill Tennis Club	549
2	Quote for resurfacing project	551
3	Condition & Assessment report for Maskrey Reserve Traralgon	563
4	Cost estimates for reconstruction of Maskrey Reserve tennis courts	585
5	Email advice to Pax Hill Tennis Club May 2016	587
6	Guardian Crack System	589



1 ATTACHMENT 2 15.1 Pax Hill Tennis Club - Request for Loan from Council - Request for Loan from Pax Hill Tennis Club

Pax Hill Tennis Club



PO Box 1622, Traralgon 3844

Email: paxhilltennisclub@mail.com

Website: www.tennis.com.au/paxhilltc

Latrobe City Council
Attn: Honourable CEO
Mr Gary Van Driel
Via email: Gary.VanDriel@latrobe.vic.gov.au

30th June 2016

Dear Sir,

RE: Pax Hill Tennis Club \$32000.00 loan request

Members of our committee have had several meetings with council officers, together with a follow up onsite inspection regarding our urgent court resurfacing needs.

We have secured a \$15,000 grant from the Federal Government under the Stronger Communities Program. Our Club is matching the funded contribution giving us \$30,000. This will resurface 2 of our tennis courts; however, all 4 courts are in urgent need to be done. The total cost to resurface all courts and replace net posts (which include collapsible winders to improve safety) is \$59,004 if done all at once. It would cost another \$6000 if we were to do them in 2 stages! Even more if done court by court!

In reference to your discussions and advice to our club through Sandy Kam, we write to propose the following:

The club's priority is to have all 4 tennis courts resealed at the same time. There are more benefits to doing all 4 courts at once rather than just 2, namely:

- a significant construction cost would be saved by doing all 4 tennis courts at one time;
- with all courts done, we are eligible for the Tennis Australia Court Rebate Scheme;
- the top courts are accessible to the community 24/7 and would be safer with the new surface in wet conditions for use all year round;
- it would increase the value and status of the Council's owned asset; and
- With the new court surface, the membership of the club should grow. This will enable us to commit and continue leasing the facility. Taking our club into the future as caretakers of a wonderful new & vibrant west end facility.

Our Proposal to Council:

- borrow the required residue from the council to complete the project by way of an interest-free loan of \$32,000;
- The loan amount includes an extra \$3000 for incidentals that may be required during works. This amount will be re-paid if not required;
- commit to minimum repayments of \$1000 per year, with further payments to be made when able; and
- We would like the option to provide a submission to council for them to allocate money to fund this project in the 2017/2018 budget; which would then discharge our club from the loan.

As works are due to commence within the next 4 – 8 weeks, ***we duly request your urgent consideration*** of our proposal and would welcome the opportunity to meet with you to discuss it further. I can be contacted on 0467 696 144.

We also attach financial records and some background details on the court surface chosen by our committee.

We thank you kindly for your consideration and look forward to hearing from you.

Kind regards

Barb Webb
On behalf of the Committee of Pax Hill Tennis Club Inc.

PROUD SPONSERS OF SAPP, SACCPA & SASPA

**Pax Hill Tennis Club
ATT: Sally Kirstine
Main st
Traralgon Vict**

**Advanced Sporting Surfaces SA
PO Box 2353
Port Adelaide
SA 5015**

March 29th 16

Ph: 0403282630

RE: RESTORATION AND UPGRADE OF HARD PLAY TENNIS AREA'S, ALL COATED WITH "SPORTSPAVE" TENNIS ACRYLIC SYSTEM. OPTION 2: RESTORATION, SUPPLY AND INSTALL "ADVANCED 29" 19MM SYNTHETIC GRASS TO AREA.

Dear Sally,

Further to our recent conversations and E-mails, please find work detail and quotation regarding the above as follows.

Brief report on existing facilities:

BASE: Asphaltic pavement weathered, stress cracks from tree root damage, slight depressions, bad bitumen seams and some reflective cracking from old oil based line-marking. The pavement in its present state is suitable for an Acrylic Multi-sport system and also an installation of Multi-sport Synthetic Grass system on completion of base preparation as documented. Synthetic grass will give you a softer option for play and no base movement ie: cracks will reflect through surface as it is a separate surface with a life span of approx. 15 years.

SCOPE OF WORKS:

BANK 1: Hard stand Tennis sports area.
Area: 35.00m x 33.00m =1155 m2 approximate.
Base: Stable, fair condition asphalt.

BANK 2: Hard stand Tennis sports area.
Area: 36.00m x 34.00m =1224 m2 approximate.
Base: Stable, fair condition asphalt.

Bank 1: (Approx 1155m2)

Work detail – Base preparation:

- Isolate and fill all depressions (birdbaths) exceeding 3mm in depth using Super Modifier sand and cement compound.
- “V” out all cracks exceeding 2mm in width and fill with “Flexible super M” waterproof, flexible crack filler.
- Scabble oil based lines that are breaking down surface with purpose built machine.
- Fill all bitumen seams and removed lines with “Super M”
- Tree root damage on outside of court and bad bitumen seams to be addressed with “Guardian” system as attached
- Grind all repairs to achieve a level consistent with surrounding base.
- Remove all dirt, dust and foreign matter from base using mechanical blowers.
- Apply one (1) coat of Resurfacer to complete area.
- Grind and blow area.

On completion of above:

Work detail - Guardian:

- Remove all dirt, dust and foreign matter from base using mechanical blowers
- Supply and lay to specs approx 50 metres of “Guardian” to cracked area’s on courts.
- Coat with Resurfacer to repaired area’s
- “Guardian” comes with a 2 year warranty.

THE ABOVE FOR THE SUM OF

Sub total: \$2,500.00
GST: \$ 250.00
Total: \$2,750.00

NOTE: “GUARDIAN” is supplied and layed for \$50 per lin metre and above is an estimate of area to be addressed.

On completion of above:

Work detail - Playing surface:

- Apply two (2) coats “Sportspave” high performance acrylic, Tennis surface to two (2) Tennis court centres.
- Apply two (2) coats “Sportspave” high performance acrylic, Tennis surface to two (2) Tennis court outsides.
- Apply sport line markings as selected. One (1) coat sealer and Two (2) coat line-marking system 2 x Tennis

BANK 1: THE ABOVE FOR THE SUM OF

Sub total: \$21,780.00
GST: \$ 2,178.00
Total: \$23,958.00

BANK 1: ALL THE ABOVE FOR THE SUM OF

Sub total: \$24,280.00
GST: \$ 2,428.00
Total: \$26,708.00

Suggested sports and colors

Tennis x 2 Deep green White line system
Outsides Terracotta/Forrest green
Or colors of choice

Bank 2: (Approx 1224m2)**Work detail – Base preparation:**

- Isolate and fill all depressions (birdbaths) exceeding 3mm in depth using Super Modifier sand and cement compound.
- “V” out all cracks exceeding 2mm in width and fill with “Flexible super M” waterproof, flexible crack filler.
- Scabble oil based lines that are breaking down surface with purpose built machine.
- Fill all bitumen seams and removed lines with “Super M”
- Tree root damage on outside of court and bad bitumen seams to be addressed with “Guardian” system as attached
- Grind all repairs to achieve a level consistent with surrounding base.
- Remove all dirt, dust and foreign matter from base using mechanical blowers.
- Apply one (1) coat of Resurfacer to complete area.
- Grind and blow area.

On completion of above:

Work detail - Guardian:

- Remove all dirt, dust and foreign matter from base using mechanical blowers
- Supply and lay to specs approx 50 metres of “Guardian” to cracked area’s on courts.
- Coat with Resurfacer to repaired area’s
- “Guardian” comes with a 2 year warranty.

THE ABOVE FOR THE SUM OF**Sub total: \$2,500.00**
GST: \$ 250.00
Total: \$2,750.00

NOTE: “GUARDIAN” is supplied and layed for \$50 per lin metre and above is an estimate of area to be addressed.

On completion of above:

Work detail - Playing surface:

- Apply two (2) coats “Sportspave” high performance acrylic, Tennis surface to two (2) Tennis court centres.
- Apply two (2) coats “Sportspave” high performance acrylic, Tennis surface to two (2) Tennis court outsides.
- Apply sport line markings as selected. One (1) coat sealer and Two (2) coat line-marking system 2 x Tennis

BANK 2: THE ABOVE FOR THE SUM OF**Sub total: \$23,080.00**
GST: \$ 2,308.00
Total: \$25,388.00**BANK 2: ALL THE ABOVE FOR THE SUM OF****Sub total: \$25,580.00**
GST: \$ 2,558.00
Total: \$28,138.00**Suggested sports and colors**

Tennis x 2 Deep green White line system
Outsides Terracotta/Forrest green
Or colors of choice

“Spotspave” features:

- ITF endorsed Tennis surface
- All-weather surface.
- Substantially reduces sporting injuries generally experienced on conventional hard court surfaces.
- Provides durable, anti-slip finish requiring minimum maintenance.
- Meets RH & S responsibilities.
- Excellent UV resistance.
- Cost effective alternative replacing stressed or damaged asphalted pavement.

WARRANTY: 5 years free from manufacturing defects – manufacturers warranty.
 3 years against faulty workmanship and or materials used.

LIFE EXPECTANCY: 8 – 10 years for normal activities.

WARRANTY EXCLUSION:

Crack repair, product and application to accepted industry standard as per manufacturer’s recommendations and specifications.

No guarantee is offered or implied against existing and or new cracks reflecting through the surface.

Sub-grade movement experienced during seasonal changes and or expansion and contraction of pavement cannot be calculated and may be in excess of the systems capabilities.

Your area on bad cracking will be addressed with the “Guardian” system which comes with a 2 year warranty.

OPTION 2: SYNTHETIC GRASS

Bank 1 & 2: (Approx 2379m2)

Work detail – Base preparation:

- Isolate and fill all depressions (birdbaths) exceeding 3mm in depth using Super Modifier sand and cement compound.
- “V” out all cracks exceeding 2mm in width and fill with “Flexible super M” waterproof, flexible crack filler.
- Fill all bitumen seams with Super M mixture.
- Tree root damage on outside of court to be grinded level and filled with Super M.
- Grind all repairs to achieve a level consistent with surrounding base.
- Remove all dirt, dust and foreign matter from base using mechanical blowers.

On completion of above:

Work detail – playing surface 2379M2.

- Supply and install “Advanced 29MM” Synthetic grass to 2379 m2 approximate.
- Grass to be installed free of creases and bubbles, joined on a 300mm wide tape using water-resistant outdoor synthetic grass adhesive.
- Supply and install permanent Tennis sport line systems as instructed.

On completion of above:

- Supply, spread and groom into surface pile, imported AFS40 grade washed and dried sand infill spread at a rate of 0.023 tonne per square metre.
- Clean up site and place all off cuts and spoils in a neat and tidy bundle, courts to be handed over in a “ready to play” condition.

Suggested sports and colors:

- Tennis x 4 Olive green field White line system

“Advanced 29” 19mm Synthetic grass features:

- All-weather surface.
- Durable long lasting.
- Low maintenance.
- Excellent UV resistance.
- Sure confident player footing.
- Less stress on muscles and joints.
- Reduces risk and extent of sports related injuries.
- Meets OH & S responsibilities.
- Aesthetically pleasing.

WARRANTY: 9 years free from manufacturing defects – manufacturers warranty.
 3 years against faulty workmanship and or materials used.

LIFE EXPECTANCY: 10 – 15 years for normal activities.

THE ABOVE FOR THE SUM OF:

Sub total: \$108,980.00
GST: \$ 10,898.00
Total: \$119,878.00

Maintenance

Good housekeeping only, removing stones, sticks and general debris using a backpack and or electric leaf blower.

REFERENCES

Elizabeth North Primary	Construction 2 x Synthetic Grass & Multi-sport
Le-Fevre Peninsular Primary	Multi-sport "Playpave/ Synthetic
Elizabeth North Primary	Multi-sport "Latexite"
Flinders View Primary	Multi-sport "Latexite"
Cabra college	Multi-sport "Fibreglass Playpave"
Riverland Christian College	Multi-sport "Latexite"
North Haven Primary School	Multisport "Playpave"
Pennington Primary School	Multisport "Playpave"
Mansfield Park Primary School	Multisport "Cushioned acrylic Playpave"
Marion Primary School	Indoor "Premier Court" Cushion
Challa Gardens Primary School	Basketball – Netball "Playpave"
Paradise Primary School	Netball " Fibreglass Playpave"
Salisbury North West schools	Multi-sport "Playpave"
Rosary Primary School	Multi-sport "Synthetic"
Bordertown Primary School	Multi-sport "Synthetic"
Maree Aboriginal	Multi-sport "Synthetic"
Cooper Pedy Area School	Multi-sport "Synthetic"
Mildura Netball	"Attack 2000" Playpave
Bordertown Primary School	Multi-sport "Synthetic"
Wirreanda High School	"Multi-sport" Playpave
Spalding Tennis Club	Tennis Playpave
Port Augusta Netball	"Attack 2000" Netball
Marleston Netball	"Attack 2000" Netball
Albury Netball	"Attack 2000" Netball
Mt Barker Indoor cricket	Synthetic Grass indoor
Trinity college indoor	Synthetic Grass indoor
Sydney Boys Grammar	Tennis Playpave
Eranabella Area School	Multi-Sport "Synthetic"
East Marden Primary School	Multi-sport "Playpave"
Monash Netball	"Attack 2000" Playpave
Kenmore Park school	Multi-sport "Synthetic"
Mount Gambier High school	Athletic tracks
Sailsbury Downs primary	Multi-sport "Playpave"
Culcairn Netball	"Attack 2000" Netball
Palinyewah Primary	Multi-sport "Synthetic"
Walbundrie Netball	"Attack 2000" Cushioned Netball Playpave
Henty Netball	"Attack 2000" Playpave
Seaford Primary school	Multi-sport "Playpave"
Woodville Primary School	Multi-sport "Playpave"
Wandana Primary School	Multi-sport "Synthetic"
Largs Bay Primary School	Multi-sport "Playpave" "Synthetic"
Reynella High School	Multi-sport "Playpave"
Monash Tennis Club	"Playpave" Tennis
Elizabeth North Primary	Construction 1 x extra Synthetic Multi-sport
Loxton Primary School	"Synthetic" multi-sport undercover area
Brighton Primary school	Multi-sport "Playpave"
Our Lady of Visitation	"Attack 2000" Multi-sport
Christian Border College	"Playpave Multi-sport
Parkside Primary School	"Playpave" Multi-sport
St Bridgits College	"Attack 2000" Multi-sport
St Johns College	"Attack 2000" Basketball/Netball

Glenunga International high	“Playpave” Multi-sport
Mt Gambier High School	“Playpave Multi-sport
Grant High School	Fibreglass “Playpave” Multisport
Pennington Pre primary	Fibreglass “Playpave” Multi-sport
Ridley Grove Primary	Cushioned Multi-sport “Playpave” system
Gilles Plains Primary	“Synthetic” Multi-sport
Eden Hills Primary	Multi-sport Synthetic grass
Brighton Secondary school	Constuction 4 x Beach Volleyball
Henty Public school	Multi-sport Synthetic
St Joseph’s Primary	Constuction Multi-sport Acrylic
Iryrmples Netball club	“Playpave” Attack 2000
Brighton Secondary School	“Playpave Attack 2000” Multi-sport Synthetic
William light School	Multi-sport Synthetic and Attack 2000
Wasleys Primary School	Multi-sport Synthetic
Whitefriars Catholic college	“Playpave Attack 2000”
Fulham gardens Primary	Multi-sport Synthetic and Attack 2000
Prominent Hill Sporting Fac	Sportgrass, Futsal, Tennis, Cricket, Surrounds
Morphetvale West Primary	Muti-sport “Playpave”
St Joseph Norwood	Multi-sport “Playpave”
St Joseph Memorial school	Multi-sport Synthetic + Softfall
Risdon Park Primary	Multi-sport Synthetic grass
Solomontown Primary School	Multi-sport Synthetic grass
John Pirie High School	Multi-sport Synthetic grass
Canberra Netball Assoc	Playpave “Attack 2000”
St Bridgits Catholic	Multi-sport Synthetic grass
Mypolonga Netball	“Attack 2000” Netball
Wentworth Netball	“Attack 2000” Netball
St Patricks Catholic	Multi-sport Synthetic grass
Georgetown Primary School	Multi-sport Synthetic grass
Anguston Sporting Club	Playpave “Attack 2000”
Whyalla High School	Multi-sport Synthetic grass
Pooncarrie Primary School	Constuction Multi-sport Synthetic grass
Berri Primary School	Undercover Multi-sport Synthetic
Salisbury Junior primary	Multi-sport Synthetic grass
Iryrmples primary school	“Attack 2000” Multi-sport
Loveday Primary School	Multi-sport Synthetic grass
Kyancutta Tennis/Netball	Fibreglass Acrylic system
Mypolonga Netball	“Attack 2000” Netball
Wentworth Netball	“Attack 2000” Netball
Lyndoch Sports Club	Playpave Fibreglass“Attack 2000”
St Josephs Renmark	Multi-sport Synthetic grass
Windsor Vacational College	Multi-sport Synthetic grass
Pinaroo Primary School	Multi-sport Synthetic grass
Kyncutta Tennis/Netball	Playpave Fibreglass“Attack 2000”
Xavier College	Playpave “Attack 2000”
Paringa Park Primary	Playpave fibreglass “Attack 2000”
Bainsdale Netball	Cushioned “Attack 2000”
Stansbury Primary School	Playpave “Attack 2000”
Cobdogla Netball Club	Playpave fibreglass“Attack 2000”
Cleve Sporting Association	Playpave fibreglass“Attack 2000”
Tabor Christian college	Constuction /fibreglass/ Synthetic
Murraylands College	Constuction/Fibreglass”Attack 2000”
Springton Tennis club	Synthetic grass Tennis x 2
Donald Primary School	Indoor Synthetic grass
Salisbury High School	Multi-sport Synthetic
Star of the sea	Fibreglass“Attack 2000” system
Whyalla High School	Multi-sport Synthetic grass
Le-fevre Primary School	COLA multi-sport Synthetic
Solomontown Primary	Multi-sport Synthetic
Hinke Primary School	Multi-sport Synthetic grass.

Cowandilla Primary School	COLA multi-sport Synthetic
St Alberts Primary	COLA multi-sport Synthetic
Edithburg Primary School	Playpave "Attack 2000"
Port Vincent Primary School	Playpave "Attack 2000"
Memorial Primary School	Multi-sport Synthetic grass
CBC St Kilda	Playpave "Attack 2000"
Craigmore Primary School	3x Multi-sport Synthetic & Construct
Aldinga Primary School	Multi-sport Synthetic & "Attack 2000"
Laura Primary school	Multi-sport Synthetic Grass
Laura Pre-school	Synthetic undercover area.
Maitland Area School	Multi-sport Synthetic grass
CBC St Kilda	Multi-sport "Attack 2000" Acrylic
Tarrington Lutheran school	Multi-sport "Attack 2000" Acrylic
St Josephs Ottaway	Multi-sport Synthetic Grass
Nicholson Primary School	Multi-sport Synthetic Grass
Littlehampton Primary school	Multi-sport Synthetic Grass
Nangawarry Primary School	COLA Multi-sport Synthetic
Terpeena Primary school	COLA Multi-sport Synthetic
Loxton North Primary	COLA Multi-sport Synthetic
Parafield Gardens	COLA Multi-sport Cushioned
Dudley united Netball	"Attack 2000" Netball
Kingscote Netball	"Attack 2000" Netball
Woodside Tennis Club	"Attack 2000" Netball/Tennis
Monash Primary school	COLA Multi-sport Synthetic
Glossop Primary school	COLA Multi-sport Synthetic
Spalding Primary school	COLA Multi-sport Synthetic
Waikerie primary school	Multi-sport Synthetic Grass
Salisbury North West Primary	Multi-sport Synthetic grass (2 Area's)
SACCA Cricket	Indoor Cricket Centre
Streaky Bay Sporting Club	"Attack 2000" Netball/Basketball/Tennis
Theile Primary School	COLA Multi-sport Synthetic
Keith Primary School	COLA Multi-sport Synthetic
Burc College	Multi-sport Synthetic grass
Orroro Primary School	Multi-sport Synthetic grass
Peterborough High School	Multi-sport Equipment
Nailsworth Primary School	Synthetic grass Volleyball
Munno-Para Primary School	COLA Multi-sport Synthetic
Westport Primary School	COLA Multi-sport Synthetic
Flinders Park School	"Attack 2000" Multi-sport Acrylic
Spalding Sporting Club	"Attack 2000" Netball/Basketball Acrylic
Keith Primary school	"Attack 2000" Netball/Basketball Acrylic
Glenelg Primary School	COLA Multi-sport Synthetic
St Augustines School	Multi-sport Synthetic grass
Rapid Bay Primary	COLA Multi-sport Synthetic
Port Elliot Netball	"Attack 2000" Netball
Warooka Primary school	PU SPORT INDOOR CUSHION
Beachwood Eco Tourist park	Multi-sport Synthetic grass
Linden Park Primary	Multi-sport Acrylic System
Birdsville Tennis Club	"Playpave" Tennis system
Yirara College	"Attack 2000" Multi-sport
Melville Island	"Attack 2000" Basketball
Rostrevor College	"Attack 2000" Multi-sport
Balaklava Sports centre	"Attack 2000" Multi-sport
St Columbas Yorketown	Multi-sport Synthetic grass
West Beach Primary	"Attack 2000" Multi-sport/Attack 2000
St John's College	"Attack 2000" fibreglass Multi-sport
Morphetvale Primary	Multi-sport Synthetic grass
Hackham West Primary	Rubber running track to oval
Port August High	"Attack 2000" fibreglass Multi-sport
Davenport Community	Multi-sport Synthetic grass

Marree Community	“Attack 2000” fibreglass Multi-sport
St Joseph’s Norwood	Multi-sport Synthetic grass.
Gawler Primary school	Multi-sport Synthetic grass
Arthurton Progress Assoc	-sport fiberglass system
Riverton Netball/Tennis	“Attack 2000” fibreglass Multi-sport
Burra Netball/Tennis	“Attack 2000” fibreglass Multi-sport
Griffith Netball	“Attack 2000” Netball system
CBC College	Multi-sport Synthetic grass
Peterborough Community courts	Multisport Synthetic/ Attack 2000
Orrorro Primary school	Multi-sport Synthetic grass
Marrara Christian College	Multi-sport Synthetic grass
Groote Eylandt	Multi-sport Synthetic grass
Gove/Nhulanbuy School	“Attack 2000” Multi-sport
St Peters Girls school	“Multi-sport” Acrylic
Moomba,Jackson, Tirrawarra, Dillangi	“Multi-sport” Acrylic
Farrell Flat Primary school	Multi-sport Synthetic grass
Morchar Tennis	Synthetic grass Tennis A29
St Pius Catholic school	Multi-sport Acrylic
Kellor Rd Primary school	Multi-sport Synthetic grass
St Pius Catholic	Multi-sport fibreglass Acrylic
Goulburn Island	Multi-sport Acrylic
Culcairn Netball	“Premier Court” Netball
Our Lady of Grace	Multi-sport Synthetic grass
Belair Primary	Multi-sport Synthetic grass
Mclaren Flat Primary	Multi-sport Synthetic grass
Tyndale Schools	COLA Multi-sport Acrylic
Eliston sporting Club	“Multi-sport” Acrylic
St Mary’s Memorial	“Multi-sport” Acrylic
Quorn sporting Complex	Full Construction “Multi-sport”
Whyalla Community Courts	Tennis/Basketball Multi-sport
Michelton State high School	Multi-sport area Synthetic
St Joseph Katherine	Multi-sport Acrylic
Virginia Primary School	Multi-sport Acrylic
Saltram Wines	Synthetic Tennis
Seaton Baptist Tennis	“Latexite” Tennis
Helmsdale Tennis	“Latexite” Tennis
Charlsten Netball/Tennis	“Multi-sport” Tennis Netball
Enfield Primary School	Multi-sport Acrylic
Seymor College	Multi-sport Acrylic
CBC College	Multi-sport Synthetic grass
Aquinas College	Construction Multi-sport
St Josephs Murray Bridge	Multi-sport Synthetic/Acrylic
St Marks School	Multi-sport Synthetic /Acrylic
Gulf View Heights	Multi-sport Synthetic grass
St Peters Girls College	Multi-sport Synthetic grass
Norwood Joslin Pk Tennis	Fibreglass/Guardian Acrylic
St Martin De porre Catholic	Fibreglass/Guardian Acrylic multi
Coolarenebri School	Multi-sport Acrylic
Kooniba Sporting complex	Multi-sport Acrylic
Hackham east school	Indoor sports hall
Le-fevre primary school	Multi-sport Acrylic
Stirling East primary	Multi-sport Acrylic
Minnipa Tennis netball	Multi-sport fiberglass
Scotch College	Multi-sport Synthetic
Tennison woods college	Multi-sport Acrylic
Gulf view Primary	Multi-sport Acrylic
Port Lincoln primary	Multi-sport Synthetic
Maitland Netball/Tennis	Multi-sport Acrylic
Temple College	Multi-sport Acrylic
Seaton high indoor	KDK Non directional Synthetic

Port Adelaide baseball	KDK Non directional Synthetic
Maitland Netball/Tennis	Multi-sport Acrylic
Temple College	Multi-sport Acrylic
Waikerie Primary School	Multi-sport Synthetic
McLaren Vale Primary	Multi-sport Acrylic
American River Progress	Multi-sport Synthetic
Bordertown Netball	Attack 2000 Netball
Yenda Primary School	Multi-Sport Synthetic
Mildura Netball	“Guardian System”
Glenunga International	Multi-sport Acrylic
Kapunda High school	Multi-sport Synthetic
Gilles St Primary school	Multi-sport Synthetic
Irymple Netball	“Attack 2000” Netball system
Scotch College junior	Multi-sport Synthetic
CBC College	Synthetic Area
Ceduna Netball/Tennis	Multi-sport Acrylic fib/Guard
Ernabella School	Multi-sport Synthetic
Salvation Army	Mini Basketball area
Pooraka Tennis	Tennis Courts Acrylic
Crossways Lutheran	Multi-sport Acrylic
East Para hills primary	Multi-sport Synthetic
Happy Valley Primary	Multi-sport Acrylic
United church Netball	“Attack 2000” netball
St Peters Girls	Multi-sport Acrylic
Sunrise Christian College	Multi-sport Acrylic
Unley Primary School	Multi-sport Synthetic
Solomontown primary	Passive Synthetic
Bethany College	Multi-sport Acrylic
Yankalilla Netball	Multi-sport Acrylic
Endevour College	Multi-sport Acrylic

Maintenance – Maintenance equipment

No special maintenance equipment required minimum maintenance only is necessary, removing sticks, stones and general s debris using a backpack or electric leaf blower.

Conditions

Power and water:	To be made available by client for duration of works.
Duration of works:	Area 1: will be 10 to 12 days weather permitting.
Insurances:	Certificate of Currency will be submitted on request.
Site safety:	Temporary barrier (Bollards / Bunting) haven’t been allowed for in this quotation.
Services:	To be isolated and clearly identified by others prior to commencement of works. Only applicable where new towers are to be installed.

Supervision on site: Mr. Shane Odonnell 0439836665
Sales / Delivery: Mr. Brett Arriola 0407 755502

Health hazard information

All materials submitted in this quotation are non-toxic and do not come under the classification of dangerous goods Classification 4.1 and are unlikely to cause any adverse health effects. **All products are Asbestos and Mercury free.**

Should you have any queries on any of the above or wish to discuss this quotation further, please do not hesitate to contact the undersigned or visit our web page www.advancedsporting.com.au

Hoping the above meets with your approval and look forward to your further advice.

Yours faithfully,
Brett Arriola
0407 755502



2MH CONSULTING ARE THE OFFICIAL FACILITY ADVISORY
SERVICE FOR TENNIS VICTORIA & NETBALL VICTORIA



PAX HILL TENNIS CLUB COURT FACILITY CONDITION & COMPLIANCE REPORT

Document No.

00007

Client / Site

Traralgon City Council

Location

7 Chenhall Crescent
Traralgon VIC 3844
Australia
(38.188309, 146.527969)

Auditor

Kellie Duff

Conducted on

5/11/2014 11:40 am

Centre Type

Small

Centre Purpose

Competition Facility

Personnel

Mark Haseatt, Kellie Duff

DISCLAIMER:


The assessors believe the information contained within this site inspection report to be correct at the time of printing. The assessors do not accept responsibility for any consequences arising from the use of the information herein. The report is based on matters which were observed or came to the attention of the assessors during the day of the assessment and should not be relied upon as an exhaustive record of all possible risks or hazards that may exist or potential improvements that can be made.

Information on the latest workers compensation and OHS / WHS laws can be found at the relevant State WorkCover / WorkSafe Authority.

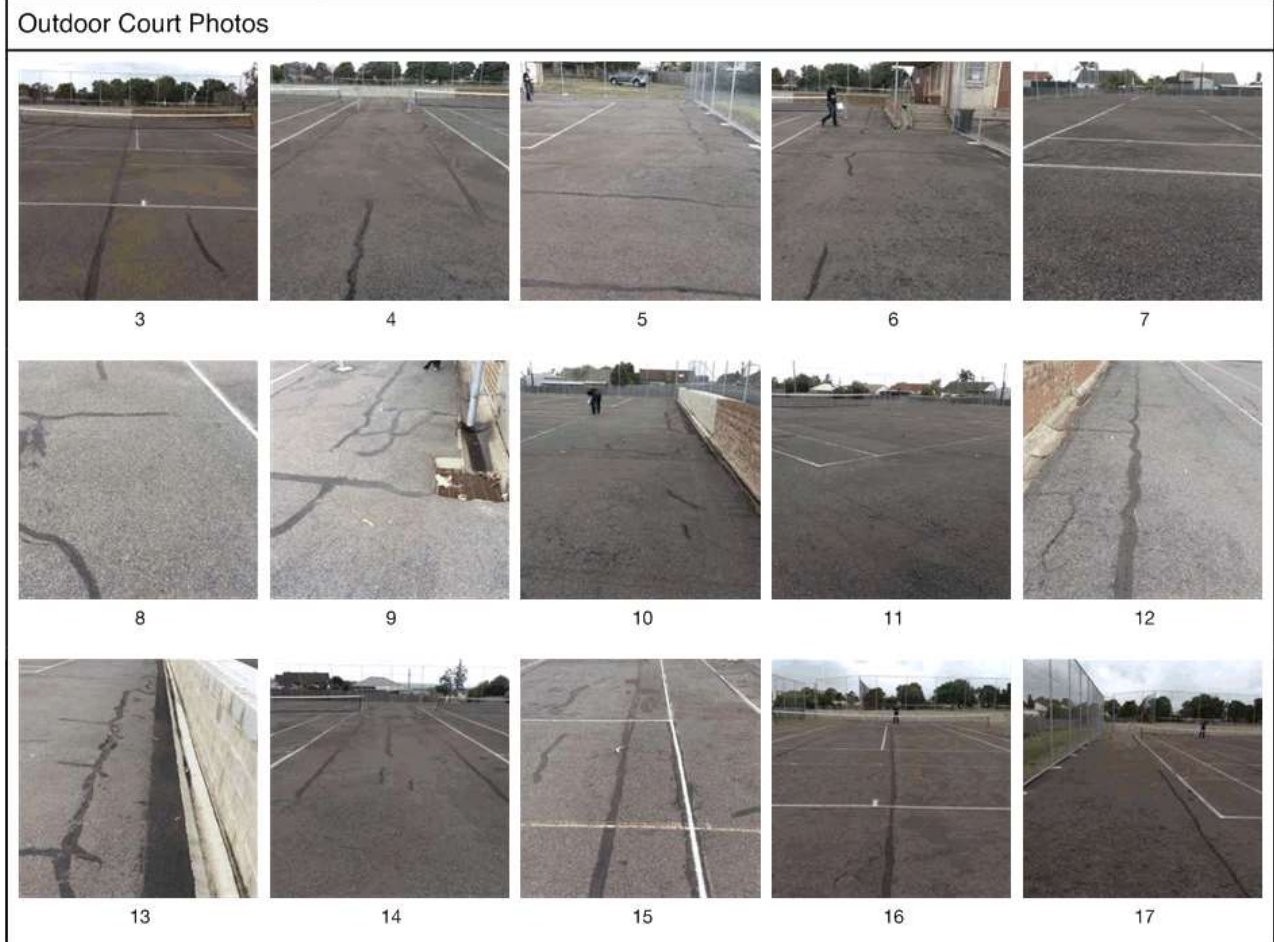
CONFIDENTIALITY STATEMENT:

The information contained within this document is confidential.

Audit

Total Number of Courts	4
Total Number of Enclosures/pavements	2
Total Number of Courts with Lights	0
Overall site photo(s)	
 <p style="text-align: center;">1 2</p>	
COURT CONDITION	
ENCLOSURE 1	
Total number of courts	2
Are they Indoor or Outdoor Courts?	Outdoor
Number of Outdoor Courts	2
Is this a Netball, Tennis or Basketball Court?	Tennis
Is this a multi-sport court(s)?	No
How is this court(s) orientated?	North/South (recommended)
Base type	Hot mix asphalt
Number of Asphalt base courts	2
Asphalt base condition rating	4 - Poor
Base Condition Issues	Cracking
Outdoor Court(s) surface	Asphalt
Surface Rating	4 - Poor

Court Surface Condition Issues	Major cracking, Ponding, Aged surface, Silt/dirt on surface, Poor perimeter drainage, Poor court drainage, Weed growth present
OUTDOOR COURT NOTATIONS	<p>These courts are aged with the asphalt in a deteriorated state. The pavement is raveling with a rough appearance and bare areas noted throughout. There is substantial cracking throughout the pavement. The majority of the cracks have been previously repaired with a black emolium product, however, they have reopened and many new cracks have appeared.</p> <p>There are a number of areas that have a dirty appearance where ponding occurs. These are likely to collect dirt and silt and become quite slippery. There is an open concrete spoonrain along the Southern and Western boundaries where water at the base of the retaining walls is collected. These fall to a grated inlet pit to the Northern end of the Western spoonrain. These are inside the court enclosure and the pit is inside the Western sideline run-off area of Court 1. The surrounding drainage is poor with no drainage infrastructure to support the Eastern and Northern boundaries. There is evidence to suggest that water sits in and around these areas. This is not ideal as water can migrate under the asphalt and undermine the base of the pavement.</p>
OUTDOOR COURT NOTATIONS CONTINUED	N/A





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Outdoor Court Photos

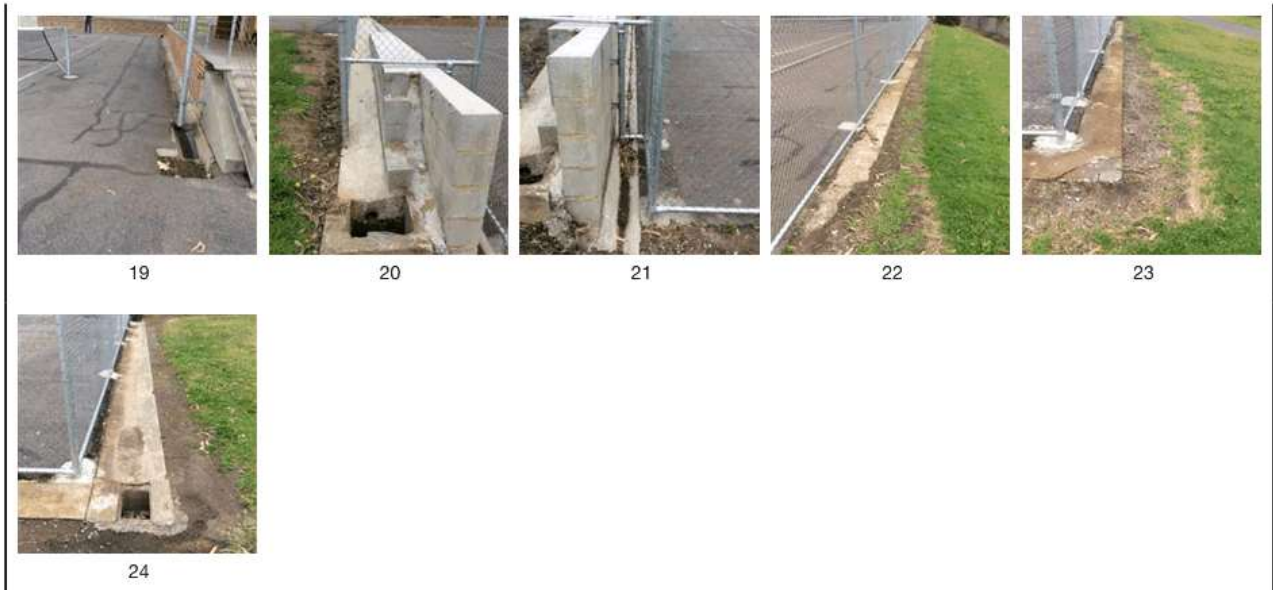
Linemarking Condition	Poor Quality (worn & unclear)
Overall condition rating	4 - Poor
Estimated life span remaining	3-5 years
Overall Court Condition Notations (if required)	N/A
Notations Continued	N/A

Additional court photos (if required)

DRAINAGE

Is the drainage infrastructure adequate?	No
Drainage Rating	4 - Poor
Drainage Type	Grated pit(s), Concrete spoon drains, Stormwater empties directly to area surrounding the pavement
Drainage Issues/ Condition	Major ponding evident, Dirt/silt evident on court surface
Drainage Notations	There is an open concrete spoon drain along the Southern and Western boundaries where water at the base of the retaining walls is collected. These fall to a grated inlet pit to the Northern end of the Western spoon drain. These are inside the court enclosure and the pit is inside the Western sideline run-off area of Court 1. The surrounding drainage is quite poor with no drainage infrastructure to support the Eastern and Northern boundaries. There is evidence to suggest that water sits in and around these areas. This is not ideal as water can migrate under the asphalt and undermine the base. In addition, there are two pits outside the enclosure being in the NW and SE corners. These do not have lids and pose a serious accessibility risk and trip hazard.

Drainage photos



COMPLIANCE (TO COMPETITION STANDARD)

Which courts are compliant?	0
Which courts are not compliant?	1, 2
Which run-offs are not compliant?	Baseline run-offs, Sideline run-offs
Could the court(s) be made compliant within the existing pavement footprint?	No
If yes, how?	
In which direction does this pavement need to grow to accommodate compliant court(s)?	North/South
Is there adequate space surrounding the enclosure to make the court(s) compliant?	Yes
What obstacles are within the required run-off areas?	None
Could the courts be made compliant by removing obstacles from the run-offs?	No
If yes, how?	

<p>Are the court dimensions compliant?</p>	<p>No</p>
<p>COURT COMPLIANCE NOTES</p>	<p>These courts are not compliant with inadequate run-off distances and court dimensions. The existing pavement size is ; 32697mm N/S (length) x 32772mm E/W (width) Enclosure size required for 2 compliant tennis courts is; 34730mm N/S x 31700mm E/W</p> <p>Therefore, this pavement needs to grow 2033mm N/S (length) to accommodate 2 compliant tennis courts. There is 1072mm excess space E/W (width). In saying this, it is important to note that the Eastern and Western sideline run-off areas are non compliant as the Western pit encroaches the required run-off zone by 90mm and the Eastern fence footings by 6mm. Either the courts need to be shuffled/reset slightly to take up some of the in between court excess run-off space or the pit and the fence footings are remodelled/resurfaced to be the same as the surrounding court and run-off areas or the courts are remarked to have compliant court dimensions which would alleviate the issue.</p> <p>The court dimensions are also non-compliant to current standards (23770mm x 10970mm), being; Court 1 - 23861mm (91mm too long) x 11063mm (93mm too wide). Court 2 - 23838mm (68mm too long) x 11050mm (80mm too wide). These should be addressed when re-linemarking/redeveloping.</p> <ul style="list-style-type: none"> • 'Current standards' refer to the recommended and minimum dimensions and run-offs of a tennis court set by the International Tennis Federation's (ITF) Rules of Tennis (Dimension guide is attached). It is recommended that the club/council liaise with Tennis Victoria for all future planning of this facility • The Current Standards recommend that the court surface and the run-offs are of the same surface type, without change of level or obstruction. A minimum of 3050mm obstacle free, level and consistent surface is required to each sideline, 5480mm to each baseline and 3660mm between courts for tennis. hir

Compliance Photos



LIGHTING

<p>Is there Lighting?</p>	<p>No</p>
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ACCESSIBILITY

Is this court enclosure's accessibility adequate?	No
Accessibility Rating	4 - Poor
Accessibility Issues	Trip hazards identified, No path connection b/w Courts and Carpark area, Step in/on to pavement area
Main access gate dimensions	950mm wide gate opening.
Accessibility Notations	The main access point is through the clubhouse. There is a flight of six steps connecting the courts to the clubhouse. There are no accessible entry points. There is a pedestrian gate in the NE corner of the enclosure, however, there is no connecting path.

Accessibility Photos



28

SUPPORTING INFRASTRUCTURE

Fencing type	Galvanised steel chainmesh fencing, High , With top & bottom rails
Fence height	3.6m +
Fence rating	1 - Very Good

Fencing Photos



29



30



31






32



33

	The fencing infrastructure appears as new. There is a small section of fencing in the SW corners that is lower (under 3m) and aged. The concrete footings create a compliance issue as they are a different surface type to that of the surrounding courts and is noted in the compliance section of this report.
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Is there Tennis Court supporting infrastructure?	Yes
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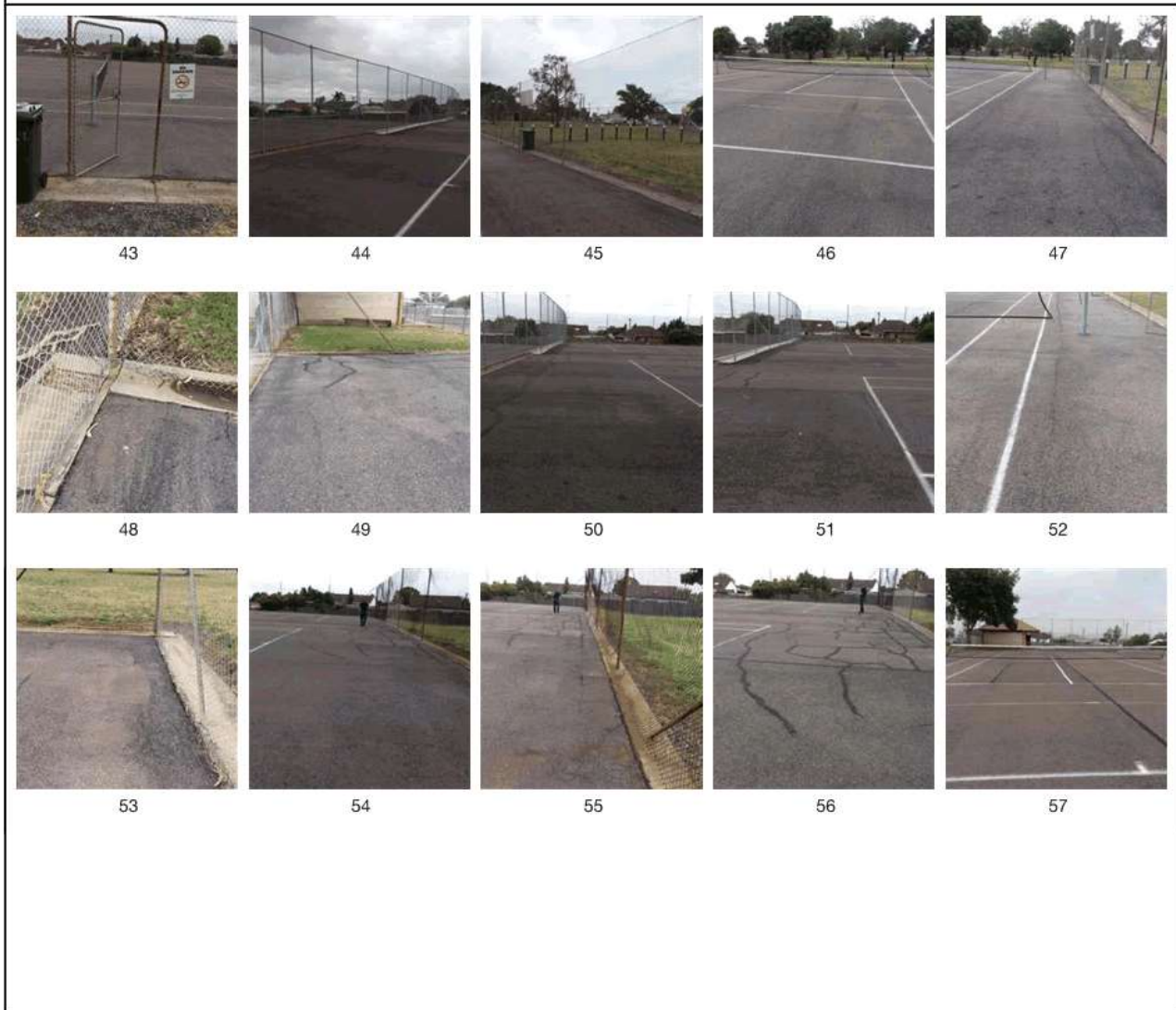
Net post type	Painted old style round galv posts, With fixed winders, Leaning, Foundations cracked, Foundations heaving
Net post rating	4 - Poor
Net post notations	The foundations are raised and damaged.
Net post photos	
 <p>34 35 36 37 38</p>  <p>39 40</p>	
Net type	3/4 drop net(s), Tethered to the net posts, No centre net strap fitted
Net condition rating	3 - Moderate
Net notations	The net on Court 2 has minor damage with the bottom tape not present.
Net Photos	
 <p>41 42</p>	
Overall infrastructure rating	3 - Moderate
Is there Netball supporting infrastructure?	No
Is there another enclosure?	Yes
COURT CONDITION	

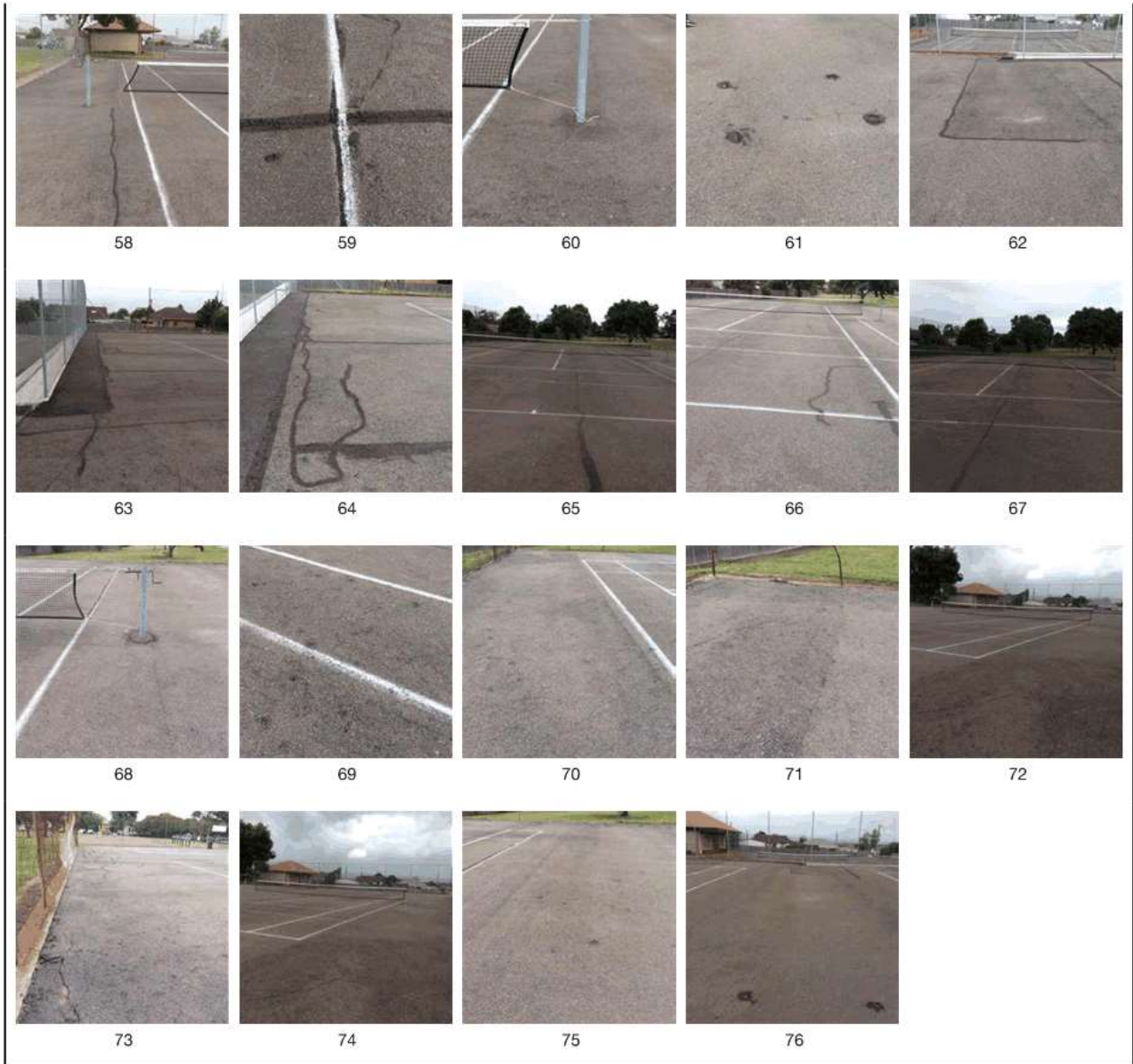
ENCLOSURE 2	
Total number of courts	2
Are they Indoor or Outdoor Courts?	Outdoor
Outdoor Court	<input checked="" type="checkbox"/>
Number of Outdoor Courts	2
Is this a Netball, Tennis or Basketball Court?	Tennis
Is this a multi-sport court(s)?	No
How is this court(s) orientated?	North/South (recommended)
Base type	Hot mix asphalt
Number of Asphalt base courts	2
Asphalt base condition rating	4 - Poor
Base Condition Issues	Base undermined, Collapsed pavement, Cracking, Ponding, Poor surrounding drainage
Outdoor Court(s) surface	Asphalt
Surface Rating	4 - Poor
Court Surface Condition Issues	Cracking, Ponding, Aged surface, Silt/dirt on surface, Dirt/silt in low areas, Algae present , Poor perimeter drainage, Collapsed pavement
OUTDOOR COURT NOTATIONS	<p>These courts are in a similar condition to Courts 1&2 being aged with the asphalt in a deteriorated state. The pavement is raveling with a rough appearance and bare areas noted throughout.</p> <p>There is substantial cracking throughout the pavement. The majority of the cracks and damaged pavement areas have been previously repaired with a black emolium product, however, many have reopened and new cracks have appeared.</p> <p>The Southern baseline end is in a particularly bad condition with major cracking, pavement damage and collapsed pavement evident.</p> <p>This poor condition is likely to be attributed to a combination of poor perimeter drainage, poor base compaction and/or base movement.</p> <p>There are a number of areas that have a dirty appearance where ponding occurs. These are likely to collect dirt and silt and become quite slippery.</p> <p>There is a concrete spoonrain along the Southern and Western boundaries where water falls to a grated inlet pit in the NW corner outside the enclosure. The surrounding drainage is poor with no drainage</p>

infrastructure to support the Eastern and Northern boundaries. There is evidence to suggest that water sits in and around these areas. This is not ideal as water can migrate under the asphalt and undermine the base. The spoonrain along the Northern boundary falls to the NE corner grated inlet pit outside the enclosure, however, there is no spoonrain along the Eastern boundary. As a result, stormwater being directed to this corner spills out over land and tries to make its own way to the pit. This has created erosion along the southern side of the spoonrain outlet and is likely to undermine the retaining wall structure over time. Installing a section of spoonrain along the Eastern boundary that connects into the Southern spoonrain would alleviate this issue. The supporting structures such as the fencing and the net posts are in a poor condition.


OUTDOOR COURT NOTATIONS CONTINUED N/A

Outdoor Court Photos











Outdoor Court Photos	
Linemarking Condition	Poor Quality (worn & unclear)
Overall condition rating	4 - Poor
Estimated life span remaining	1-3 years
Overall Court Condition Notations (if required)	N/A
Notations Continued	N/A
Additional court photos (if required)	
DRAINAGE	

Is the drainage infrastructure adequate?	No
Drainage Rating	4 - Poor
Drainage Type	Concrete spoon-drains
Drainage Issues/Condition	Minor ponding evident , Dirt/silt evident on court surface
Drainage Notations	<p>There is a concrete spoon-drain along the Southern and Western boundaries where water falls to a grated inlet pit in the NW corner outside the enclosure. The surrounding drainage is poor with no drainage infrastructure to support the Eastern and Northern boundaries. There is evidence to suggest that water sits in and around these areas. This is not ideal as water can migrate under the asphalt and undermine the base.</p> <p>The spoon-drain along the Northern boundary falls to the NE corner grated inlet pit outside the enclosure, however, there is no spoon-drain along the Eastern boundary. As a result, stormwater being directed to this corner spills out over land and tries to make its own way to the pit. This has created erosion along the southern side of the spoon-drain outlet and is likely to undermine the retaining wall structure over time. Installing a section of spoon-drain along the Eastern boundary that connects into the Southern spoon-drain would alleviate this issue.</p>
Drainage photos	
 <div style="display: flex; justify-content: space-around; margin-top: 5px;"> 77 78 </div>	
COMPLIANCE (TO COMPETITION STANDARD)	
Which courts are compliant?	0
Which courts are not compliant?	1, 2
Which run-offs are not compliant?	Baseline run-offs
Could the court(s) be made compliant within the existing pavement footprint?	No
If yes, how?	

In which direction does this pavement need to grow to accommodate compliant court(s)?	North/South
Is there adequate space surrounding the enclosure to make the court(s) compliant?	Yes
What obstacles are within the required run-off areas?	None
Could the courts be made compliant by removing obstacles from the run-offs?	No
If yes, how?	
Are the court dimensions compliant?	Yes
COURT COMPLIANCE NOTES	<p>These courts are not compliant with inadequate run-off distances and court dimensions.</p> <p>The existing pavement size is ; 34663mm N/S (length) x 35733mm E/W (width) Enclosure size required for 2 compliant tennis courts is; 34730mm N/S x 31700mm E/W</p> <p>Therefore, this pavement needs to grow 67mm N/S (length) to accommodate 2 compliant tennis courts. There is 4033mm excess space E/W (width). In saying this, it is important to note that N/S dimensions are from fence to fence, the baseline run-off areas are shortened further (approx. 200mm) due to the plinths and spoon drains being a different surface type to that of the asphalt courts and therefore cannot be included as useable run-off space. All plinth and drainage infrastructure works are to be placed outside of the required minimum run-off areas.</p> <p>The court dimensions are also non-compliant to current standards (23770mm x 10970mm), being; Court 3 - 23863mm (93mm too long) x 11021mm (51mm too wide). Court 4 - 23821mm (51mm too long) x 11003mm (33mm too wide). These should be addressed when re-linemarking/redeveloping.</p> <ul style="list-style-type: none"> • 'Current standards' refer to the recommended and minimum dimensions and run-offs of a tennis court set by the International Tennis Federation's (ITF) Rules of Tennis (Dimension guide is attached). It is recommended that the club/council liaise with Tennis Victoria for all future planning of this facility • The Current Standards recommend that the court surface and the run-offs are of the same surface type, without change of level or obstruction. A minimum of 3050mm obstacle free, level and consistent surface is required to each sideline, 5480mm to each baseline and 3660mm between courts for tennis. hir

Compliance Photos				
LIGHTING				
Is there Lighting?	No			
ACCESSIBILITY				
Is this court enclosure's accessibility adequate?	No			
Accessibility Rating	4 - Poor			
Accessibility Issues	Trip hazards identified, Inadequate path network, No path connection b/w Courts and Carpark area, No path connection between clubhouse and courts			
Main access gate dimensions	1040mm wide gate opening.			
Accessibility Notations	Access from the clubhouse to these courts is via a grass verge. There is a small steel ramp connection to the clubhouse decking, this is fixed well, however, it is unlikely to be within DDA requirements. There is also a concrete pad at the SE pedestrian gate threshold. This does not finish flat at either the clubhouse or court pavement side, creating trip points. There is a secondary access gate through the Western boundary pedestrian gate, however, there is no path connection.			
Accessibility Photos				
				
79	80	81	82	83
				
84				
SUPPORTING INFRASTRUCTURE				
Fencing type	Galvanised steel chainmesh fencing, High , Without top & bottom rails			
Fence height	3m to 3.5m			
Fence rating	5 - Very Poor			

Fencing Photos	
	
	
	
	
	
	<p>The Northern fenceline between the two court enclosures is in an as new condition, however, the other three boundaries are rusty, damaged and in a very poor condition. The Eastern boundary is in a decrepit state with large timber supports in place to prevent it from falling down. The base is curling and there are numerous leaning posts. The mesh and the posts are very rusted and slack.</p>
Is there Tennis Court supporting infrastructure?	Yes
Net post type	Painted old style round galv posts, With fixed winders, Leaning, Foundations cracked
Net post rating	3 - Moderate
Net post notations	The posts are painted a light blue colour. The foundations are cracked, however, they do not create trip hazards.
Net post photos	
	
	
	

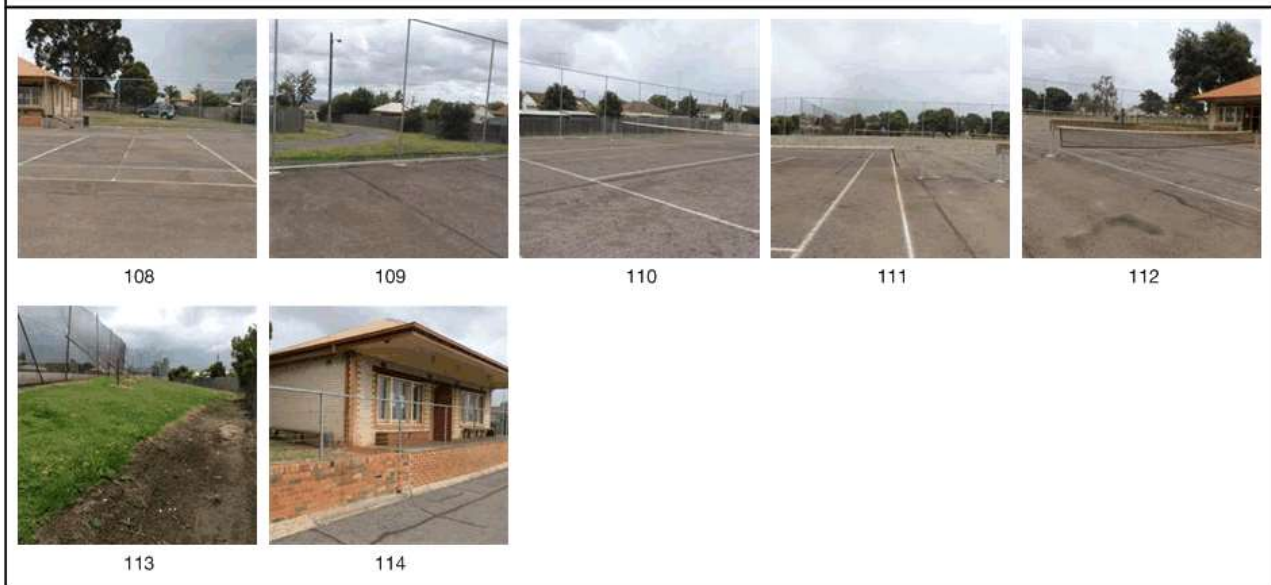
 <p style="text-align: center;">100</p>	
Net type	3/4 drop net(s), Tethered to the net posts, No centre net strap fitted
Net condition rating	2 - Good
Net notations	
Net Photos	
  <p style="display: flex; justify-content: space-around;"> 101 102 </p>	
Overall infrastructure rating	4 - Poor
Is there Netball supporting infrastructure?	No
Is there another enclosure?	No
Is there another enclosure?	No
CLUBHOUSE	
Does the facility have a clubhouse?	Yes
Clubhouse size	Small
Was the clubhouse inspected?	No
Clubhouse notations	The clubhouse sits to the West of Court 1. It is raised and offers good spectator viewing to the Court 1 and 2 enclosure. There is a flight of steps linking the clubhouse to the courts and another two steps to the carpark. There are no path linkages to the carpark or other tennis court enclosure.
Clubhouse photos	



COURT SURROUNDS & CARPARKING

Court surrounds / Adjacent land comments	The surrounding grounds were green and lush. There is a large open earthen swale to the East of the facility, open parkland to the South, playground, carpark and childcare centre to the West and residential housing to the North.
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Court Surrounds Photos



Water availability	unknown
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Water Related photos

Car parking details / Paths / Accessible	not linemarked, No disabled carparks provided, Dedicated carparking to the facility , No security lighting to carpark, No Paths present, Not accessible
Off-Street Spaces	21-40 spaces
On-Street Spaces	0-20 spaces
Overflow Spaces	No overflow spaces
Carparking Notations	The carpark is designated for tennis club and playground use. It is unmade, however it is a good size for this facility.

Carparking Photos



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RECOMMENDATIONS - MAINTENANCE

Surface maintenance issues requiring immediate attention and ongoing monitoring	Remove/treat algae, Remove dirt/high pressure clean
Drainage maintenance issue(s) requiring immediate attention and ongoing monitoring.	Reshape earthen swales to enable efficient water movement/outfall
Supporting infrastructure maintenance issue(s) requiring immediate attention and ongoing monitoring.	Repair damaged fencing, Repair net(s)
Lighting maintenance issue(s) requiring immediate attention and ongoing monitoring.	N/A
Court surrounds & grounds maintenance issue(s) requiring immediate attention and ongoing monitoring.	Continue with regular grounds maintenance
Maintenance Works Recommendations Notations	These courts require regular maintenance to increase the courts playability and maximise the surface/pavements lifespan. Without regular maintenance the courts will become unsafe and develop further problems and deteriorate prematurely. These courts require a reconstruction. At this time a maintenance program supported by accurate budget forecasting should help to provide guidance and address issues before they become costly. Any court construction company should provide a maintenance manual upon project completion.

RECOMMENDATIONS - CAPITAL WORKS

What degree of works are required?	Reconstruction
If yes, why?	The drainage pit lids are missing from the pits in the NW and SE corners of Enclosure 1. These create significant hazards. The structural integrity of the fencing in Enclosure 2 is an issue and should be monitored closely. Replacement is necessary.
Risk photos	



Capital Works
Recommendations
Notations

As noted these courts will continue to deteriorate and require significant ongoing funds to repair. Any repair works will be short lived - this is already evident with the cracks reopening where they have been previously repaired. This is because the undermined base and poor perimeter drainage will continue to deteriorate the pavement.

In the short term these courts are playable, however, Courts 3 & 4 should be continually monitored for deterioration as the collapsed pavement and severe cracking along the Southern baseline run-off area is of concern. Due to the courts age, noted pavement failures and significant previous repair works evident, it is recommended that funds in future budgets are set aside to allow a full reconstruction in the medium to long term. However, it is unlikely that immediate funds on this scale are readily available so to ensure the courts remain playable until a reconstruction is possible, the following works are recommended;

Short Term:

- Address the maintenance issues identified above in the 'maintenance recommendations' section.
- Engage a professional court cleaning company to treat the court for algal growth and thoroughly clean the courts to reduce the slip hazards.
- Repair the open cracks to prevent heaving and trip hazards and reduce the rate of deterioration (dependant upon timeframes for reconstruction).
- Address the main drainage issues to allow water to drain efficiently away from the pavement areas. In particular, the erosion caused by poor drainage in the NE corner of the Court 3&4 enclosure should be addressed. A concrete spoonrain installed approx ten metres up the Eastern boundary and connected to the existing Northern spoonrain would greatly relieve the issue.
- Install pit lids to the open pits on the NW and SE corners of the Court 1&2 enclosure to prevent risk to pedestrians.
- Address the immediate access issues between the clubhouse and the Court 3&4 enclosures internal access way. There are a number of other access issues, ramps and paths required, these should be addressed as part of the overall redevelopment recommendations below.
- Remodel the pit that encroaches on Court 1's Western sideline run-off so that it no longer poses a compliance issue or trip hazard.
- Continue to assess the condition of the courts to ensure they are safe to play.
- Continue to assess the integrity and safety of the fencing in the Court

3&4 enclosure to ensure it does not pose a hazard or risk to player and pedestrian safety.

Medium- Long Term:

To achieve a desirable long term outcome a full reconstruction of the existing pavements is recommended. A sound planning process should be followed. The following design considerations for a full reconstruction at this facility are recommended;

- Engage an industry expert to develop a concept plan to ensure compliance and access issues are remedied.
- Ensure appropriate investigations are undertaken such as soil testing, feature survey, title survey, concept plans & engineering advice.
- Ensure court works are independently detailed designed to ensure all facets of the facility upgrade are considered, including compliance to minimum ITF standards for court dimensions and run-offs. Soil type and existing drainage and pavement failures at this site should be considered in any redesign work.
- Include redesign of retaining walls. Ensure drainage behind and at the base of the retaining wall is considered.
- Address drainage to ensure adequate fall (1:100) diagonally across the courts is achieved. This should fall to a formed drainage system to allow storm water to outfall efficiently from the enclosure. Ensure all drainage infrastructure is outside of the required minimum run-off zones, preferably outside of the enclosure.
- Ensure the perimeter drainage is also designed to allow stormwater to drain efficiently away from the pavement areas to protect the base and sub-base of the new pavement from moisture changes.
- When line marking, ensure all dimensions and run-offs are compliant with the current Standards for Club competition (see attached Dimensions Guide).
- Replace net posts with new square black powder coated net posts with collapsible handles and install new nets and centre net straps.
- Replace fencing with 3.6m high black powder coated chainmesh fencing with top and bottom rails to AS1725.2-2010.
- Address accessibility throughout the site, including the provision of path connections between the tennis courts, carparking and clubhouse. Ensure DDA requirements are considered.
- Tree root barriers should be installed to all boundaries where future planting may occur within 10-15m of the fencelines to ensure root damage is not an issue in the future. Avoid planting near courts as moisture variations and tree root invasion in the subgrade around and under the pavement can cause significant damage to the courts.
- The courts should be routinely maintained following the contractors maintenance manual provided once works are completed including the consistent removal of algae, dirt and leaf litter as it collects.
- If lighting is considered with the redevelopment, ensure the lighting infrastructure is installed outside the required run-off areas and follows current standards for sports lighting standard AS2560.2.1. If additional

	<p>sports (outside of tennis) are considered ensure all sports standards are adhered to, as lux and uniformity requirements differ between the different sporting codes.</p> <ul style="list-style-type: none"> - Liaise with Tennis Victoria from the project scoping stage through to the construction stages and project completion. <ul style="list-style-type: none"> • ‘Current standards’ refer to the recommended and minimum dimensions and run-offs of a tennis court set by the International Tennis Federation’s (ITF) Rules of Tennis (Dimension guide is attached). • The Current Standards recommend that the court surface and the run-offs are of the same surface type, without change of level or obstruction.
<p>Recommendations continued</p>	<p>N/A</p>
<p>Recommendations continued</p>	<p>N/A</p>
<p>Additional site photos (if required)</p>	
<p>Site map</p>	
<p>Additional Information</p>	<p>N/A</p>

ENNIS COURT COST ESTIMATES: RECONSTRUCTION, PROJECT MANAGEMENT AND CONTINGENCY



Site: Pax Hill Tennis Club

Date of Estimate: 15/12/14

NUMBER OF TENNIS COURTS: **4** (two enclosures)

Rates current @ August 2014

Dimensions based on Recommended ITF (Club/Recreation) minimum court run-off standards. (Tennis Australia 2013)					
	Unit of Measurement	QTY	RATE	Concrete Base Pavement Rates	Asphalt Base Pavement Rates
Excavate footprint for new courts for total area allowed. (Clean soil assumed)	Metre ²	2667	\$ 17.50	\$46,672.50	\$46,672.50
Allowance for existing infrastructure demolition - fencing, asphalt, drainage etc.	allow	1	\$ 4,000.00	\$4,000.00	\$4,000.00
Allow 300mm deep crushed rock base layers, supply and compact for total area allowed.	Metre ²	2667	\$ 46.00	\$122,682.00	\$122,682.00
Grade surrounds allowance.	allow	1	\$ 5,000.00	\$5,000.00	\$5,000.00
Tree Removal	allow	1	\$ 1,500.00	\$1,500.00	\$1,500.00
Construct a 140mm thick concrete slab for a total area allowed	Metre ²	2232	\$ 100.00	\$223,200.00	NA
Construct a 30mm thick asphalt surface for total area allowed.	Metre ²	2232	\$ 22.00	NA	\$49,104.00
Concrete edge strip construction.	Lineal Metre	103.41	\$ 80.00	\$8,272.80	\$8,272.80
Concrete spoonrain construction.	Lineal Metre	103.14	\$ 80.00	\$8,251.20	\$8,251.20
Tree root barriers	allow	120	\$ 57.00	\$6,840.00	\$6,840.00
Drainage and connections with 600mm x 600mm concrete pits	allow	1	\$ 10,000.00	\$10,000.00	\$10,000.00
Install black PVC coated chain mesh with top and bottom rails. 1 x Double access & 2 x Pedestrian access gate allowance included	Lineal Metre	240	\$ 115.00	\$27,600.00	\$27,600.00
Court infrastructure - sets of nets, posts and anchor joints	Sets	4	\$ 1,500.00	\$6,000.00	\$6,000.00
Address Access including ramps & path connections between courts, clubhouse & carpark.	Metre ²	1	\$ 25,000.00	\$25,000.00	\$25,000.00
Retaining wall allowance including engineering design and permits - with associated landscaping for finishing works	allow	1	\$ 30,000.00	\$30,000.00	\$30,000.00
2MH Consulting Design	allow	1	\$ 30,000.00	\$30,000.00	\$30,000.00
Total Project Cost: No surface treatment (N/A for concrete base option)					\$380,922.50
Total Project Cost - with 10% contingency (N/A for concrete base option)					\$419,014.75
SURFACE OPTION 1					
Surfacing works - Basic non-cushioned acrylic (optional if an asphalt base is constructed)	Metre ²	2142	\$ 16.00	\$34,272.00	\$34,272.00
Total Project Cost: Basic non-cushioned acrylic				\$555,018.50	\$415,194.50
Total Project Cost - Basic non-cushioned Acrylic with 10% contingency:				\$610,520.35	\$456,713.95
SURFACE OPTION 2					

Notes:

-) Please note that 2MH Consulting is not a Quantity Surveyor. Cost estimates given by us are opinions of cost only and are based on historical data and our experience with similar projects.
-) Actual tender costs may vary markedly, depending on market conditions at the time of tender.
-) Asphalt option is shown above, however, a geotechnical investigation which forms part of the design process may preclude this option. An acrylic surface option is provided as this would be required if a concrete base is needed as a result of the geotech report.
-) Court and enclosure dimensions are based on the minimum recommended Club/Rec Level requirements outlined in Table 2 (Column 1) Page 14 of the Tennis Australia National Tennis Facility Planning and Development Guide.
-) No allowance included for clubhouse/pavilion works, shade structures, drinking fountains, seating, landscaping.
-) No allowance has been made for re-vegetation or offsets.
-) Lighting has not been included in these cost estimates, however, they can be provided upon request.
-) If a concrete base is required, we recommend installing a cushioned acrylic system. Cost estimates for this can be provided upon request.

From: Jamey Mullen
Sent: Monday, 30 May 2016 2:11 PM
To: 'kirstine.sally.b@edumail.vic.gov.au'
Cc: Karen Tsebelis (Karen.Tsebelis@latrobe.vic.gov.au); Kevan Delaney; Simon Clark; Gary Van Driel
Subject: Pax Hill Tennis Club

Good afternoon Sally, I wish to confirm our earlier conversation in regards to the Pax Hill Tennis Club.

Council Officers met with representatives of the Pax Hill Tennis Club on the 19 May 2016, in regards to the proposed sealing of the four tennis courts and to inspect the toilet facilities.

As you explained the club had raised \$30K towards resealing the four courts at the venue (total project cost approx. \$55K). Further to this the club also asked if Council could fund the \$25K shortfall? In regards to this your request has been considered and I wish to advise the following.

The Club has sufficient funds to complete two of the four courts, which Council would encourage you to do. The resealed two bottom courts could then monitored over the 2016/17 financial year to determine if it is successful or not before making a submission to the 2017/18 Council budget to fund the remaining two courts. This trial will give officers some solid evidence to include in the budget justification. As advised, there are no guarantees that funding will be allocated, as each budget submission is dealt with on its merits.

In regards to the toilet facilities I wish to advise that the maintenance team are undertaking an assessment and will provide further information on potential works that could be undertaken to improve the amenity of the facilities.

Sorry that this information is probably not what you wanted to hear, however I am sure you understand there are many projects already in the system to be funded.

In closing, I wish to congratulate your club for raising the funds for the two courts and hope the trial succeeds.

If you have any queries in regards to the above, please do not hesitate to contact me.

Regards

Jamey Mullen

**Acting General Manager Infrastructure & Recreation
Latrobe City Council**

<mailto:Jamey.Mullen@latrobe.vic.gov.au>

Direct: 03 5128 5629
Mobile: 0408 523 747
Fax: (03) 5128 5672

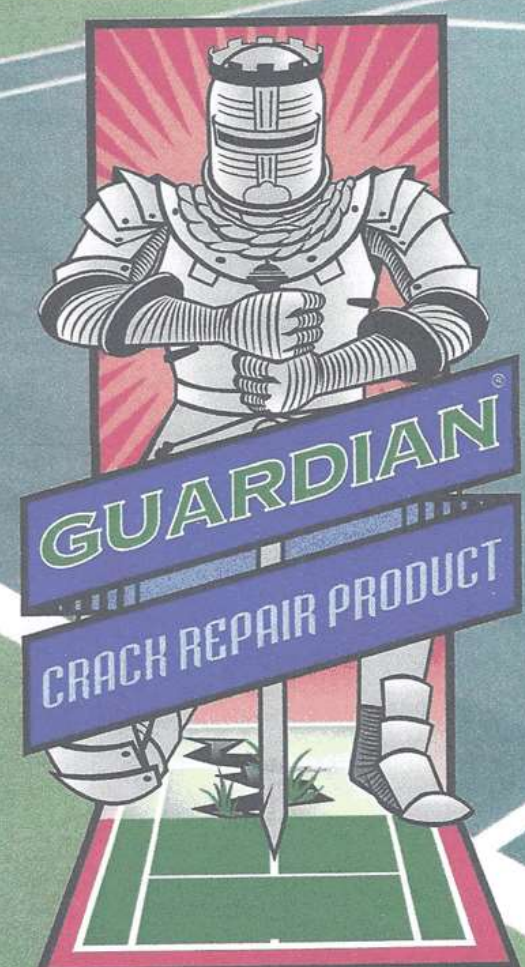
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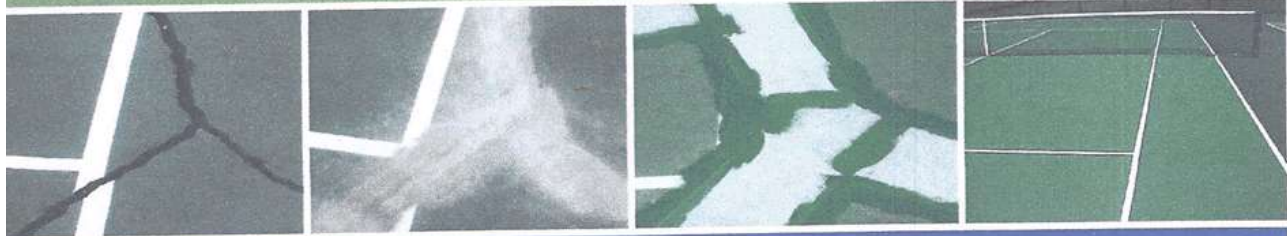


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**LEADING THE INDUSTRY
WITH SUCCESSFUL
INSTALLATIONS THROUGHOUT
THE U.S.**

US Patent No. 7,168,887 B1
US Patent No. 7,396,185 B1



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*The terms of the two-year warranty are set forth in the **GUARDIAN®** Product Warranty, which is available upon request to Guardian Crack Repair Products, LLC.



US Patent No. 7,168,887 B1
US Patent No. 7,396,185 B1



Before



After

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**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)**

**15.2 BICKERTON ROAD AND RIGGAL ROAD GLENGARRY NORTH -
SPECIAL CHARGE SCHEME**

General Manager

Infrastructure and Recreation

For Decision

PURPOSE

This report seeks Council's endorsement to advertise and give Notice of Council's Intention to Declare a Special Charge Scheme to construct a sealed roadway surface on parts of Bickertons Road and Riggall Road, Glengarry North in accordance with Section 163 of the *Local Government Act 1989* and the Council's Contributory Scheme Policy 13 POL-2.

EXECUTIVE SUMMARY

A survey of land owners of Bickertons Road and Riggall Roads Glengarry North has been undertaken and the majority have indicated their willingness to contribute to the construction costs associated by way of a special charge scheme.

This report recommends Council endorse undertaking a special charge scheme to seal portions of the noted roads.

If Council endorses this proposed scheme, the formal public notification process in accordance with Section 163 of the *Local Government Act 1989* will be undertaken to declare a special charge scheme that will oblige all benefitting landowners to contribute to these works.

RECOMMENDATION

That Council:

1. **In accordance with section 163 of the *Local Government Act 1989*:**
 - a. **Council declares its intention to levy a Special Charge Scheme at the Ordinary Council Meeting on 14 November 2016 for funding the construction of a sealed roadway surface on parts of Bickertons Road and Riggall Road, Glengarry North; and**
 - b. **Council gives public notice of its intention to make a declaration of a Special Charge Scheme; and**
 - c. **Council notifies persons liable to pay the \$1776.32 special charge by sending a notice.**
2. **In accordance with section 223 of the *Local Government Act 1989* consider any submissions received in relation to the declaration of its intention to levy a Special Charge Scheme to seal parts of Bickertons Road and Riggall Road, Glengarry North at the Ordinary Council Meeting on 14 November 2016.**

DECLARATION OF INTEREST

No officer declared a conflict of interest under the *Local Government Act 1989* in the preparation of this report.

STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2012-2016.

Latrobe 2026: The Community Vision for Latrobe Valley

Strategic Objectives – Built Environment

In 2026, Latrobe Valley benefits from a well-planned built environment that is complementary to its surroundings and which provides for a connected and inclusive community.

Latrobe City Council Plan 2013 - 2017

Theme and Objectives

Theme 2: Appropriate, affordable and sustainable facilities, services and recreation

Develop and maintain community infrastructure that meets the needs of our community.

Legislation

Local Government Act 1989 provides Council with powers to implement a Special Charge Scheme.

Special Charge Scheme Policy 13 POL-2 provides direction on the process to review and declare a Special Charge Scheme.

BACKGROUND

Bickertons Road and Riggall Road, Glengarry North are unsealed local roads servicing rural living properties and farms in Glengarry North. These roads are currently maintained by Council in accordance with the Road Management Plan, a detailed plan is included as Attachment 1.

In August 2015, an enquiry was received from a property owner in relation to having parts of Bickertons and Riggall Roads sealed. On 1 October 2015 letters and feedback forms were sent to 19 property owners of 20 properties in Bickertons and Riggall Roads, to gauge their interest to participate in a special charge scheme.

The responses to the feedback forms are contained in Attachment 3 and summarised in Table 1.

Table 1 – Response to the initial consultation

Responses		
For	Against	No Reply
14 (74%)	2 (One owner with 2 properties)	4

ORDINARY COUNCIL MEETING AGENDA 22 AUGUST 2016 (CM488)

As the majority of property owners indicated support, a meeting of representatives of the property owners was held to confirm that Officers would progress the process for Council to consider declaring a special charge scheme for the works.

Following the consultation process Officers sent registered letters to the 4 residents who did not respond. One email response has been received that asked questions and was concerned about the cost impact, but did not indicate a formal position.

KEY POINTS/ISSUES

Council's Special Charge Scheme Policy, 13 POL-2, is applicable to this matter. The policy requires that prior to implementing a special charge scheme under Section 163 of the *Local Government Act 1989* that Council Officers survey the landowners who will derive a benefit to determine the level of support.

The policy states that if endorsed by Council as a special charge scheme, landowners whose access is serviced by the proposed works will pay 25% of the associated costs, calculated to be \$1776.32 per landowner.

There are 19 landowners with 20 rateable properties that are eligible to be included in this proposed scheme. Fourteen (70%) of the landowners supported Council declaring a special charge scheme.

Of the landowners that did not express support for the proposed special charge scheme in the initial consultation, one landowner (who owns two parcels of land fronting Riggall Road) was against the proposal and 4 did not respond.

The concept design presented for the sealing of these roads is for a 5.5 metre wide seal on the existing pavement.

If Council resolves to publish a Notice of Intention to Declare a Special Charge Scheme for the construction of a sealed roadway surface on Parts of Bickertons and Riggall Roads, Glengarry North in accordance with Section 163 of the *Local Government Act 1989*, property owners will have 28 days to submit their comments. Council must consider these comments prior to deciding whether to declare the Special Charge Scheme.

If Council then declares a Special Charge Scheme there is a further 28 day period of open public submission that can be lodged with the Victorian Civil and Administrative Tribunal.

RISK IMPLICATIONS

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

A primary risk for Council is that the actual costs may exceed the estimate. An experienced contractor was consulted to verify the Officer's estimate of the costs to undertake these works in order to manage this risk.

FINANCIAL AND RESOURCES IMPLICATIONS

The cost estimate to design and seal the identified parts of Bickertons Road and Riggall Roads, Glengarry North is \$135,000.

The total maximum contribution from the property owners would be \$1,776.32 per property; a combined contribution of \$33,750. Council's contribution would be \$101,250 if the estimate is exact.

Council has established a reserve to assist in the funding its portion of sealing of rural unsealed roads under Special Charge Schemes. Table 2 shows the status of the reserve and the timing of upcoming projects prioritised based the current policy, and a projected budget allocation in 2017/18 of \$250,000.

Table 2

Special Charge Schemes		Reserve	Reserve
Sealing of Rural Gravel Roads:		Transactions	Balance
2015/16	Reserve balance 2015/16	-	271,290
2016-17	Addition to Reserve (2016-17 Budget)	\$250,000	\$521,290
2016-17	<i>Sealing of Taylors Road</i>	- \$410,000	\$111,290
2016-17	Taylors Resident Contributions	\$42,000	\$153,290
2016-17	<i>Sealing of Riggall-Bickertons</i>	- \$135,000	\$18,290
2016-17	Riggall & Bickertons Resident Contributions	\$33,000	\$51,290
2017-18	Addition to Reserve (assumed)	\$250,000	\$301,290
2017-18	<i>Sealing of O'Haras Road</i>	- \$175,000	\$126,290
2017-18	O'Haras Resident Contributions	\$15,000	\$141,290

The projects in Table 2 have been prioritised based on the ranking system in the Special Charge Scheme Policy 13 POL-2.

Although O'Haras Road has already been declared, Council's priority system was applied to candidate projects (including Riggall Road and Bickertons Road potential scheme) in developing the above priority list. If the Riggall Road and Bickertons Road scheme is not declared, O'Haras Road would be undertaken in the current financial year.

Alternatively, Council may consider increasing budget at a quarterly review to allow O'Haras Road to be undertaken in the current financial year. The amount required would be approximately \$125,000.

INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

Property owners were surveyed in preparation for this report, including letters, feedback forms and a meeting with one of the property owners who advised they were in contact with some other property owners.

ORDINARY COUNCIL MEETING AGENDA 22 AUGUST 2016 (CM488)

The response to feedback forms sent to the 19 property owners is shown in Table 3. Following the initial consultation Officers telephoned those who did not respond and the responses are included in Table 3.

Table 3

Responses		
For	Against	No Reply
14 (74%)	2 (One owner with 2 properties)	4

A summary of comments from the feedback forms is included in Attachment 3.

OPTIONS

The following options are available to Council:

1. Resolve to give Notice of Intention to Declare a Special Charge Scheme for the construction of a sealed roadway surface on Bickertons and Riggall Roads, Glengarry North in accordance with Section 163 of the *Local Government Act 1989* and the Council's Contributory Scheme Policy 13 POL-2.
2. Take no further action. The residents that were included in the survey would be advised that Council did not resolve to proceed with the Special Charge Scheme.

CONCLUSION

Property owners in Bickertons Road and Riggall Road, Glengarry North that would benefit from the proposed sealing of parts of these unsealed rural roads have indicated their willingness to contribute to the related construction costs.

The initial consultation process in accordance with the Special Charge Scheme Policy 13 POL-2 has now been completed, including a meeting with residents on site, with a favourable response. Having regard to the favourable responses, Officers recommend Council proceed to the statutory public consultation process.

If the consultation process is successful and Council declares the Riggall Road and Bickertons Road scheme, it will be included for construction this financial year. Should it not be declared, the previously declared O'Haras Road would take its place.

The O'Haras Road scheme was prioritised below Riggall Road and Bickertons Road scheme in accordance with Council's policy. Should Council wish to bring this project forward it may wish resolve to undertake it instead of Riggall Road and Bickertons Road scheme in the current financial year. Alternatively Council consider funding the project in the current year if sufficient funding is identified through the mid-year budget review.

SUPPORTING DOCUMENTS

Nil

Attachments

1. Riggall Bickertons Scheme location plan
2. Special Charge Scheme Policy
3. Formal Consultation Responses Public Version

15.2

Bickerton Road and Riggall Road Glengarry North - Special Charge Scheme

- 1 Riggall Bickertons Scheme location plan 599**
- 2 Special Charge Scheme Policy..... 601**
- 3 Formal Consultation Responses Public Version 609**



Document Name: **Special Charge Scheme Policy**

13 POL-2

Adopted by Council:

6 November 2013

Policy Goals

To ensure an equitable and consistent approach is used to implement, administer and deliver Special Charge Schemes under Section 163 of the Local Government Act 1989 in relation to the construction of new roads, sealing / upgrade of unsealed roads, kerb and channel, footpaths, nature strips, traffic calming & management devices, drainage works, including easements, drains and associated infrastructure works throughout the municipality.

Relationship to Latrobe 2026 & Council Plan

This policy relates to the following Strategic Objectives contained within Latrobe 2026: The Community Vision for Latrobe Valley and the Council Plan:-

Latrobe 2026:

In 2026, Latrobe Valley demonstrates respect for the importance of rules and laws to protect people's rights, outline obligations and support community values and cohesion.

Appropriate, Affordable & Sustainable Facilities, Services & Recreation

Latrobe 2026:

In 2026, Latrobe Valley benefits from a well-planned built environment that is complementary to its surroundings and which provides for a connected and inclusive community.

Council Plan 2013 - 2017

- To promote and support a healthy, active and connected community.
- To provide facilities and services that are accessible and meet the needs of our diverse community.
- To enhance the visual attractiveness and liveability of Latrobe City.

Policy Implementation

In accordance with Section 163 of the Local Government Act 1989, Council can impose a special charge for works or services on property owners who Council believes receive a 'special benefit' from the provision of those works or services.

In September 2004, Local Government Victoria established the *Special Rates and Charges Ministerial Guidelines* which ensure the schemes are fair and equitable.

This policy relates to all property owners in the Latrobe City who are affected by a special charge scheme where it is considered that the construction of such works will be of special benefit to those who would be required to pay a Special Charge to assist in the funding of local street infrastructure schemes. Refer also Appendix 1 for a summarised process flow.

Scheme	Contribution %	
	Landowner	Council
Construction of new roads	25%	75%
Sealing / upgrade of unsealed roads	25%	75%
Residential Kerb & Channel	25%	75%
Residential Footpaths / Nature Strips	50%	50%
Rural Footpaths / Nature Strips	50%	50%
Traffic Management / Calming Devices	25%	75%
Drainage	*TBD	

*In accordance with the Local Government Act 1989, Section 163B(1) Drainage works including easements, drains, upgrades & renewal programs can be enforced where it is deemed necessary by Council.

A scheme may be initiated by recommendation of Council, a request from a resident/owner or by other interested or affected parties.

Where the final costs exceeds the Council estimated cost because of design and market influences rather than changes requested by residents, Council will meet the additional costs based on 10% beyond the original estimated cost.

It is important to note programmed capital maintenance and rehabilitation works are planned for and funded by Council and cannot take part in a special charge scheme arrangement. Where residents prefer to have the scoped works altered and/or undertaken sooner, a Special Charge Scheme may be considered.

Council may survey property owners to determine their support towards a proposed scheme and consider these findings during its deliberations. Generally, a majority of support from property owners is required for a scheme to proceed, however Council may choose to proceed with works without the majority of support, where it is deemed the works will provide benefit to abutting properties and the broader community.

An internal panel will be assembled to determine the level of benefit the potential scheme will provide to not only the property owners, but also the surrounding community. An assessment will be completed to determine which properties will derive direct benefit from the works in question. In determining the apportionment of costs for each property Council take into consideration frontage, area, benefit, access, usage and town planning zoning of land within the Scheme resulting in a recommendation as to which properties are to be included in the scheme. A concept design will be completed to assist in the cost analysis

process, with the design being completed in line with Councils current construction standards. This assessment will be presented to Council when considering the scheme.

One or more of the following will be assessed for each scheme type:

Construction of new roads and Sealing / upgrade of unsealed roads:

- Current usage / anticipated usage (of all vehicle types);
- Property owner and/or community support;
- Demonstrated need / necessity;
- Link to schools, community facilities, existing roads, other transport modes, etc.; and
- Road class assessment, e.g. width, road base, depth of pavement, alignment, etc.

Residential Kerb & Channel:

- Current / proposed capacity and/or table drain / pit location;
- Rainfall trends and topographical assessment;
- Property owner and/or community support; and
- Demonstrated need / necessity.

Residential Footpaths / Nature strips and Rural Footpaths / Nature strips:

- Current usage / anticipated usage;
- Property owner and/or community support;
- Demonstrated need / necessity; and
- Link to schools, community facilities, existing pathways/nature strips, other transport modes, etc.

Traffic Management / Calming Devices:

- Current road way usage;
- Property owner and/or community support;
- Demonstrated need / necessity; and
- Link to schools, community facilities, existing road types, other transport modes, e.g. emergency services, etc.

Drainage:

- Current / proposed capacity;
- Existing / proposed development area considerations;
- Rainfall trends and topographical assessment;
- Property owner and/or community support; and
- Demonstrated need / necessity.

Council will notify all affected property owners and may hold a public meeting advising interested parties of the conceptual design, overall process, proposed apportionment, method of payments, submissions and objections process, etc.

Special Charge Schemes will generally be prepared at least 12 months in advance of proposed construction to provide sufficient time for a detailed consultation process to be undertaken, and in cases where Council is required to contribute a share of the cost of the works, time to provide sufficient funding in its capital works program.

Schemes may include all works, materials, charges, overheads and costs to install the required infrastructure, including project management, design, traffic management, road

pavement works, nature strip works, driveway, drainage works, kerb and channel, street furniture, landscaping services, lighting and intersection works, etc.

The Ministerial Guidelines made under Section 163(2C) of the Local Government Act 1989 is used to calculate the maximum total amount that may be levied as a special charge to be recovered from property owners for each particular project. There are no definitive guidelines for the calculation of the actual amount, known as the apportionment, to be charged to individuals. The underlying principle is that a property must receive benefit from the proposed works before a cost can be levied. The apportionment method must be reasonable, fair, and equitable for each individual proposal. Consultation with affected people will assist in this determination prior to the declaration of the proposed Special Charge Scheme. Previous determinations of the Victorian and Civil Administrative Tribunal may be used as a guide.

Project, engineering and administrative costs may be associated with the preparation and implementation of a scheme. These costs will be recovered as part of the overall scheme amount. Charges levied under Special Charge Schemes may be paid in a lump sum immediately following completion of the works or via a payment arrangement to be paid within 5 years. Current interest rates will apply to the latter method of payment.

Once Council resolves to declare a Special Charge Scheme and in accordance with Section 223 *Hearing* of the Local Government Act 1989, a public notice of 'Intention to Declare' will be published in local newspapers, along with a formal notice of scheme details and costs sent to each property owner inviting submissions from all interested parties. Hardcopy details of the special charge scheme will also be available at each Council Service Centre for viewing by the general public.

Only written submissions received within the consultation period (28 days) will be considered by Council. Following a review of these submissions, Council may resolve to:

- proceed without any modification to the original declaration, "declares" the special charge and proceed by serving formal notice;
- abandon the scheme; or
- undertake significant modifications to the original scheme which would require the process to recommence; or
- undertake minor modifications to the original scheme, return to the "*Intention to Declare*" stage or proceed by serving formal notice.

The authors of all submissions received and property owners affected by the proposed scheme will be notified regarding Council's discretion.

Property owners have the right to appeal to the Victorian Civil and Administrative Tribunal (VCAT) regarding Council's decision. Objections should address the criteria in Section 185 of the Local Government Act 1989. All applications will be administered by the VCAT and must be submitted within 30 days of the notice levying the special charge being issued.

VCAT may determine in favour of the scheme where Council will initiate the special charge scheme process and works, or they may notify Council of their objection to the scheme, to which Council may review and modify or abandon the special charge scheme.

Where multiple sealing of rural unsealed roads special charge schemes have been declared, the roads shall be prioritised using the assessment and scoring method detailed in appendix two.

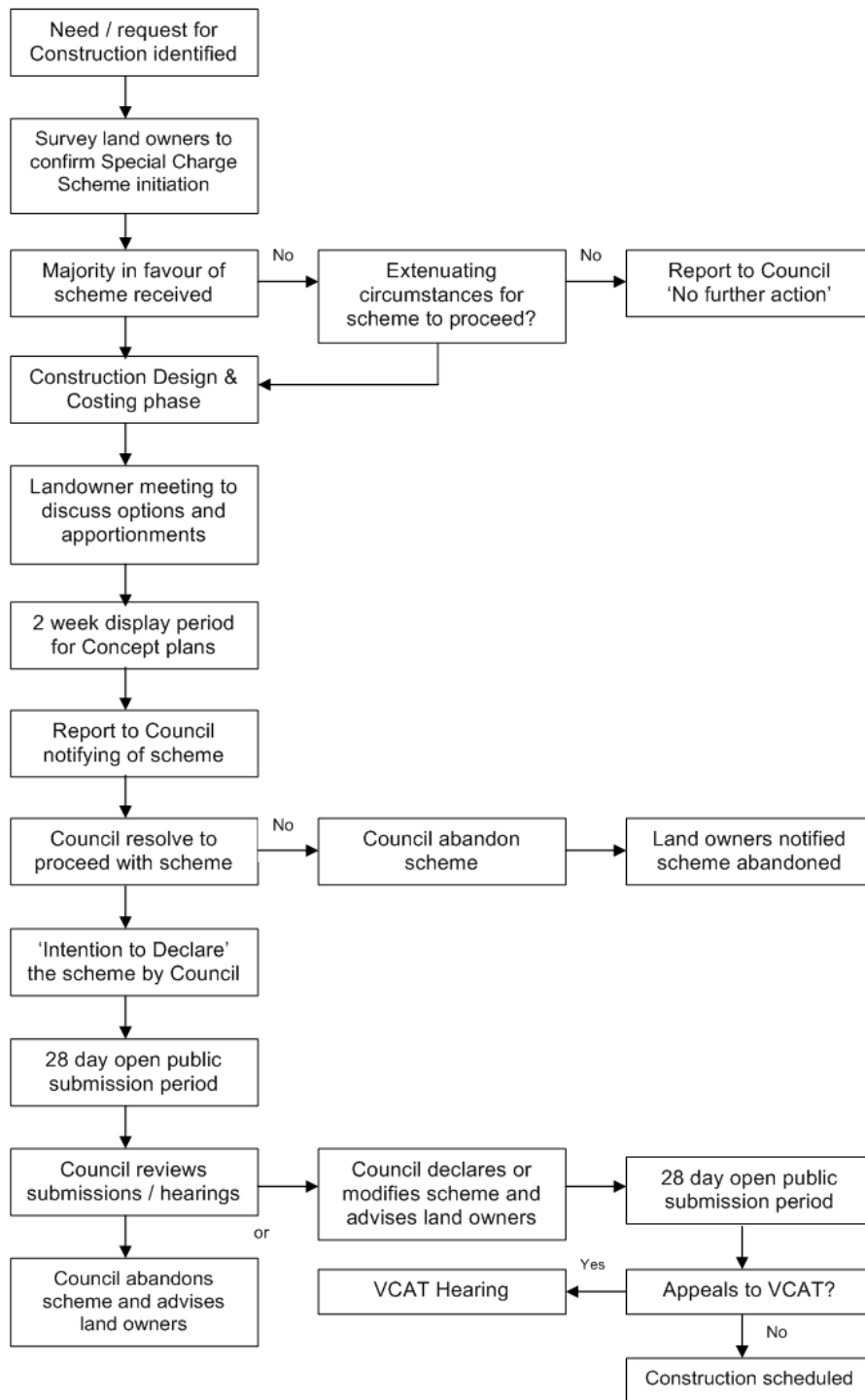
This policy has been reviewed after giving proper consideration to all the rights contained within the *Charter of Human Rights and Responsibilities Act 2006*; and any reasonable limitation to human rights can be demonstrably justified.

Charter acknowledgement - for internal auditing purposes only:	
YES / NO	Name: _____ Date: / / 2013

Signed: _____
Chief Executive Officer

Date: 7/11/2013

Appendix 1 – Special Charge Scheme Process Flow



Appendix 2 – Evaluation Criteria for Sealing of Rural Unsealed Roads

(to be read in conjunction with Policy 13 POL-2 Special Charge Scheme Policy)

CRITERIA	SCORING POINTS	WEIGHTING
Traffic Volumes	Score 1 point for every 25 vehicles, rounded to the nearest. Add one additional point for every 1% of commercial vehicles.	7
Strategic Significance	Eg. Tourist facility/focus, land development (abutting or servicing), complete a sealed road link, food producing farms, etc. Score 0 Nil 3 Low 6 Medium 10 High	10
Maintenance Considerations	Take into account relative maintenance cost for that particular road or segment of road. Low 1 Medium 2 High 5	8
Safety Considerations	Actual/potential accidents, vertical/horizontal alignment issues, sight distance problems, school bus route. (add 1 point if school bus route) Score 0 Nil 2 Low 4 Medium 5 High	10
Owner contribution / other external funding (other than Roads to Recovery Grants)	10 points – greater than 66% of owners agreeing to pay contribution amount set down in the Policy via a Special Charge Scheme. 5 points – 33% to 66% of owners agreeing to pay contribution amount set down in the Policy via a 173 Agreement. 2 points – 1% to 33% of owners agreeing to pay contribution amount set down in the Policy via a 173 Agreement. Add additional 5 points if funding from other sources is identified eg developer contribution.	10
Number of Houses	Number of houses along a particular section of road within 100 metres of the road. One point per house, add additional point if tank water is used.	6

CRITERIA	SCORING POINTS	WEIGHTING
<i>DISTANCE OF HOUSE FROM ROAD</i>	< 15 metres 4 points 15 – 50 metres 3 points 51 - 100 metres 2 points > 100 metres 1 point Add one point for each additional house located within 100 m from the road.	
Domestic Water Supply	3 Points- water tanks in use Reticulated water supply – Nil.	
<i>OWNER / OCCUPIER CONCERNS</i>	1-6 points - Issues to be considered are: Health issues, eg. Asthma etc. Effect of dust on business. Type of material used on road, eg. High dust.	

Feedback Form

Our Ref: SCS 2015/1
NC:GB

65



Returning Officer: Tneal Weatherhead

PROPOSED SEALING OF RIGGALLS & BICKERTONS ROADS, GLENGARRY NORTH

Please tick the box that reflects your opinion in relation to the sealing of Riggalls & Bickertons Roads, Glengarry North. Please return this form to Latrobe City Council in the reply paid envelope by Friday 30 October 2015.

agree disagree

- 1. I agree/disagree to participate in a Special Charge Scheme to seal Riggalls & Bickertons Roads, Glengarry North and contribute a maximum of 25% of the original estimated cost per rateable property. (\$1,776.32)

General Comments or Concerns:

How far down Bickertons Rd is it coming?

(Use other side if insufficient space)

Property Address: ,

Please return your completed Feedback Form to Latrobe City Council by Friday 30 October 2015.

19

Feedback Form

Our Ref: SCS 2015/1
NC:GB



Returning Officer: Tneal Weatherhead

**PROPOSED SEALING OF RIGGALLS & BICKERTONS ROADS,
GLENGARRY NORTH**

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General Comments or Concerns:

(Use other side if insufficient space)

Please return your completed Feedback Form to Latrobe City Council by Friday 30 October 2015.

18

Feedback Form

Our Ref: SCS 2015/1
NC:GB



Returning Officer: Tneal Weatherhead

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<input checked="" type="checkbox"/>	<input type="checkbox"/>
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General Comments or Concerns:

(Use other side if insufficient space)

Please return your completed Feedback Form to Latrobe City Council by Friday 30 October 2015.

Entered
17

Feedback Form

Our Ref: SCS 2015/1
NC:GB



Returning Officer: Tneal Weatherhead

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agree disagree

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General Comments or Concerns:

I have 2 properties. One is on the corner of Glengarry North rd & Riggalls rd. Do I have to pay for both as one already fronts a sealed rd

Please return your completed Feedback Form to Latrobe City Council by Friday 30 October 2015.

Eurus
16

Feedback Form

Our Ref: SCS 2015/1
NC:GB



Returning Officer: Tneal Weatherhead

PROPOSED SEALING OF RIGGALLS & BICKERTONS ROADS, GLENGARRY NORTH

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agree disagree

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General Comments or Concerns:

WE ARE CONCERNED AT THE WORDING ABOVE
 WE DON'T WANT ANY COST BLOWOUTS IN
 CASE YOU PEOPLE FORGET CAR REGO FEES AND
 PETROL TAX ARE FOR BUILDING AND MAINTAINING
 ROADS

(Use other side if insufficient space)

Please return your completed Feedback Form to Latrobe City Council by Friday 30 October 2015.

enter
(14)

Feedback Form

Our Ref: SCS 2015/1
NC:GB



Returning Officer: Tneal Weatherhead

**PROPOSED SEALING OF RIGGALLS & BICKERTONS ROADS,
GLENGARRY NORTH**

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agree disagree

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<input checked="" type="checkbox"/>	<input type="checkbox"/>
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General Comments or Concerns:

PLEASE INDICATE "STANDARD"

(Use other side if insufficient space)

Please return your completed Feedback Form to Latrobe City Council by Friday 30 October 2015.

Feedback Form

Our Ref: SCS 2015/1
NC:GB



Returning Officer: Tneal Weatherhead

PROPOSED SEALING OF RIGGALLS & BICKERTONS ROADS, GLENGARRY NORTH

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General Comments or Concerns:

Please return your completed Feedback Form to Latrobe City Council by Friday 30 October 2015.

Feedback Form

Our Ref: SCS 2015/1
NC:GB



Returning Officer: Tneal Weatherhead

PROPOSED SEALING OF RIGGALLS & BICKERTONS ROADS, GLENGARRY NORTH

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agree disagree

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General Comments or Concerns:

This is an initiative we as a community have been looking forward to for some time. It is sure there will be a unanimous YES vote for this project to proceed asap.

Please return your completed Feedback Form to Latrobe City Council by Friday 30 October 2015.

enter
11

Feedback Form

Our Ref: SCS 2015/1
NC:GB



Returning Officer: Tneal Weatherhead

PROPOSED SEALING OF RIGGALLS & BICKERTONS ROADS, GLENGARRY NORTH

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agree disagree

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<input checked="" type="checkbox"/>	<input type="checkbox"/>
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General Comments or Concerns:

Please return your completed Feedback Form to Latrobe City Council by Friday 30 October 2015.

Feedback Form

Our Ref: GB:CS



Returning Officer: Carol Stokes

PROPOSED SEALING OF RIGGALLS & BICKERTONS ROADS, GLENGARRY NORTH

Please tick the box that reflects your opinion in relation to the sealing of Riggalls & Bickertons Roads, Glengarry North. Please return this form to Latrobe City Council in the reply paid envelope by Friday 2 October 2015.

agree disagree

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General Comments or Concerns:

Please return your completed Feedback Form to Latrobe City Council by Friday 2 October 2015.

10

Feedback Form

Our Ref: SCS 2015/1
NC:GB



Returning Officer: Tneal Weatherhead

**PROPOSED SEALING OF RIGGALLS & BICKERTONS ROADS,
GLENGARRY NORTH**

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agree disagree

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General Comments or Concerns:

Please return your completed Feedback Form to Latrobe City Council by Friday 30 October 2015.

Central
7

Feedback Form

Our Ref: SCS 2015/1
NC:GB



Returning Officer: Tneal Weatherhead

PROPOSED SEALING OF RIGGALLS & BICKERTONS ROADS, GLENGARRY NORTH

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agree disagree

- 1. I agree/~~disagree~~ to participate in a Special Charge Scheme to seal Riggalls & Bickertons Roads, Glengarry North and contribute a maximum of 25% of the original estimated cost per rateable property. (\$1,776.32)

General Comments or Concerns:

Having received confirmation that the full 2.6 km of Riggalls Road is proposed to be sealed most of the concerns we expressed in our first response to the proposal have been satisfied. We are now prepared to agree to participate in the special charge.

Please return your completed Feedback Form to Latrobe City Council by Friday 30 October 2015.

Entered
3

Feedback Form

Our Ref: SCS 2015/1
NC:GB



Returning Officer: Tneal Weatherhead

PROPOSED SEALING OF RIGGALLS & BICKERTONS ROADS, GLENGARRY NORTH

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General Comments or Concerns:

Please return your completed Feedback Form to Latrobe City Council by Friday 30 October 2015.

Entered
1

Feedback Form

Our Ref: SCS 2015/1
NC:GB



Returning Officer: Tneal Weatherhead

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agree disagree

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General Comments or Concerns:

(Use other side if insufficient space)

Please return your completed Feedback Form to Latrobe City Council by Friday 30 October 2015.

Latrobe
②

Feedback Form

Our Ref: SCS 2015/1
NC:GB



Returning Officer: Tneal Weatherhead

PROPOSED SEALING OF RIGGALLS & BICKERTONS ROADS, GLENGARRY NORTH

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agree disagree

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General Comments or Concerns:

Would be good to have Riggalls Rd sealed as dust is a real problem coming off the road.

Please return your completed Feedback Form to Latrobe City Council by Friday 30 October 2015.

entered
9

Feedback Form

Our Ref: SCS 2015/1
NC:GB



Returning Officer: Tneal Weatherhead

PROPOSED SEALING OF RIGGALLS & BICKERTONS ROADS, GLENGARRY NORTH

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<input checked="" type="checkbox"/>	<input type="checkbox"/>
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General Comments or Concerns:

I agree at this point pending answers to questions!
I do disagree to having to pay for Bickertons Rd as this is of no benefit to us and I would rather that money be spent to make the other end of Bickertons accessible considering we are in a high fire risk area!

Please return your completed Feedback Form to Latrobe City Council by Friday 30 October 2015.

-
- Can a proposal be drawn up for only the sealing of Riggalls Rd?
 - What will the increase of our property price be and our rate increase?
 - How will a sealed road stand up with no further drainage improvements when it floods each winter
 - Why not seal Sunderland Rd?
 - Will we still have access to our house while the sealing is being done?
 - Will there be speed humps, roundabouts or deviations in the road to follow State Law?
 - Why do ratepayers not on Bickertons Rd need to fund this Rd?
-

-
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 - Why not seal Sunderland Rd?
 - Will we still have access to our house while the sealing is being done?
 - Will there be speed humps, roundabouts or deviations in the road to follow State Law?
 - Why do ratepayers not on Bickertons Rd need to fund this Rd?

COMMUNITY SERVICES

16. COMMUNITY SERVICES**16.1 MUNICIPAL EARLY YEARS PLAN****General Manager****Community Services****For Decision****PURPOSE**

The purpose of this report is to present the Municipal Early Years Plan 2016-2020 for consideration and seek endorsement of the plan.

EXECUTIVE SUMMARY

The Latrobe City Municipal Early Years Plan 2016-2020 (MEYP), provides strategic direction for the development and coordination of early years programs, activities and other local community development processes that impact on children 0-8 years within the municipality. It articulates Latrobe City Council's role in planning and infrastructure development as well as advocacy and community development for children during the early years.

After considerable consultation with the community and other relevant stakeholders, the MEYP 2016-2020 has been developed, resulting in three strategic priorities:

- Growing up Happy, Healthy and Safe
- Learning for Life
- Strong Communities, Strong Families

The Draft MEYP 2016-2020 was recently released for final community comment and although no official feedback was received, Council officers were provided with positive feedback from many community members, with conversations indicating that there are many people in the community who are familiar with the draft MEYP.

Annual action plans will be developed on a yearly basis outlining the actions that Latrobe City Council and its key partners will undertake in order to meet the objectives of this plan.

RECOMMENDATION**That Council adopts the Municipal Early Years Plan 2016-2020.****DECLARATION OF INTEREST**

No officer declared a conflict of interest under the *Local Government Act 1989* in the preparation of this report.

STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

Latrobe 2026: The Community Vision for Latrobe Valley

Strategic Objectives – Community

In 2026, Latrobe valley is one of the most liveable regions in Victoria, known for its high quality health, education and community services, supporting communities that are safe, connected and proud.

Strategic Objectives – Advocacy and Partnerships

In 2026, Latrobe valley is supported by diversity of Government, agency, industry and community leaders, committed to working together to advocate for and deliver sustainable local outcomes.

Latrobe City Council Plan 2013 - 2017

Theme and Objectives

Theme 2: Affordable and sustainable facilities, services and recreation

To promote and support a healthy, active and connected community.

To provide facilities and services that are accessible and meet the needs of our diverse community.

Strategic Direction –

Work in partnership with all stakeholders to ensure the provision of quality education and care services to the community.

Theme 4: Advocacy for and consultation with our community

To advocate for and support cooperative relationships between business, industry and the community.

Strategic Direction –

Advocate for the alignment of local education, training and health services with the needs of businesses, industry and the community.

BACKGROUND

In 2006, The Municipal Association of Victoria (MAV) and the State Government developed the Municipal Early Years Plan (MEYP) initiative. It was aimed at supporting Councils to be better placed to provide strategic direction for the coordination and development of early years' programs, activities, services and facilities.

In 2010, the Victorian Government funded the MAV to review the 2006 MEYP framework in relation to current policy context and local government strategic planning processes.

The resulting revised framework was instrumental in the development of the Latrobe City Municipal Early Years Plan 2011-2015 which was designed to provide strategic direction for the development and

ORDINARY COUNCIL MEETING AGENDA 22 AUGUST 2016 (CM488)

coordination of early years programs, activities and other local community development processes that impact on children 0-8 years within the municipality.

Since the development of the Latrobe City MEYP 2011-2015 a range of activities and reviews related to early years services have been undertaken by Council. They include:

- The development of the Children's Services Plan; a strategic document guiding the future direction of Latrobe City's Children's Services.
- The introduction of Family Support workers into the Enhanced Maternal and Child Health team allowing intensive support to be provided to our most vulnerable families.
- Feasibility study into the future of the Family Day Care program.
- Introduction of the Commonwealth of Australian Governments (COAG) National Quality Framework, a framework that sets a high standard for the delivery of Early Years Services across Australia.
- The development of the Early Years Reference Committee.

Latrobe City's Municipal Early Years Plan 2011-2015 has now reached its conclusion and a new plan has been developed to further identify Council's role in the Early Years.

KEY POINTS/ISSUES

Latrobe City's Municipal Early Years Plan 2016-2020 aims to strengthen local support for children and families throughout the critical early stages of children's development and family formation with a particular emphasis on 0-8 years.

The broad scope of the MEYP 2016-2020 seeks to address all aspects of community and family life which influence health, well-being, education, social connection, economic support, urban and neighbourhood design and developmental outcomes for children and families.

Furthermore, the MEYP 2016-2020 sets out strategic objectives, along with performance criteria, on a rolling 4 year timescale, based on community and stakeholder consultation.

Key Stakeholders

- Families and children aged 0-8 years of age.
- Families who have special needs related to cultural issues, health and disability, poverty or lack of education.
- Providers of Universal Services and Health Services.
- Latrobe City Early Years Reference Committee.

ORDINARY COUNCIL MEETING AGENDA 22 AUGUST 2016 (CM488)

- Latrobe Best Start (which includes representatives from many other community groups).

Consultation

A lengthy consultation period for the Draft MEYP 2016-2020 beginning in October 2014 was undertaken and resulted in over 300 people participating in consultation activities and an additional 213 survey respondents. This process included:

- Consulting with children and families through pictures and conversations at the Children's Expo 2014 with 1,520 people in attendance.
- A survey was made available to parents and the community during the second half of 2015 and a total of 213 responses were received.
- Discussions with Early Years professionals, gaining their perspective of the current landscape for families within Latrobe City.
- Activities conducted with the children in Preschools and Early Years of Primary School to understand their thoughts, ideas and needs in relation to their early years in Latrobe City.

Consultation Themes

The consultation completed with parents at the 2014 Children's Expo indicated that accessibility and affordability of services and activities was a common theme amongst those participating.

The survey was made available during the second half of 2015 and a total of 213 responses were received. Survey results have indicated that accessibility of education and care services is not a common issue however affordable and accessible activities for children under school age is.

Other common themes that were noticed in the surveys were:

- Safe open spaces/environment.
- Safe, clean toilets.
- Better public transport.
- Enclosed parks/play equipment.
- Provision of Bike tracks/ open space.

Strategic Priorities

Three Strategic Priorities have been identified through the research and consultation process. These reflect the Community Vision within Latrobe 2026 and are aligned with the Council Plan 2013 – 2017.

Growing Up Happy, Healthy and Safe

A healthy and safe environment is vital to a child's development. Children have a right to grow up in a safe environment free of harm and be confident to take risks to enhance their learning. Research shows that a healthy lifestyle from early childhood leads to improved outcomes both academically and socially into the future.

Learning for Life

Learning starts early in life (from birth) and continues through your entire life. Research shows that a loving, healthy and intellectually stimulating early childhood is critical to a person's well-being and success throughout life. The brain has the greatest capacity for change during these early years, that is why an investment in education from birth is key to ultimate success.

Parents and caregivers are a child's first teacher in life and it's extremely important that we consider them and other educators when planning for the learning of our children.

Strong Communities, Strong Families

A community plays an enormous role in supporting families and children to thrive and achieve the best possible outcomes. The opportunities for communities and community organisations to empower families are endless. Community and professionals need to connect and plan to ensure place based planning occurs to meet the needs of the individual. Families also need to be aware of services and support available within the local community to support them and ultimately improve outcomes for children.

Links and Relationships to Council Strategies/Plans

There is a direct relationship between the Municipal Early Years Plan and the Council Plan 2013-2017 and the Latrobe Municipal Health and Wellbeing Plan. When developing the Draft MEYP, clear links and relationships were identified and these are outlined in the document under each strategic priority.

Furthermore, some of the common themes that were identified through the consultation process were; safe open spaces/environment, enclosed parks/play equipment and provision of bike tracks/open space.

Currently, Latrobe City is in the process of developing the Playspace Strategy and Tracks, Trails and Pathway Strategy. These strategies will result in outcomes that are highly relevant to the themes/strategic priorities as identified by the community in the development of the MEYP 2016-2020.

State Government – Roadmap to Reform (Strong Families, Safe Children)

There is currently another piece of work being undertaken by State Government that may provide relevant linkages in the development of Latrobe City's MEYP 2016-2020; that is:

- Road Map to Reform (Strong Families, Safe Children)

Further information regarding this work is not yet forthcoming but should this be released in the coming months, any relevant information will be considered by Council officers and released to the community as appropriate and in relation to the MEYP.

State Government – Education State Early Childhood Reform Plan

In addition, the State Government has recently released consultation findings in relation to the development of the Education State Early Childhood Reform Plan. The proposed themes for the Plan are:

- Earlier engagement in learning.
- Boost to educational quality.
- More support for parents.
- More support for vulnerable and disadvantaged children and families.
- Better connection between services.

There are some clear connections between the three strategic priorities in the Draft MEYP and this Plan.

Implementation of the MEYP/Annual Actions

Annual Action Plans will be developed on a yearly basis outlining the actions that Latrobe City Council and other partners will undertake to ensure the objectives of the plan remain relevant, are being met and can evolve with the changing nature of the sector.

The Early Years Reference Committee will be responsible for reviewing the Plan with a report provided back to Council, stakeholders and the community on an annual basis

RISK IMPLICATIONS

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

FINANCIAL AND RESOURCES IMPLICATIONS

Currently, there are no financial or resource implications as a result of the MEYP.

Should any annual actions evolve and result in the need for additional resources, funding opportunities will be investigated by appropriate stakeholders.

INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

Pre-Draft Community Consultation

A lengthy consultation period for the Draft MEYP 2016-2020 beginning in October 2014 was undertaken and resulted in over 300 people participating in consultation activities and an additional 213 survey respondents. This process included:

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)**

- Consulting with children and families through pictures and conversations at the Children's Expo 2014 with 1,520 people in attendance.
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- Enclosed parks/play equipment.
- Provision of Bike tracks/ open space.

Post-Draft Community Consultation

At the Ordinary Council meeting held 02 May 2016; Council resolved:

That Council endorse the Draft Municipal Early Years Plan 2016-2020 for community comment for a period of 6 weeks commencing 4 May 2016 and concluding 15 June 2016.

The following community consultation methods took place as a result of this resolution:

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)**

DATE: 4 May 2016 – 15 June 2016	ACTIVITY	VENUE/MEDIUM
4-May	Advertised/published community comment period to general public.	LCC Website Social Media Council Noticeboard LV Express
4-May	Placed copies of draft MEYP Plan at Council facilities, including feedback instructions.	Early Learning Centres Leisure Centres Libraries
May/June	Information on MEYP provided to community at Library Storytime sessions by Family Services officers.	Morwell Library Moe Library Traralgon Library Churchill Hub
May/June	Distribution of draft MEYP to key stakeholders for feedback.	Direct Contact
May/June	Distribution of draft MEYP to pre-school Committees.	Direct Contact - Mail Out
May/June	Email to all parents of children attending Latrobe City day care and pre-school advising them of the community comment period.	Direct Contact - Email

It should be noted that no written feedback was received via the online feedback portal or hard copy. As such, there have been minimal changes made to the proposed final Municipal Early Years Plan 2016-2020 as a result of specific community feedback.

Council officers have been provided with a high level of verbal positive feedback in support of the Draft MEYP by key stakeholders and other community members/current service users.

Details of Community Consultation / Results of Engagement:

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)**

The consultation completed throughout the development of this MEYP entailed a number of activities (outlined above) and was instrumental in the development/formation of the draft MEYP 2016-2020.

OPTIONS

Council has the following options in relation to the Draft Municipal Early Years Plan 2016-2020:

1. Adopt the Municipal Early Years Plan 2016-2020.
2. Not adopt the Municipal Early Years Plan 2016-2020.
3. Request further information or changes be made in relation to the Municipal Early Years Plan 2016-2020.

CONCLUSION

The Latrobe City Municipal Early Years Plan 2011-2015 was designed to provide strategic direction for the development and coordination of early years programs, activities and other local community development processes that impact on children 0-8 years within the municipality.

The MEYP 2011-2015 has now reached its conclusion and a new Plan is required to be developed to articulate Latrobe City Council's role in planning and infrastructure development as well as advocacy and community development for children during the early years.

After consultation with the community and relevant stakeholders, the Municipal Early Years Plan 2016-2020 has been developed, resulting in three strategic priorities; Growing up Happy, Healthy and Safe, Learning for Life and Strong Communities, Strong Families.

SUPPORTING DOCUMENTS

Nil

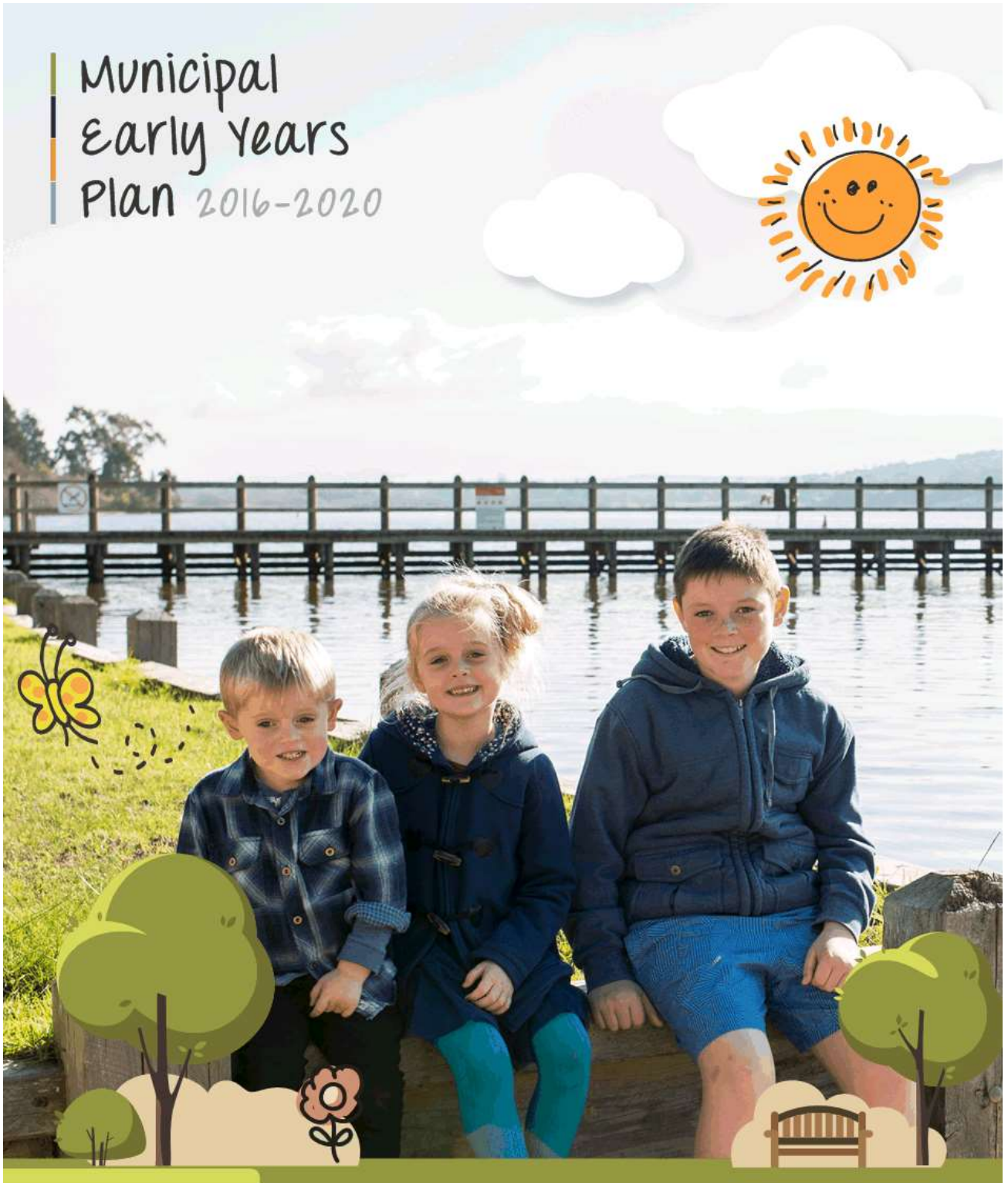
Attachments

1. Municipal Early Years Plan 2016-2020

16.1

Municipal Early Years Plan

1 Municipal Early Years Plan 2016-2020 655



LATROBE CITY COUNCIL | MUNICIPAL EARLY YEARS PLAN | 2016-2020



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This document was published in 2016 by Latrobe City Council. To obtain this information in languages other than English, or in other formats, please contact Latrobe City Council on 1300 367 700.

Message from the Mayor

Creating a positive, healthy, safe, learning environment for children in Latrobe City is the motivation for developing and implementing a Municipal Early Years Plan. Latrobe City Council is committed to creating environments that support our community's health and well-being. The Latrobe City Municipal Early Years Plan 2016 - 2020 demonstrates Council's commitment, and recognition of our role as a key partner in enabling children and their families to live in a diverse and equitable community where their children can thrive.

Based on solid community consultation and research, our Plan provides a clear framework for collective action in addressing the opportunities, challenges, aspirations and emerging issues facing our children and their families over the next four years.

Developed with Federal and State Government priorities in mind, the Plan builds upon existing child and family related strategies and programs as well as introducing new initiatives. It has also taken into account the feedback gathered by our community partners and Council staff, emphasising that we all play a role in the well-being of children living in Latrobe City.

Three strategic directions were identified in the development of this plan: Growing Up Happy, Healthy and Safe; Learning for Life and Strong Families, Strong Communities. These three strategic directions are in alignment and complement many of the core principles and objectives of Latrobe 2026 and the key themes in the 2013 – 2017 Council Plan.

The key purpose of Latrobe City's 2016-2020 Municipal Early Years Plan is to ensure that all children in our community, as well as their families, have the opportunity to lead happy, active, safe and secure lives.

Cr Michael Rossiter
Latrobe City Mayor



Purpose of a Municipal Early Years Plan

A community whereby children feel valued and safe is important to Latrobe City Council, so to a strong connection between Latrobe City's early year's planning, its service delivery partners and the needs of the community.

With this in mind, the Latrobe City Council Municipal Early Years Plan:

- ▶ Provides a platform for the community, Latrobe City Council and other service providers and business partners to work together to provide direction and support in ensuring the health, learning and developmental needs of children are met and that parents, families and carers are supported in the essential role of ensuring all children grow and develop.
- ▶ Harnesses desires and aspirations of the community with recent research and data in order to strategically target services and infrastructure that achieve the best outcomes for children.
- ▶ Articulates Latrobe City Council's role in planning and infrastructure development as well as advocacy and community development for children during the early years. It is not intended to be a Plan for the entire service system within the municipality, but to provide a starting point.
- ▶ Allows Latrobe City Council and other providers in the municipality to work in partnership in service development and evaluation, in maximising resources and in long term advocacy for children and their families.
- ▶ Is a key Plan for Latrobe City Council, defining the manner in which Council will work with other early years services providers, children and their families in order to ensure that improved outcomes are the aim for all members of the community.

LATROBE CITY COUNCIL'S ROLE IN THE MUNICIPAL EARLY YEARS PLAN

Latrobe City Council will actively bring together stakeholders around key issues faced on a regular basis by children and their families. Council leads and facilitates partnerships so that local community priorities can be identified and then support and promote initiatives related to these priorities.

Council will then provide a lead role in the coordination and oversight of the MEYP to ensure that all relevant stakeholders are committed to the success of the Plan and its objectives.

Council will also play the lead role in evaluating, reviewing, consulting and developing future MEYP's.



PLANNING CONTEXT

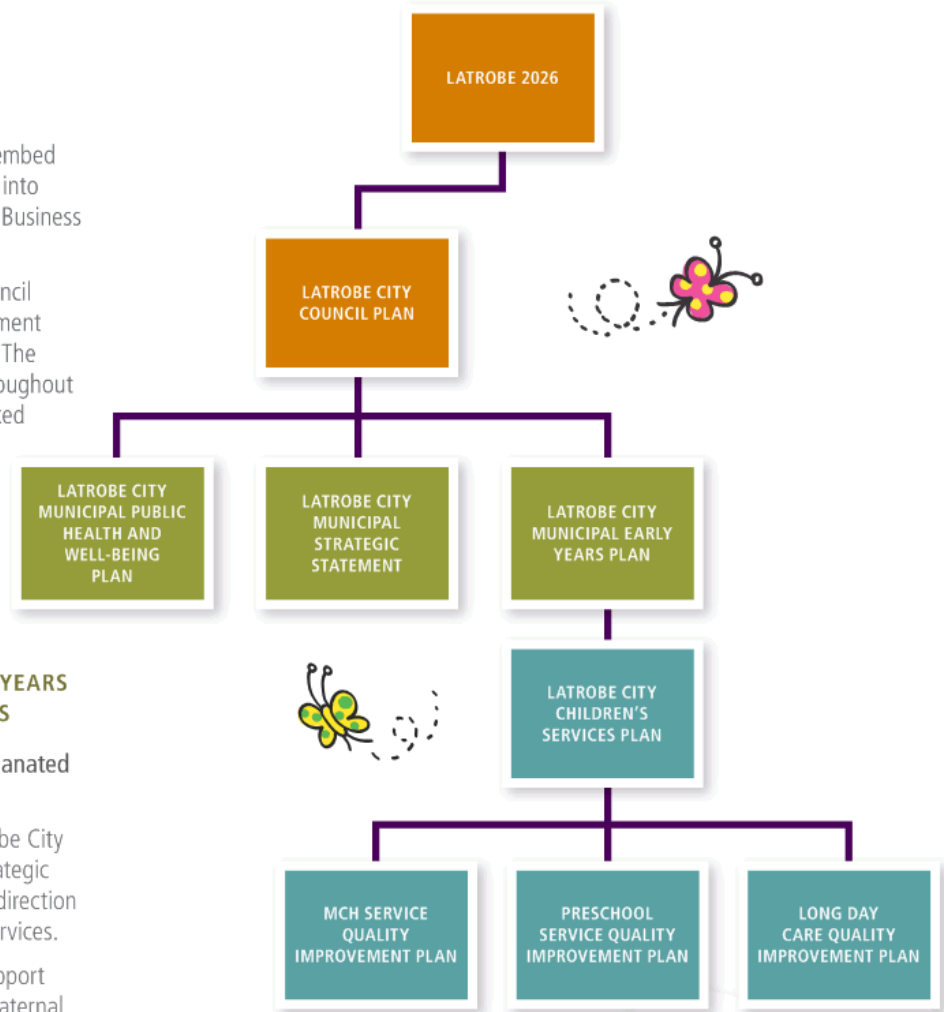
The MEYP has the potential to embed early years community priorities into Council planning processes and Business Plans.

Furthermore, Latrobe City’s Council Plan 2013 – 2017 is a key document in outlining Council’s priorities. The strategic priorities identified throughout the MEYP have been closely linked back to the Council Plan and Municipal Public Health and Well-Being Plan. However, the priorities can also be linked to existing strategies and plans of Council and various other community organisations.

LATROBE MUNICIPAL EARLY YEARS PLAN 2011-2015: HIGHLIGHTS

Some of the initiatives that emanated from the previous MEYP were:

- ▶ The development of the Latrobe City Children’s Services Plan; a strategic document guiding the future direction of Latrobe City’s Children’s Services.
- ▶ The introduction of Family Support Workers into the Enhanced Maternal and Child Health team allowing intensive support to be provided to our most vulnerable families.
- ▶ Feasibility study into the future of the Family Day Care program.
- ▶ The development of the Early Years Reference Committee.





Development of the Latrobe Municipal Early Years Plan 2016-2020

Latrobe City's Municipal Early Years Plan 2016-2020 was developed with the involvement of a broad range of stakeholders and community members. Each stage of the process included engagement, consultation and active feedback.

The Plan has been informed by:

- ▶ Latrobe City Early Years Reference Committee.
- ▶ Demographic information relating to Latrobe City and the region.
- ▶ Research and policy supporting children's early years.
- ▶ Internal and external stakeholders and the broader community through extensive consultation.



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EARLY YEARS REFERENCE COMMITTEE

The Early Years Reference Committee was established in 2012 to ensure a partnership approach for the development and implementation of Latrobe City Council's Early Years Plans into the future. This committee includes Councillors, agencies and community representatives and plays a crucial role in improving opportunities and environments for young children. The main objectives of the Committee are to:

- ▶ Assist in the promotion of the MEYP.
- ▶ Monitor the progress of the previous MEYP.
- ▶ Through the chair, to inform Councillors of matters related to the needs of children and their families that may affect their participation in community life or their development into the future.
- ▶ Advocate in relation to areas of identified need on behalf of children and their families.
- ▶ Provide input into the development of future Latrobe City Council plans and strategies that have a focus on the early years.

The following committee members were instrumental in the formation of the Latrobe City Municipal Early Years Plan 2016 – 2020:

- ▶ Cr Kellie O'Callaghan
- ▶ Frank Bezzina
- ▶ Lauren Beecroft
- ▶ Paul Ambrose
- ▶ Manager Family Services (Latrobe City Council)
- ▶ Early Education Teacher (Latrobe City Council)



GOVERNANCE

Chaired by Cr Kellie O'Callaghan, the Early Years Reference Committee has had internal oversight in relation to the development of this Plan. Comprising a combination of early years professionals, community members and Latrobe City Council officers, the committee has maintained close contact and is largely responsible for the development of this Plan. The Committee provides required updates and seeks endorsement from Council through presentation of relevant information at Council meetings.

Latrobe City Council remains responsible for the endorsement of the Plan and works closely with the Committee to ensure that it is implemented appropriately.

RESEARCH

Research was undertaken to determine the priorities for children 0-8 years old in Latrobe City. This included:

- ▶ Research using the latest release of data from a range of sources.
- ▶ Review of the Municipal Early Years Plan 2011-2015.
- ▶ Relevant Federal and State policies and frameworks.

Mapping, research and analysis identified a number of key findings which contributed to the development of the Strategic Priorities. The key findings have been included in the following pages against each Strategic Priority.

CONSULTATION

Involving the community and other stakeholders has been an integral part of understanding the needs of children and families in Latrobe City and thus, the formation of the MEYP 2016-2020.

A lengthy consultation period beginning in October 2014 was undertaken and resulted in 300 people participating in consultation activities. This captured important information of how the community felt about the future of the early years space and proved valuable in highlighting the three Strategic Priorities of this Plan.

Survey

- ▶ Predominantly web-based with option for hard copy if required.
- ▶ This method proved popular with the community and a total of 213 responses were received.

Face to Face Family Contact

- ▶ The 2014 Children's Expo provided an opportunity to connect with Latrobe City's families with 1520 people in attendance.
- ▶ At the expo, families were encouraged to discuss, through conversations and pictures, what was important to them in the early year's space.

Children's Activities

- ▶ Activities were undertaken with children in Preschools and Early Years Primary Schools to understand their thoughts, ideas and needs in relation to their early years in Latrobe City.

Professional Workshops/Focus Groups

- ▶ Discussions were had with Early Years professionals and other stakeholders to gain their perspective of the current landscape of families within Latrobe City.

POST DRAFT CONSULTATION

- ▶ The Draft MEYP 2016-2020 was released for community comment in May/June 2016 which provided an opportunity for feedback.



Latrobe City now and in the Future



- ▶ The population of Latrobe City is 73,846 with an annual growth rate of approximately 0.9%.
- ▶ The population in Latrobe City will continue to grow and by 2031, it is expected to be in excess of 85,000 residents.
- ▶ The median age of residents was 38 years at the 2011 Census.
- ▶ There are currently 13,180 children between the age of 0-8 years (4,778 between 0-4) residing in Latrobe City with an approximate proportionate split of 50% male and female.
- ▶ 1028 new babies enrolled in Latrobe City's MCH program in 2014-15
- ▶ The Latrobe City community is becoming increasingly culturally diverse with many nations represented.

LATROBE CITY'S CHILDREN – HOW ARE THEY DOING?

Maternal and child health attendance at key age and stage visits:

- ▶ The average attendance, overall, at maternal and child health key age and stage visits is 82.5% (State average is 86.9%).
- ▶ 100% of families attended their first key age and stage visit.
- ▶ In the 2014/15 financial year the attendance rate for visits from 0 – 4 months increased by 1.9% to a total of 94.8% (State average is 97.2%).
- ▶ In the 2014/15 financial year the attendance rate for visits from 8 months was 70.2% (State average is 76.7%).
- ▶ Latrobe City offers an additional key age and stage visit, at 4 years. A total of 659 (65.9%) children were presented for this check in Latrobe City in the 2014/15 financial year (State average is 66.1%).

Immunisation:

- ▶ Immunisation rates in Latrobe City are 4% above the average for the State.
- ▶ 97.74% of Latrobe City's children are fully immunised at 1 year compared to the State average of 94.08%.
- ▶ 93.8% of Latrobe City's children are fully immunised at 2 year compared to the State average of 92.05%.
- ▶ 97.68% of Latrobe City's children are fully immunised at 5 year compared to the State average of 94.49%.

Breastfeeding:

- ▶ Breast feeding rates for Latrobe City are below the average rate for the State of Victoria.
- ▶ 44.1% of babies are either partially or fully breastfed at 3 months of age compared to the State average of 64.5%.



AUSTRALIAN EARLY DEVELOPMENT CENSUS (AEDC)

The Australian Early Development Census (AEDC) is a population based measure of how children have developed by the time they start school. The data examines five areas of childhood development:

- Physical health and well-being;
- Language and cognitive skills
- Social competence
- Emotional maturity
- Communication skills and general knowledge

The AEDC results provide some connections to the three strategic priorities identified in the formation of Latrobe City's Municipal Early Years Plan and can be used as a reference point when analysing the plan's objectives.



Strategic Priorities

Three strategic priorities have been identified through the research and consultation process. These reflect the Community Vision within Latrobe 2026 and are aligned with the Council Plan 2013 – 2017.

- ▶ Strategic Priority 1 - Growing Up Happy, Healthy and Safe
- ▶ Strategic Priority 2 - Learning for Life
- ▶ Strategic Priority 3 - Strong Communities, Strong Families

The following pages in this Plan explain the rationale for identifying the three strategic priorities, how the priorities link to Federal and State policy, the Latrobe City Council Plan 2013-2017 and Latrobe City's Municipal Public Health and Well-being Plan 2013-2017.

The Plan also outlines objectives, measures of success and partners who will work together to implement the Municipal Early Years Plan.



Strategic Priority 1:

Growing up happy, healthy and safe

A healthy and safe environment is vital to a child's development. Children have a right to grow up in a safe environment free of harm and be confident to take risks to enhance their learning. Research shows that a healthy lifestyle from early childhood leads to improved outcomes both academically and socially into the future.

What the community said...

- ▶ "We need more child friendly housing developments where safe foot/bike paths for physical activity is considered"
- ▶ "We need safe routes to schools to encourage physical activity and independence"
- ▶ "We need safe and clean public toilets and playgrounds with shade structures"
- ▶ "Public open space and playgrounds require attention"
- ▶ "We generally have a healthy and safe environment"

What the statistics say...

- ▶ 23.6% of children aged 0-7 are reported to be obese and 17% of parents surveyed reported that their children eat 'sometimes food' daily.
- ▶ 79.7% of people believe there are good services in Latrobe City.
- ▶ Percentage of infants fully breastfed at three months is 44.1% compared to the State average of 51.4%
- ▶ Percentage of children attending Latrobe City 3 year old maternal and child health checks is 64.3% compared to State average 64.4%
- ▶ AEDC results indicate a decline in the Physical Health and Well-being domain with Latrobe lower than the State average.

RELATIONSHIP TO COUNCIL PLAN 2013-2017

MEYP Strategic Direction	Related Council Plan Themes	Council Plan Objectives
Growing up happy, healthy, and safe.	Appropriate, affordable and sustainable facilities, services and recreation.	<ul style="list-style-type: none"> ▶ To promote and support a healthy, active and connected community. ▶ To provide facilities and services that are accessible and meet the needs of our diverse community.

RELATIONSHIP TO MUNICIPAL PUBLIC HEALTH AND WELL-BEING PLAN 2013 - 2017

MEYP Strategic Direction	Related MPHWP Themes	MPHWP Objectives
Growing up happy, healthy, and safe.	<ul style="list-style-type: none"> ▶ Being Active ▶ Eating well ▶ Protecting our health ▶ Feeling Safe 	<ul style="list-style-type: none"> ▶ Increase participation in physical activity. ▶ Increase understanding of and opportunities for healthy eating. ▶ Maintain or increase immunisation rates. ▶ Reduce incidence of childhood injury. ▶ Maintain or improve the safety of public facilities.

HOW ARE WE GOING TO HELP OUR CHILDREN GROW UP HAPPY, HEALTHY AND SAFE?

Objectives	Measures of Success
Increase participation in physical activity.	<ul style="list-style-type: none"> ▶ More children are participating in physical activity (ABS, LCC REC*)
Advocate on behalf of families for the provision of safe paths and adequate open space as a part of town/housing development plans.	<ul style="list-style-type: none"> ▶ Town/housing development plans consider the needs of the whole family, including children (LCC PLAN*) ▶ Recreational plans/strategies consider open space requirements for children (LCC REC OS*)
Advocate on behalf of families for the provision of shade and safe and clean public toilets at playspaces.	<ul style="list-style-type: none"> ▶ Playspace strategies ensure shade and public toilets are considered as a part of the design (LCC REC OS, LCC IO*)
Increase the understanding of and opportunities for healthy eating.	<ul style="list-style-type: none"> ▶ Improved oral health in children under 8 years (DHSV*) ▶ More children eating the recommended daily intake of fruit and vegetables (VPHS, LCH*) ▶ Decrease in obesity levels in children under 8 years (VH*)

*Measure of Success Data Source Legend on Page 21

Identified partners who may work with the community toward achieving this:

Latrobe City Council (in particular the Family Services, Infrastructure, Planning and Recreation departments), Latrobe Community Health Services, Good Beginnings (part of Save the Children Australia), Anglicare, Ramahyuck and Latrobe Regional Hospital.



Other strategies and plans that are relevant:

- ▶ Best Start Action Plan (Latrobe City as lead agency of Best Start)
- ▶ Latrobe City Council Children’s Services Plan 2013-2017
- ▶ Latrobe City Public Open Space Strategy
- ▶ Latrobe City Playspace Strategy
- ▶ Latrobe City Tracks, Trails and Pathways Strategy.





Strategic Priority 2: Learning for life

Learning starts early on in life (from birth) and continues through your entire life. Research shows that a loving, healthy and intellectually stimulating early childhood is critical to a person's well-being and success throughout life. The brain has the greatest capacity for change during these early years, that is why an investment in education from birth is the key to ultimate success.

Parents and caregivers are a child's first teacher in life and it is extremely important that we consider them and other Educators when planning for the learning of our children.

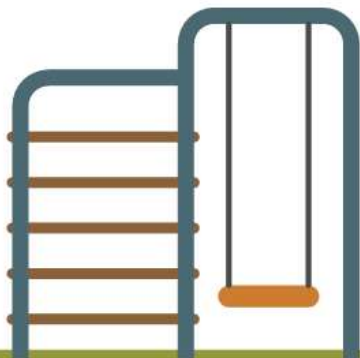
What the community said...

- ▶ "Access for all children to early education through Preschools, kindergartens, schools and playgroup"
- ▶ "Learning needs to start early"
- ▶ "Encouragement and involvement of parents"
- ▶ "Learning through play"
- ▶ "We need continued access to affordable kinder, school, outdoor play areas undercover for rainy days, library access that meets the communities needs and free education sessions for children and parents"

What the statistics say...

- ▶ The percentage of children developmentally vulnerable in Latrobe (18%) has increased since 2009 and is higher than the State average (9.9%).
- ▶ The specific domains that have seen increases in developmentally vulnerable children are Social Competence and Emotional Maturity.

Access
for all children to
early education
THROUGH PRESCHOOLS,
KINDERGARTENS, SCHOOLS AND
PLAYGROUP



RELATIONSHIP TO COUNCIL PLAN 2013-2017

MEYP Strategic Direction	Related Council Plan Themes	Council Plan Objectives
Learning for Life	Appropriate, affordable and sustainable facilities	<ul style="list-style-type: none"> To promote and support a healthy, active and connected community. To provide facilities and services that are accessible and meet the needs of our diverse community.

RELATIONSHIP TO MUNICIPAL PUBLIC HEALTH AND WELL-BEING PLAN 2013 - 2017

MEYP Strategic Direction	Related MPHWP Themes	MPHWP Objectives
Learning for Life	Skills for healthy communities.	<ul style="list-style-type: none"> Build the capacity of the organisation and community groups to deliver health and well-being outcomes

HOW ARE WE GOING TO HELP OUR CHILDREN BECOME LEARNERS FOR LIFE?

Objectives	Measures of Success
Increase participation in Maternal and Child Health key age/stage visits.	<ul style="list-style-type: none"> Increase in participation across all 10 KA&S visits (LCC MCH*)
Advocate on behalf of local families for parent education programs to support the learning needs from infancy through to Primary school.	<ul style="list-style-type: none"> Number of parent education sessions that support the needs of local families and improve outcomes for the children (LCC FS*)
Increase participation in Early Start Kindergarten for eligible children.	<ul style="list-style-type: none"> Eligible children are offered and attending 15 hours of Prekinder per week (LCC FS*)
Increase participation in the funded Kindergarten program.	<ul style="list-style-type: none"> Increase in participation (LCC FS*)
Ensure a smooth transition between the Universal Service System (MCH, Preschool, School)	<ul style="list-style-type: none"> Children and families are transitioning well between the Service types (LCC FS, STN*)
Ensure local educators are well trained and highly skilled in supporting the developmental needs of all children.	<ul style="list-style-type: none"> Reduction in the percentage of children who are developmentally vulnerable in the 5 domains of the AEDC (LCC FS, LCH*)
Increase participation in libraries	<ul style="list-style-type: none"> Participation of children under 8 years at Libraries increases (LCC L*)

*Measure of Success Data Source Legend on Page 21

Identified partners who may work with the community toward achieving this:

Latrobe City Council (in particular Family Services and Libraries), Latrobe Community Health Services, Good Beginnings (part of Save the Children Australia), Anglicare, Latrobe Regional Hospital, Berry Street, Ramahyuck, Department of Education and Training, and Department of Health and Human Services.

Other strategies and plans that are relevant:

- Best Start Action Plan (Latrobe City as lead agency of Best Start)
- Latrobe City Council Children's Services Plan 2013-2017
- Children Youth Area Partnership plan (DET – currently being developed)
- Child First and Integrated Family Services Latrobe/ Baw Baw Catchment Plan (Anglicare as lead agency with ChildFirst)





Strategic Priority 3:

strong communities, strong families

A Community plays an enormous role in supporting families and children to thrive and achieve the best possible outcomes. The opportunities for communities and community organisations to empower families are endless. Community and professionals need to connect and plan to ensure place based planning occurs to meet the needs of each individual. Families also need to be aware of services and supports available within the local community to support them and ultimately improve outcomes for our children.

What the community said...

- ▶ 49% of survey respondents did not know where to go or where to refer a friend to if they needed food but could not afford to buy it.
- ▶ 33% of survey respondents did not know where to refer a friend who needs family support services.
- ▶ "Activities within the community need to be more affordable for all families to be able to participate."
- ▶ "Families require more one on one support".
- ▶ "Positive parents, make sure families are connected to services if they need help of any kind. Focus on early intervention, make sure all families have access to services that help children develop social skills, ensure there are campaigns to assist parents in making the right choices for their children".

What the statistics say...

- ▶ 16.1% of children are at risk of developmental or behaviour problems entering Primary school compared to the State average of 14.7%.
- ▶ 38% of family violence incidents occur where a child is present.
- ▶ 50.7% of Latrobe's children are living in families declared as most disadvantaged.
- ▶ Latrobe City has the highest rate of Child Protection notifications in the State.

ensure

THERE ARE CAMPAIGNS TO ASSIST
PARENTS IN MAKING

the right choices
for their children



RELATIONSHIP TO COUNCIL PLAN 2013-2017

MEYP Strategic Direction	Related Council Plan Themes	Council Plan Objectives
Strong communities, strong families.	Appropriate, affordable and sustainable facilities, services and recreation.	<ul style="list-style-type: none"> ▶ To promote and support a healthy, active and connected community

RELATIONSHIP TO MUNICIPAL PUBLIC HEALTH AND WELL-BEING PLAN 2013 - 2017

MEYP Strategic Direction	Related MPHWP Themes	MPHWP Objectives
Strong communities, strong families	<ul style="list-style-type: none"> ▶ Feeling safe ▶ Staying connected ▶ Skills for healthy communities 	<ul style="list-style-type: none"> ▶ Reduce the incidence of family violence within the community. ▶ Support activities and events that build community and social networks. ▶ Ensure access and equity for all community groups within the community. ▶ Build the capacity of the organisation and community groups to deliver health and well-being outcomes. ▶ Increase opportunities for residents to participate in community action and volunteering.

HOW ARE WE GOING TO HELP OUR CHILDREN BECOME LEARNER’S FOR LIFE?

Objectives	Measures of Success
Educating the community on supports available for families experiencing a difficult time.	<ul style="list-style-type: none"> ▶ Community is more aware of what services are available for people (FSC*)
Increasing opportunities for community members to be trained to volunteer as a support to families.	<ul style="list-style-type: none"> ▶ Increase in family support volunteers (LCC FS, VA*)
Support the delivery and promotion of community playgroups.	<ul style="list-style-type: none"> ▶ Playgroups are promoted more readily throughout the community (LCC FS*)
Provide support to build the capacity and empower families to provide their children with a happy and safe learning environment.	<ul style="list-style-type: none"> ▶ Provision of quality early years services (FSC*)
Ensure local family support workers are well trained and highly skilled in supporting the needs of all families.	<ul style="list-style-type: none"> ▶ Families feel supported and children’s outcomes improve (FSC*)

**Measure of Success Data Source Legend on Page 21*

Identified partners who may work with the community toward achieving this:

Latrobe City Council (in particular Family Services), Latrobe Community Health Services, Good Beginnings (part of Save the Children Australia), Anglicare, Latrobe Regional Hospital, Berry Street, Ramahyuck, Department of Education and Training, and Department of Health and Human Services.

Other strategies and plans that are relevant:

- ▶ Children Youth Area Partnership Plan (DET – currently being developed)
- ▶ Roadmap to reform (Victorian State Government – currently being developed)
- ▶ Child First and Integrated Family Services Latrobe/ Baw Baw Catchment Plan (Anglicare as lead agency with ChildFirst)
- ▶ Best Start Action Plan (Latrobe City as lead agency of Best Start)
- ▶ Latrobe City Council Children’s Services Plan 2013-2017



Relationship to State Government Policy— Roadmap to Reform

The Victorian State Government recently released the Roadmap to Reform: Strong Families, Safe Children.

The vision of the Roadmap is that Victoria will be a state with strong families and children who are safe, healthy and well. The delivery of this vision is underpinned via three reform directions:

- ▶ Building supportive and culturally strong communities and improving access to universal services.
- ▶ Supporting children, young people and families in need with integrated wraparound supports and targeted early interventions.
- ▶ Strengthening home-based care and improving outcomes for children and young people in out-of-home care.

There is a distinct correlation between these directions and the three strategic priorities identified in the MEYP 2016-2020.

Implementation

Annual action plans will be developed on a yearly basis outlining the actions that Latrobe City Council and its key partners will undertake in order to meet the objectives of this plan.

Responsibility for the oversight of the plan will sit with Latrobe City Council officers, who will be required to report at agreed timeframes to the Early Years Reference Committee. Responsibility for the successful delivery of the plan sits with Latrobe City Council and its partners, who will work together in a collaborative fashion to deliver the best possible outcomes for the children of Latrobe City and their families.



Measures of success

The measures of success under each strategic priority were developed after considering what data sources are relevant, available and whether or not they appropriately provide a measurement of the MEYP objectives.

Below is a table and reference to those data sources that will enable the measurement of success for each objective:

Abbreviation	Data/Source Title
ABS	▶ Australian Bureau of Statistics
LCC REC	▶ Latrobe City Council - Recreation Team
LCC PLAN	▶ Latrobe City Council - Planning Team
LCC REC OS	▶ Latrobe City Council - Recreation & Open Space Team
LCC REC IO	▶ Latrobe City Council - Infrastructure Operations Team
DHSV	▶ Dental Health Services Victoria
VPHS	▶ Victorian Population Health Survey
LCH	▶ Latrobe Community Health
VH	▶ Vic Health
LCC MCH	▶ Latrobe City Council - Maternal and Child Health Team
LCC FS	▶ Latrobe City Council - Family Services
STN	▶ School Transition Networks
LCC L	▶ Latrobe City Council - Libraries
VA	▶ Volunteering Australia
FSC	▶ Future Surveys/Consultation.



Review and evaluation

The Early Years Reference Committee has developed a review and evaluation process for the Plan.

Some determinates of success that are listed against the Strategic Direction objectives can be obtained yearly, while others will only be accessible every three years to four years. The yearly measures of success will be collected annually and, along with the Action Plan review, be used to guide the development of the next years Action Plan.

At the completion of each annual review, a report will be provided to Council, stakeholders and the community.

The Latrobe City Municipal Early Years Profile will also be reviewed and updated on a regular basis as new data becomes available.

In 2019/20 an evaluation of the four year MEYP will be undertaken to determine positive outcomes and areas for further consideration in the 2020 – 2024 MEYP.

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CORPORATE SERVICES

17. CORPORATE SERVICES

17.1 COUNCIL DELEGATIONS REVIEW

General Manager

Corporate Services

For Decision

PURPOSE

The purpose of this report is to seek Council's adoption of the S6. *Instrument of Delegation to Members of Council Staff 16 [DEL-2]* and the adoption of the S5 *Instrument of Delegation to the Chief Executive Officer 16 [DEL-2]*.

EXECUTIVE SUMMARY

The instruments of delegations submitted with this report have been prepared in accordance with the recommendations received from Maddocks Lawyers (Maddocks). Maddocks provides Victorian Councils with a subscription service to a template system of delegations and authorisation instruments that is up to date and under constant review. This review is the first of two updates for the 2016 period. (Review updates are received in June and December each year).

With respect to these delegations, the Maddocks model takes a provision-by-provision listing of Council powers under statutes and regulations which are able to be delegated under the *Local Government Act 1989* and under other applicable legislation.

Each proposed power, function and/or duty proposed to be delegated by Council to officers, and the position title of each nominated officer, is prescribed in the schedule to the S6. *Instrument of Delegation from Council to Staff* (Instrument).

Council should note that there is also a S7. *Instrument of Sub-Delegation from Council's Chief Executive Officer to Staff*. This instrument is executed by the Chief Executive Officer should Council resolve to adopt the S6. Instrument of Delegation and once they have been signed and sealed.

The amendment to the S5 *Instrument of Delegation to the Chief Executive Officer* [16 DEL-2] is an organisational recommendation to allow the Chief Executive Officer to approve purchases or payments relating to statutory charges, utility contracts or insurance contract arrangements such as WorkCover Insurance, Public Liability, Products Liability and Professional Indemnity (JMAPP) Insurance. This is an expansion to clause 4.1 of the Conditions and Limitations of the S5 *Instrument*.

RECOMMENDATION

That Council:

1. In exercising its powers of delegation conferred by section 98(1) of the *Local Government Act 1989 (Act)* and other applicable legislation referred to in the attached S6. Instrument of Delegation to Members of Council Staff [16 DEL-2] (Instrument):
 - a. Delegates to the members of Council staff holding, acting in or performing the duties of the officers or positions referred to in the attached Instrument, the powers duties and functions set out in the Instrument subject to the conditions and limitations specified in that instrument;
 - b. Requires that the duties, functions and powers set out in the Instrument to be carried out in accordance with any guidelines or policies of Council that it may from time to time adopt;
 - c. Delegates and authorises the Chief Executive Officer to affix the common seal of Council to this Instrument, which comes into force immediately upon the common seal being affixed to the Instrument; and
 - d. On the coming into force of the Instrument, the S6. *Instrument of Delegation – Members to Staff [16 DEL-1]* dated 23 March 2016 is revoked
2. In the exercise of the powers conferred by section 98(1) of the Act and the other legislation referred to in the attached S5. Instrument of Delegation to the Chief Executive Officer:
 - a. There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached S5 Instrument of Delegation to the Chief Executive Officer [16 DEL- 2], subject to the conditions and limitations specified in that Instrument;
 - b. The instrument comes into force immediately upon the common seal of Council being affixed to the instrument;
 - c. On the coming into force of the instrument all previous delegations to the Chief Executive Officer [16 DEL-1] dated 18 July 2016 are revoked;
 - d. The duties and functions set out in the instrument must be performed, and the powers set out in the instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt; and

- e. It is noted that the instrument includes a power of delegations to members of Council staff, in accordance with section 98(3) of the Act.

DECLARATION OF INTEREST

No officer declared a conflict of interest under the *Local Government Act 1989* in the preparation of this report.

STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

Latrobe 2026: The Community Vision for Latrobe Valley

Strategic Objectives – Our Community

In 2026, Latrobe Valley is one of the most liveable regions in Victoria, known for its high quality health, education and community services, supporting communities that are safe, connected and proud.

Strategic Objectives – Governance

In 2026, Latrobe Valley has a reputation for conscientious leadership and governance, strengthened by an informed and engaged community, committed to enriching local decision making.

Latrobe City Council Plan 2013 - 2017

Theme and Objectives

Theme 3: Efficient, effective and accountable governance

Strategic Direction – To provide open, transparent and accountable governance.

BACKGROUND

The *Local Government Act 1989* (Act) allows Council to delegate various powers and functions.

Section 98: Delegations

A Council may by instrument of delegation to member of its staff any power, duty or function of a council under this Act.

S5 - Instrument of Delegation from Council to CEO.

This delegates all of Council's powers, duties and functions which are capable of delegation, subject to some exceptions and limitations, to the CEO.

S6. Instrument of Delegation from Council to Staff (Instrument)

The Instrument can be used by a Council to delegate powers directly to members of Council staff pursuant to section 98(1) of the Act.

S7. Instrument of Sub-Delegation from Council's CEO to Staff.

ORDINARY COUNCIL MEETING AGENDA 22 AUGUST 2016 (CM488)

This instrument is intended to be executed by the Chief Executive Officer should Council resolve to adopt the above stated *S6. Instrument of Delegation from Council to Staff* (and following such *S6. Instrument* having been signed and sealed).

KEY POINTS/ISSUES

The Council as a legal entity can only act through Council resolution or through delegating others to act on Council's behalf. Where Council acts through others, legal advice recommends that this be formalised through a written 'instrument of delegation' where practicable. The decision of a delegate with delegated powers is legally binding on the Council as if the Council had made the decision itself.

The Instrument of delegation submitted with this report has been prepared in accordance with the recommendations received from Maddocks. Maddocks provide Victorian Council's with a subscription service to a template system of delegations and authorisation instruments that is up to date and under constant review.

In respect to these delegations, the Maddocks' model takes a provision-by-provision listing of Council powers, functions and duties under statutes and regulations which are delegated under the *Local Government Act 1989* and under other applicable legislation.

Each proposed power, function and/or duty to be delegated by Council to officers and the position title of each nominated officer is prescribed in the schedule to the Instrument. The Instrument is presented for adoption.

RISK IMPLICATIONS

Whilst it could be argued that Council could simply rely on the general delegation powers of the *Local Government Act 1989* to delegate matters under the Acts specified in the Instruments of Delegation, there is an appreciable risk in doing so. This would be to ignore a rule of statutory interpretation which dictates that the specific delegation takes priority over the general.

Accordingly, there are several reasons why delegations are carefully made and reviewed regularly, including:

- Accountability and responsibility for decisions is possible only if decision makers are identified;
- In delegating responsibility, Council can set conditions, limitations and guidelines for decision makers, including reporting requirements; and
- Council decisions are often subject to legal scrutiny in courts and tribunals and this in turn requires precision about what decision has been made, who made it and when it was made.

These risks have been considered as part of this review of delegations and this report, and the proposed delegations are considered to be consistent with the Risk Management Framework.

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)****FINANCIAL AND RESOURCES IMPLICATIONS**

The financial and resource implications are minimal. Council subscribes to a service provided by Maddocks Lawyers that reviews relevant legislation for updates affecting Local Government functions and powers. An internal review is conducted at least twice annually by officers to ensure that the said functions and powers have been appropriately assigned to officers before presenting this information to Council.

INTERNAL/EXTERNAL CONSULTATION

Community consultation has not been undertaken as this is a statutory function required by the *Local Government Act 1989*.

OPTIONS

Council has the option to delete the specified legislation provisions from the schedule of delegations, or amend the designated officer receiving the delegation. In the first instance, if a specific provision is deleted from the delegation prepared by Maddocks, it should be noted that Council will be the only body that can exercise those respective powers and provisions in the applicable legislation. To exercise those respective powers and provisions would require a resolution of the Council at either an Ordinary or Special Council Meeting.

CONCLUSION

It is imperative from an accountability, transparency and risk management perspective, that Council delegations to staff are legislatively compliant, and accurately maintained. The proposed delegations before Council are mostly operational in nature and have been updated to reflect legislative changes as advised by Maddocks.

The following attachments are presented for Council's consideration:

S5. Instrument of Delegation to the Chief Executive Officer [16 DEL-2]

S6. Instrument of Delegation from Council to Staff [16 DEL-2]

SUPPORTING DOCUMENTS

S7. Instrument of Sub-Delegation from Council's CEO to Staff.[16 DEL-2]

Attachments

1. S5. Instrument of Delegation to the CEO
2. S6. Instrument of Delegation - Members of Staff
3. S6. Instrument of Delegation Members of Staff -Schedule

17.1

Council Delegations Review

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Maddocks Delegations and Authorisations

S5. Instrument of Delegation to Chief Executive Officer



Latrobe City Council

Instrument of Delegation

to

The Chief Executive Officer

[16 DEL-2]

Instrument of Delegation

In exercise of the power conferred by section 98(1) of the *Local Government Act 1989 (the Act)* and all other powers enabling it, the Latrobe City Council (**Council**) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that:

1. This Instrument of Delegation is authorised by a Resolution of Council passed on Council meeting on 22 August 2016.
2. On the coming into force of this Instrument of Delegation, the *S5. Instrument of Delegation to The Chief Executive Officer* dated 18 July 2016 is revoked.
3. The delegation -
 - 3.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 3.2 is subject to any conditions and limitations set out in the Schedule;
 - 3.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; AND
 - 3.4 remains in force until Council resolves to vary or revoke it.
4. The member of Council staff occupying the position or title of or acting in the position of Chief Executive Officer may delegate to a member of Council staff any of the powers (other than the power of delegation conferred by section 98(3) of the Act or any other powers not capable of sub-delegation) which this Instrument of Delegation delegates to him or her.

The Common Seal of **Latrobe City Council**)
 was affixed in accordance with Local Law No. 1)
 this day of 2016 in the)
 presence of:)

Michael Rossiter - Mayor

SCHEDULE

The power to:

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

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

Conditions and Limitations

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

4. if the issue, action, act or thing is an issue, action, act or thing which involves:

awarding contracts greater than the value of \$500,000 for goods, services and works in accordance with the current Latrobe City Council Procurement Policy; unless the contract, purchase or payment relates to statutory charges, utility contracts or insurance contract arrangements, such as:

WorkCover Insurance;
Public Liability, Products Liability and Professional Indemnity;
(JMAPP) Insurance;

- 4.1 making a local law under Part 5 of the Act;
- 4.2 approval of the Council Plan under s.125 of the Act;
- 4.3 adoption of the Strategic Resource Plan under s.126 of the Act;
- 4.4 preparation or adoption of the Budget or a Revised Budget under Part 6 of the Act;
- 4.5 adoption of the Auditor's report, Annual Financial Statements, Standard Statements and Performance Statement under Part 6 of the Act;
- 4.6 determining pursuant to s37 of the Act that an extraordinary vacancy on Council not be filled;
- 4.7 exempting a member of a special committee who is not a Councillor from submitting a return under s.81 of the Act;
- 4.8 appointment of councillor or community delegates or representatives to external organisations;

- 4.9 the return of the general valuation and any supplementary valuations;
- 4.10 appointment of an acting Chief Executive Officer for a period exceeding four weeks.
- 5 if the issue, action, act, or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
- 6 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;
- 7 if the determining of the issues, taking of the action or doing of the act or thing would or would likely to involve a decision which is inconsistent with a -
 - 7.1 policy; or
 - 7.2 strategy
adopted by Council; or
- 8 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
- 9 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.

Maddocks Delegations and Authorisations

S6. Instrument of Delegation – Members of Staff



Latrobe City Council

Instrument of Delegation

to

Members of Council Staff

[16 DEL-2]

Instrument of Delegation

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

1. delegates each duty and/or function and/or power respectively described in **column 2** of the Schedule (and summarised in **column 3** of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position respectively described opposite each such duty and/or function and/or power in **column 4** of the Schedule;
2. declares that:
 - 2.1 this Instrument of Delegation is authorised by a resolution of Council passed on 22 August 2016; and
 - 2.2 on the coming into force of this Instrument of Delegation, the *S6. Instrument of Delegation to Members of Council Staff* [16 DEL-1] dated 23 March 2016 is revoked; and
 - 2.3 the delegation:
 - 2.3.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.3.2 remains in force until Council resolves to vary or revoke it;
 - 2.3.3 is subject to any conditions and limitations set out in subparagraph 2.4 and **column 5** of the Schedule; and
 - 2.3.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.4 the delegate must not determine the issue, take the action or do the act or thing:
 - 2.4.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 2.4.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a —

- (a) policy; or
 - (b) strategy
 - (c) adopted by Council; or
- 2.4.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
- 2.4.4 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.

The Common Seal of **Latrobe City Council**)
was affixed in accordance with Local Law No. 1)
this day of 2016 in the presence of:)

MICHAEL ROSSITER – Mayor

SCHEDULE

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Domestic Animals Act 1994	s.41A(1)	power to declare a dog to be a menacing dog	Manager Municipal Services	Council may delegate this power to an authorised officer	City Development
Domestic Animals Act 1994	s.41A(1)	power to declare a dog to be a menacing dog	Coordinator Local Laws	Council may delegate this power to an authorised officer	City Development
Environment Protection Act 1970	s.53M(6)	power to refuse to issue septic tank permit	Environmental Health Officer	refusal must be ratified by Council or it is of no effect	City Development
Environment Protection Act 1970	s.53M(3)	power to require further information	Coordinator Health Services		City Development
Environment Protection Act 1970	s.53M(3)	power to require further information	Senior Environmental Health Officer		City Development
Environment Protection Act 1970	s.53M(3)	power to require further information	Environmental Health Officer		City Development
Environment Protection Act 1970	s.53M(3)	power to require further information	Manager Municipal Services		City Development
Environment Protection Act 1970	s.53M(4)	duty to advise applicant that application is not to be dealt with	Coordinator Health Services		City Development
Environment Protection Act 1970	s.53M(4)	duty to advise applicant that application is not to be dealt with	Senior Environmental Health Officer		City Development
Environment Protection Act 1970	s.53M(4)	duty to advise applicant that application is not to be dealt with	Environmental Health Officer		City Development
Environment Protection Act 1970	s.53M(4)	duty to advise applicant that application is not to be dealt with	Manager Municipal Services		City Development
Environment Protection Act 1970	s.53M(5)	duty to approve plans, issue permit or refuse permit	Coordinator Health Services	refusal must be ratified by Council or it is of no effect	City Development
Environment Protection Act 1970	s.53M(5)	duty to approve plans, issue permit or refuse permit	Senior Environmental Health Officer	refusal must be ratified by Council or it is of no effect	City Development
Environment Protection Act 1970	s.53M(5)	duty to approve plans, issue permit or refuse permit	Environmental Health Officer	refusal must be ratified by Council or it is of no effect	City Development
Environment Protection Act 1970	s.53M(5)	duty to approve plans, issue permit or refuse permit	Manager Municipal Services	refusal must be ratified by Council or it is of no effect	City Development
Environment Protection Act 1970	s.53M(6)	power to refuse to issue septic tank permit	Coordinator Health Services	refusal must be ratified by Council or it is of no effect	City Development
Environment Protection Act 1970	s.53M(6)	power to refuse to issue septic tank permit	Senior Environmental Health Officer	refusal must be ratified by Council or it is of no effect	City Development
Environment Protection Act 1970	s.53M(6)	power to refuse to issue septic tank permit	Senior Environmental Health Officer	refusal must be ratified by Council or it is of no effect	City Development
Environment Protection Act 1970	s.53M(7)	duty to refuse to issue a permit in circumstances in (a)-(c)	Coordinator Health Services	refusal must be ratified by council or it is of no effect	City Development
Environment Protection Act 1970	s.53M(7)	duty to refuse to issue a permit in circumstances in (a)-(c)	Senior Environmental Health Officer	refusal must be ratified by council or it is of no effect	City Development
Environment Protection Act 1970	s.53M(7)	duty to refuse to issue a permit in circumstances in (a)-(c)	Manager Municipal Services	refusal must be ratified by council or it is of no effect	City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Food Act 1984	s.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	Coordinator Health Services	If section 19(1) applies	City Development
Food Act 1984	s.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	Senior Environmental Health Officer	If section 19(1) applies	City Development
Food Act 1984	s.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	Environmental Health Officer	If section 19(1) applies	City Development
Food Act 1984	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	Coordinator Health Services	If section 19(1) applies	City Development
Food Act 1984	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	Senior Environmental Health Officer	If section 19(1) applies	City Development
Food Act 1984	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	Environmental Health Officer	If section 19(1) applies	City Development
Food Act 1984	s.19(4)(a)	power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	Coordinator Health Services	If section 19(1) applies	City Development
Food Act 1984	s.19(4)(a)	power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	Senior Environmental Health Officer	If section 19(1) applies	City Development
Food Act 1984	s.19(4)(a)	power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	Environmental Health Officer	If section 19(1) applies	City Development
Food Act 1984	s.19(6)(a)	duty to revoke any order under s.19 if satisfied that an order has been complied with	Coordinator Health Services	If section 19(1) applies	City Development
Food Act 1984	s.19(6)(a)	duty to revoke any order under s.19 if satisfied that an order has been complied with	Senior Environmental Health Officer	If section 19(1) applies	City Development
Food Act 1984	s.19(6)(a)	duty to revoke any order under s.19 if satisfied that an order has been complied with	Environmental Health Officer	If section 19(1) applies	City Development
Food Act 1984	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	Coordinator Health Services	If section 19(1) applies	City Development
Food Act 1984	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	Senior Environmental Health Officer	If section 19(1) applies	City Development
Food Act 1984	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	Environmental Health Officer	If section 19(1) applies	City Development
Food Act 1984	s.19AA(2)	Power to direct by written order, that a person must take any of the actions described in (a)-(c).	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	s.19AA(2)	Power to direct by written order, that a person must take any of the actions described in (a)-(c).	Senior Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.19AA(2)	Power to direct by written order, that a person must take any of the actions described in (a)-(c).	Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	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.	Coordinator Health Services	Note: the power to direct the matters under s19AA(4)(a) and (b) not capable of delegation and so such directions must be made by Council resolution	City Development

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S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Food Act 1984	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.	Senior Environmental Health Officer	Note: the power to direct the matters under s19AA(4)(a) and (b) not capable of delegation and so such directions must be made by Council resolution	City Development
Food Act 1984	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.	Environmental Health Officer	Note: the power to direct the matters under s19AA(4)(a) and (b) not capable of delegation and so such directions must be made by Council resolution	City Development
Food Act 1984	s.19AA(7)	duty to revoke order issued under s.19AA and give written notice of revocation, if satisfied that the order has been complied with.	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	s.19AA(7)	duty to revoke order issued under s.19AA and give written notice of revocation, if satisfied that the order has been complied with.	Senior Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.19AA(7)	duty to revoke order issued under s.19AA and give written notice of revocation, if satisfied that the order has been complied with.	Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.19CB(4)(b)	power to request copy of records	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	s.19CB(4)(b)	power to request copy of records	Senior Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.19CB(4)(b)	power to request copy of records	Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.19E(1)(d)	power to request a copy of the food safety program	Coordinator Health Services	where Council is the registration authority	City Development
Food Act 1984	s.19E(1)(d)	power to request a copy of the food safety program	Senior Environmental Health Officer	where Council is the registration authority	City Development
Food Act 1984	s.19E(1)(d)	power to request a copy of the food safety program	Environmental Health Officer	where Council is the registration authority	City Development
Food Act 1984	s.19GB	power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	s.19GB	power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	Senior Environmental	where council is the registration authority	City Development
Food Act 1984	s.19GB	power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.19M(4)(a) & (5)	power to conduct a food safety audit and take actions where deficiencies are identified	Not Delegated	where council is the registration authority	City Development
Food Act 1984	s.19NA(1)	power to request food safety audit reports	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	s.19NA(1)	power to request food safety audit reports	Senior Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.19NA(1)	power to request food safety audit reports	Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.19U(3)	power to waive and vary the costs of a food safety audit if there are special circumstances	Coordinator Health Services		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Food Act 1984	s.19U(3)	power to waive and vary the costs of a food safety audit if there are special circumstances	Senior Environmental Health Officer		City Development
Food Act 1984	s.19UA	power to charge fees for conducting a food safety assessment or inspection	Coordinator Health Services	except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39.	City Development
Food Act 1984	s.19UA	power to charge fees for conducting a food safety assessment or inspection	Senior Environmental Health Officer	except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39.	City Development
Food Act 1984	s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	Senior Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.19W(3)(a)	power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	s.19W(3)(a)	power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	Senior Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.19W(3)(a)	power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	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	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	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	Senior Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	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	Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	---	power to register, renew or transfer registration	Coordinator Health Services	where council is the registration authority; refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see section 58A(2))	City Development
Food Act 1984	---	power to register, renew or transfer registration	Senior Environmental Health Officer	where council is the registration authority; refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see section 58A(2))	City Development
Food Act 1984	---	power to register, renew or transfer registration	Environmental Health Officer	where council is the registration authority; refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see section 58A(2))	City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Food Act 1984	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	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	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	Senior Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	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	Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.38AB(4)	power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	s.38AB(4)	power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)	Senior Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.38A(4)	power to request a copy of a completed food safety program template	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	s.38A(4)	power to request a copy of a completed food safety program template	Senior Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.38A(4)	power to request a copy of a completed food safety program template	Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	Senior Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	Senior Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	Senior Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	Senior Environmental Health Officer	where council is the registration authority	City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Food Act 1984	s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	Senior Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.38D(3)	power to request copies of any audit reports	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	s.38D(3)	power to request copies of any audit reports	Senior Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.38D(3)	power to request copies of any audit reports	Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.38E(2)	power to register the food premises on a conditional basis	Coordinator Health Services	where council is the registration authority; not exceeding the prescribed time limit defined under subsection (5).	City Development
Food Act 1984	s.38E(2)	power to register the food premises on a conditional basis	Senior Environmental Health Officer	where council is the registration authority; not exceeding the prescribed time limit defined under subsection (5).	City Development
Food Act 1984	s.38E(2)	power to register the food premises on a conditional basis	Environmental Health Officer	where council is the registration authority; not exceeding the prescribed time limit defined under subsection (5).	City Development
Food Act 1984	s.38E(4)	duty to register the food premises when conditions are satisfied	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	s.38E(4)	duty to register the food premises when conditions are satisfied	Senior Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.38E(4)	duty to register the food premises when conditions are satisfied	Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	Senior Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.39A	power to register, renew or transfer food premises despite minor defects	Coordinator Health Services	where council is the registration authority; only if satisfied of matters in subsections (2)(a)-(c)	City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Food Act 1984	s.39A	power to register, renew or transfer food premises despite minor defects	Senior Environmental Health Officer	where council is the registration authority; only if satisfied of matters in subsections (2)(a)-(c)	City Development
Food Act 1984	s.39A	power to register, renew or transfer food premises despite minor defects	Environmental Health Officer	where council is the registration authority; only if satisfied of matters in subsections (2)(a)-(c)	City Development
Food Act 1984	s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	Coordinator Health Services		City Development
Food Act 1984	s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	Senior Environmental Health Officer		City Development
Food Act 1984	s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	Environmental Health Officer		City Development
Food Act 1984	s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	Senior Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.40D(1)	power to suspend or revoke the registration of food premises	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	s.40D(1)	power to suspend or revoke the registration of food premises	Senior Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.40D(1)	power to suspend or revoke the registration of food premises	Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.43F(6)	duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	s.43F(6)	duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	Senior Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	s.43F(6)	duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	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	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	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	Senior Environmental Health Officer	where council is the registration authority	City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Food Act 1984	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	Environmental Health Officer	where council is the registration authority	City Development
Food Act 1984	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	Coordinator Health Services	where council is the registration authority	City Development
Food Act 1984	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	Senior Environmental Health Officer	where council is the registration authority	City Development
Heritage Act 1995	s.84(2)	power to sub-delegate Executive Directors's function	Environmental Health Officer	must obtain Executive Director's written consent first.	City Development
Planning and Environment Act 1987	s.8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	General Manager City Development		City Development
Planning and Environment Act 1987	s.8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	Manager Planning Services		City Development
Planning and Environment Act 1987	s.8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	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	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	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	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	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 function of receiving notice of preparation of an amendment to a planning scheme	Coordinator Strategic Planning	where Council is not the planning authority and the amendmant affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.	City Development
Planning and Environment Act 1987	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 function of receiving notice of preparation of an amendment to a planning scheme	Coordinator Statutory Planning	where Council is not the planning authority and the amendmant affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.	City Development
Planning and Environment Act 1987	s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.46GF	duty to comply with directions issued by the Minister	General Manager City Development	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development

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S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.46GF	duty to comply with directions issued by the Minister	Manager Planning Services	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.46GF	duty to comply with directions issued by the Minister	Coordinator Strategic Planning	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GF	duty to comply with directions issued by the Minister	Senior Strategic Planner	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GF	duty to comply with directions issued by the Minister	Urban Growth Project Officer	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GG	duty to include a condition in a permit relating to matters set out in s.46GG(c) and (d)	General Manager City Development	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GG	duty to include a condition in a permit relating to matters set out in s.46GG(c) and (d)	Manager Planning Services	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GF	duty to comply with directions issued by the Minister	Coordinator Statutory Planning	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GG	duty to include a condition in a permit relating to matters set out in s.46GG(c) and (d)	Coordinator Strategic Planning	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GG	duty to include a condition in a permit relating to matters set out in s.46GG(c) and (d)	Senior Strategic Planner	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GG	duty to include a condition in a permit relating to matters set out in s.46GG(c) and (d)	Urban Growth Project Officer	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GH(1)	power to require the payment of an amount of infrastructure levy to be secured to Council's satisfaction	General Manager City Development	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GH(1)	power to require the payment of an amount of infrastructure levy to be secured to Council's satisfaction	Manager Planning Services	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GG	duty to include a condition in a permit relating to matters set out in s.46GG(c) and (d)	Coordinator Statutory Planning	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GH(1)	power to require the payment of an amount of infrastructure levy to be secured to Council's satisfaction	Coordinator Strategic Planning	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GH(1)	power to require the payment of an amount of infrastructure levy to be secured to Council's satisfaction	Senior Strategic Planner	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.46GH(1)	power to require the payment of an amount of infrastructure levy to be secured to Council's satisfaction	Urban Growth Project Officer	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GH(2)	power to accept the provision of land, works, services or facilities in part or full satisfaction of the amount of infrastructure levy payable	General Manager City Development	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GH(2)	power to accept the provision of land, works, services or facilities in part or full satisfaction of the amount of infrastructure levy payable	Manager Planning Services	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GH(1)	power to require the payment of an amount of infrastructure levy to be secured to Council's satisfaction	Coordinator Statutory Planning	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GH(2)	power to accept the provision of land, works, services or facilities in part or full satisfaction of the amount of infrastructure levy payable	Coordinator Strategic Planning	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GH(2)	power to accept the provision of land, works, services or facilities in part or full satisfaction of the amount of infrastructure levy payable	Senior Strategic Planner	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GH(2)	power to accept the provision of land, works, services or facilities in part or full satisfaction of the amount of infrastructure levy payable	Urban Growth Project Officer	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GH(3)	duty to obtain the agreement of the relevant development agency or agencies specified in the approved infrastructure contributions plan before accepting the provision of land, works, services or facilities by the applicant	General Manager City Development	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GH(3)	duty to obtain the agreement of the relevant development agency or agencies specified in the approved infrastructure contributions plan before accepting the provision of land, works, services or facilities by the applicant	Manager Planning Services	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GH(2)	power to accept the provision of land, works, services or facilities in part or full satisfaction of the amount of infrastructure levy payable	Coordinator Statutory Planning	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GH(3)	duty to obtain the agreement of the relevant development agency or agencies specified in the approved infrastructure contributions plan before accepting the provision of land, works, services or facilities by the applicant	Coordinator Strategic Planning	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GH(3)	duty to obtain the agreement of the relevant development agency or agencies specified in the approved infrastructure contributions plan before accepting the provision of land, works, services or facilities by the applicant	Senior Strategic Planner	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GH(3)	duty to obtain the agreement of the relevant development agency or agencies specified in the approved infrastructure contributions plan before accepting the provision of land, works, services or facilities by the applicant	Urban Growth Project Officer	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GI(1)	duty to keep proper accounts of any amount of infrastructure levy paid to it as a collecting agency or a development agency under part 2 of the <i>Planning and Environment Act 1987</i>	General Manager City Development	must be done in accordance with <i>Local Government Act 1989</i> this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development

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Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.46GI(1)	duty to keep proper accounts of any amount of infrastructure levy paid to it as a collecting agency or a development agency under part 2 of the <i>Planning and Environment Act 1987</i>	Manager Planning Services	must be done in accordance with <i>Local Government Act 1989</i> this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GH(3)	duty to obtain the agreement of the relevant development agency or agencies specified in the approved infrastructure contributions plan before accepting the provision of land, works, services or facilities by the applicant	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.46GI(1)	duty to keep proper accounts of any amount of infrastructure levy paid to it as a collecting agency or a development agency under part 2 of the <i>Planning and Environment Act 1987</i>	Coordinator Strategic Planning	must be done in accordance with <i>Local Government Act 1989</i> this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GI(1)	duty to keep proper accounts of any amount of infrastructure levy paid to it as a collecting agency or a development agency under part 2 of the <i>Planning and Environment Act 1987</i>	Senior Strategic Planner	must be done in accordance with <i>Local Government Act 1989</i> this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GI(1)	duty to keep proper accounts of any amount of infrastructure levy paid to it as a collecting agency or a development agency under part 2 of the <i>Planning and Environment Act 1987</i>	Urban Growth Project Officer	must be done in accordance with <i>Local Government Act 1989</i> this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GI(2)	duty to forward to a development agency any part of an infrastructure levy paid to council which is imposed for plan preparation costs incurred by development agency or for carrying out of works, services or facilities on behalf of the development agency	General Manager City Development	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GI(2)	duty to forward to a development agency any part of an infrastructure levy paid to council which is imposed for plan preparation costs incurred by development agency or for carrying out of works, services or facilities on behalf of the development agency	Manager Planning Services	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GI(1)	duty to keep proper accounts of any amount of infrastructure levy paid to it as a collecting agency or a development agency under part 2 of the <i>Planning and Environment Act 1987</i>	Coordinator Statutory Planning	must be done in accordance with <i>Local Government Act 1989</i> this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GI(2)	duty to forward to a development agency any part of an infrastructure levy paid to council which is imposed for plan preparation costs incurred by development agency or for carrying out of works, services or facilities on behalf of the development agency	Coordinator Strategic Planning	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GI(2)	duty to forward to a development agency any part of an infrastructure levy paid to council which is imposed for plan preparation costs incurred by development agency or for carrying out of works, services or facilities on behalf of the development agency	Senior Strategic Planner	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.46GI(2)	duty to forward to a development agency any part of an infrastructure levy paid to council which is imposed for plan preparation costs incurred by development agency or for carrying out of works, services or facilities on behalf of the development agency	Urban Growth Project Officer	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GI(3)	duty to apply levy amount only in accordance with s.46GI(3) (a) and (b)	General Manager City Development	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GI(3)	duty to apply levy amount only in accordance with s.46GI(3) (a) and (b)	Manager Planning Services	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GI(2)	duty to forward to a development agency any part of an infrastructure levy paid to council which is imposed for plan preparation costs incurred by development agency or for carrying out of works, services or facilities on behalf of the development agency	Coordinator Statutory Planning	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GI(3)	duty to apply levy amount only in accordance with s.46GI(3) (a) and (b)	Coordinator Strategic Planning	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GI(3)	duty to apply levy amount only in accordance with s.46GI(3) (a) and (b)	Senior Strategic Planner	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GI(3)	duty to apply levy amount only in accordance with s.46GI(3) (a) and (b)	Urban Growth Project Officer	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s46GI(4)	power to refund any amount of infrastructure levy paid to it as a development agency under Part 2 of the <i>Planning and Environment Act 1987</i> if satisfied that the development is not to proceed	General Manager City Development	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s46GI(4)	power to refund any amount of infrastructure levy paid to it as a development agency under Part 2 of the <i>Planning and Environment Act 1987</i> if satisfied that the development is not to proceed	Manager Planning Services	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GI(3)	duty to apply levy amount only in accordance with s.46GI(3) (a) and (b)	Coordinator Statutory Planning	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s46GI(4)	power to refund any amount of infrastructure levy paid to it as a development agency under Part 2 of the <i>Planning and Environment Act 1987</i> if satisfied that the development is not to proceed	Coordinator Strategic Planning	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s46GI(4)	power to refund any amount of infrastructure levy paid to it as a development agency under Part 2 of the <i>Planning and Environment Act 1987</i> if satisfied that the development is not to proceed	Senior Strategic Planner	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s46GI(4)	power to refund any amount of infrastructure levy paid to it as a development agency under Part 2 of the <i>Planning and Environment Act 1987</i> if satisfied that the development is not to proceed	Urban Growth Project Officer	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.46GI(5)	duty to take action described in s.46GI(5)(c) – (e) where s.46GI(5)(a) and (b) applies.	General Manager City Development	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GI(5)	duty to take action described in s.46GI(5)(c) – (e) where s.46GI(5)(a) and (b) applies.	Manager Planning Services	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GI(4)	power to refund any amount of infrastructure levy paid to it as a development agency under Part 2 of the <i>Planning and Environment Act 1987</i> if satisfied that the development is not to proceed	Coordinator Statutory Planning	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GI(5)	duty to take action described in s.46GI(5)(c) – (e) where s.46GI(5)(a) and (b) applies.	Coordinator Strategic Planning	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GI(5)	duty to take action described in s.46GI(5)(c) – (e) where s.46GI(5)(a) and (b) applies.	Senior Strategic Planner	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GI(5)	duty to take action described in s.46GI(5)(c) – (e) where s.46GI(5)(a) and (b) applies.	Urban Growth Project Officer	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GL	power to recover any amount of infrastructure levy as a debt due to Council	General Manager City Development	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GL	power to recover any amount of infrastructure levy as a debt due to Council	Manager Planning Services	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GI(5)	duty to take action described in s.46GI(5)(c) – (e) where s.46GI(5)(a) and (b) applies.	Coordinator Statutory Planning	this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GL	power to recover any amount of infrastructure levy as a debt due to Council	Coordinator Strategic Planning	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GL	power to recover any amount of infrastructure levy as a debt due to Council	Senior Strategic Planner	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GL	power to recover any amount of infrastructure levy as a debt due to Council	Urban Growth Project Officer	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GM	duty to prepare report and give a report to the Minister	General Manager City Development	where council is a collecting agency or development agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GM	duty to prepare report and give a report to the Minister	Manager Planning Services	where council is a collecting agency or development agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GL	power to recover any amount of infrastructure levy as a debt due to Council	Coordinator Statutory Planning	where council is a collecting agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.46GM	duty to prepare report and give a report to the Minister	Coordinator Strategic Planning	where council is a collecting agency or development agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GM	duty to prepare report and give a report to the Minister	Senior Strategic Planner	where council is a collecting agency or development agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46GM	duty to prepare report and give a report to the Minister	Urban Growth Project Officer	where council is a collecting agency or development agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	Statutory Planning Compliance Officer		City Development
Planning and Environment Act 1987	s.46GM	duty to prepare report and give a report to the Minister	Coordinator Statutory Planning	where council is a collecting agency or development agency this provision is not yet in force and will commence on 1 June 2016 unless proclaimed earlier	City Development
Planning and Environment Act 1987	s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.179(2)	duty to make available for inspection copy agreement	Coordinator Governance		Corporate Services
Planning and Environment Act 1987	s.179(2)	duty to make available for inspection copy agreement	Governance Officer		Corporate Services
Planning and Environment Act 1987	s.84(2)	power to sub-delegate Executive Director's functions	Not Delegated	must obtain Executive Director's written consent first.	General
Planning and Environment Act 1987	s.4B	power to prepare an amendment to the Victoria Planning Provisions	General Manager City Development	if authorised by the Minister	City Development
Planning and Environment Act 1987	s.4B	power to prepare an amendment to the Victoria Planning Provisions	Manager Planning Services	if authorised by the Minister	City Development
Planning and Environment Act 1987	s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	Coordinator Strategic Planning		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.4B	power to prepare an amendment to the Victoria Planning Provisions	Coordinator Strategic Planning	if authorised by the Minister	City Development
Planning and Environment Act 1987	s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	General Manager City Development		City Development
Planning and Environment Act 1987	s.4B	power to prepare an amendment to the Victoria Planning Provisions	Manager Planning Services	if authorised by the Minister	City Development
Planning and Environment Act 1987	s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	Manager Planning Services		City Development
Planning and Environment Act 1987	s.4B	power to prepare an amendment to the Victoria Planning Provisions	Coordinator Statutory Planning	if authorised by the Minister	City Development
Planning and Environment Act 1987	s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	Manager Planning Services		City Development
Planning and Environment Act 1987	s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.4H	duty to make amendment to Victoria Planning Provisions available	Manager Planning Services		City Development
Planning and Environment Act 1987	s.4H	duty to make amendment to Victoria Planning Provisions available	General Manager City Development		City Development
Planning and Environment Act 1987	s.4H	duty to make amendment to Victoria Planning Provisions available	Manager Planning Services		City Development
Planning and Environment Act 1987	s.4I	duty to keep Victoria Planning Provisions and other documents available	Manager Planning Services		City Development
Planning and Environment Act 1987	s.4I	duty to keep Victoria Planning Provisions and other documents available	General Manager City Development		City Development
Planning and Environment Act 1987	s. 8A(2)	power to prepare amendments to the planning scheme where the Minister has given consent under s.8A			General
Planning and Environment Act 1987	s.8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	Manager Planning Services		City Development
Planning and Environment Act 1987	s.8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	General Manager City Development		City Development
Planning and Environment Act 1987	s.8A(5)	function of receiving notice of the Minister's decision			General
Planning and Environment Act 1987	s. 8A(7)	power to prepare the amendments specified in the application without the Minister's authorisation if no response received after 10 business days.			General
Planning and Environment Act 1987	s.8B(2)	power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district.			General
Planning and Environment Act 1987	s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	General Manager City Development		City Development
Planning and Environment Act 1987	s.8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	Manager Planning Services		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	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	General Manager City Development		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	s.12A(1)	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s.19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.12A(1)	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s.19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	General Manager City Development		City Development
Planning and Environment Act 1987	s.12A(1)	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s.19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.12B(1)	duty to review planning scheme	Manager Planning Services		City Development
Planning and Environment Act 1987	s.12B(1)	duty to review planning scheme	General Manager City Development		City Development
Planning and Environment Act 1987	s.12B(1)	duty to review planning scheme	Manager Planning Services		City Development
Planning and Environment Act 1987	s.12B(2)	duty to review planning scheme at direction of Minister	Manager Planning Services		City Development
Planning and Environment Act 1987	s.12B(2)	duty to review planning scheme at direction of Minister	General Manager City Development		City Development
Planning and Environment Act 1987	s.12B(2)	duty to review planning scheme at direction of Minister	Manager Planning Services		City Development
Planning and Environment Act 1987	s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	Manager Planning Services		City Development
Planning and Environment Act 1987	s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	Manager Planning Services		City Development
Planning and Environment Act 1987	s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	General Manager City Development		City Development
Planning and Environment Act 1987	s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	Statutory Planner		City Development
Planning and Environment Act 1987	s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	Planning Officer		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	Statutory Planning Compliance Officer		City Development
Planning and Environment Act 1987	s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	Strategic Planner		City Development
Planning and Environment Act 1987	s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.17(1)	duty of giving copy amendment to the planning scheme	Manager Planning Services		City Development
Planning and Environment Act 1987	s.17(1)	duty of giving copy amendment to the planning scheme	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.17(1)	duty of giving copy amendment to the planning scheme	Manager Planning Services		City Development
Planning and Environment Act 1987	s.17(1)	duty of giving copy amendment to the planning scheme	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.17(1)	duty of giving copy amendment to the planning scheme	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.17(1)	duty of giving copy amendment to the planning scheme	Strategic Planner		City Development
Planning and Environment Act 1987	s.17(2)	duty of giving copy s.173 agreement	Manager Planning Services		City Development
Planning and Environment Act 1987	s.17(2)	duty of giving copy s.173 agreement	General Manager City Development		City Development
Planning and Environment Act 1987	s.17(1)	duty of giving copy amendment to the planning scheme	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.17(2)	duty of giving copy s.173 agreement	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.17(2)	duty of giving copy s.173 agreement	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.17(2)	duty of giving copy s.173 agreement	Strategic Planner		City Development
Planning and Environment Act 1987	s.17(2)	duty of giving copy s.173 agreement	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.17(3)	duty of giving copy amendment , explanatory report and relevant documents to the Minister within 10 business days.		Note: this amendment is not yet in force and will commence on 28 October 2013, if not proclaimed earlier.	City Development
Planning and Environment Act 1987	s.18	duty to make amendment etc. available	General Manager City Development		City Development
Planning and Environment Act 1987	s.17(2)	duty of giving copy s.173 agreement	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.18	duty to make amendment etc. available	Coordinator Strategic Planning		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.18	duty to make amendment etc. available	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.18	duty to make amendment etc. available	Strategic Planner		City Development
Planning and Environment Act 1987	s.18	duty to make amendment etc. available	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.17(2)	duty of giving copy s.173 agreement	Manager Planning Services		City Development
Planning and Environment Act 1987	s.18	duty to make amendment etc. available	Manager Planning Services		City Development
Planning and Environment Act 1987	s.18	duty to make amendment etc. available	Manager Planning Services		City Development
Planning and Environment Act 1987	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 function of receiving notice of preparation of an amendment to a planning scheme	Manager Planning Services	where Council is not the planning authority and the amendmant affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.	City Development
Planning and Environment Act 1987	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 function of receiving notice of preparation of an amendment to a planning scheme	General Manager City Development	where Council is not the planning authority and the amendmant affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.	City Development
Planning and Environment Act 1987	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 function of receiving notice of preparation of an amendment to a planning scheme	Manager Planning Services	where Council is not the planning authority and the amendmant affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.	City Development
Planning and Environment Act 1987	s.20(1)	power to apply to Minister for exemption from the requirements of s.19	Manager Planning Services	Under s.20(3) the Minister cannot exempt a planning authority from the requirements to give notice under certain circumstances	City Development
Planning and Environment Act 1987	s.20(1)	power to apply to Minister for exemption from the requirements of s.20	General Manager City Development	Under s.20(3) the Minister cannot exempt a planning authority from the requirements to give notice under certain circumstances	City Development
Planning and Environment Act 1987	s.20(1)	power to request the Minister for Planning to exempt the planning authority from any of the requirements of section 19	General Manager City Development	Under s.20(3) the Minister cannot exempt a planning authority from the requirements to give notice under certain circumstances	City Development
Planning and Environment Act 1987	s.20(1)	power to request the Minister for Planning to exempt the planning authority from any of the requirements of section 19	Coordinator Strategic Planning	Under s.20(3) the Minister cannot exempt a planning authority from the requirements to give notice under certain circumstances	City Development
Planning and Environment Act 1987	s.20(1)	power to request the Minister for Planning to exempt the planning authority from any of the requirements of section 19	Coordinator Statutory Planning	Under s.20(3) the Minister cannot exempt a planning authority from the requirements to give notice under certain circumstances	City Development
Planning and Environment Act 1987	s.20A	Power to request the Minister for Planning to determine a prescribed amendment	General Manager City Development		City Development
Planning and Environment Act 1987	s.20A	Power to request the Minister for Planning to determine a prescribed amendment	Manager Planning Services		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.20A	Power to request the Minister for Planning to determine a prescribed amendment	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.20A	Power to request the Minister for Planning to determine a prescribed amendment	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.20(4)	Power to request the Minister for Planning to exempt himself from any of the requirement od section 17, 18 and 19	General Manager City Development		City Development
Planning and Environment Act 1987	s.20(4)	Power to request the Minister for Planning to exempt himself from any of the requirement od section 17, 18 and 19	Manager Planning Services		City Development
Planning and Environment Act 1987	s.20(4)	Power to request the Minister for Planning to exempt himself from any of the requirement od section 17, 18 and 19	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.20(4)	Power to request the Minister for Planning to exempt himself from any of the requirement od section 17, 18 and 19	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.21(2)	duty to make submissions available	Manager Planning Services		City Development
Planning and Environment Act 1987	s.21(2)	duty to make submissions available	General Manager City Development		City Development
Planning and Environment Act 1987	s.18	duty to make amendment etc. available	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.21(2)	duty to make submissions available	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.21(2)	duty to make submissions available	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.21(2)	duty to make submissions available	Strategic Planner		City Development
Planning and Environment Act 1987	s.21(2)	duty to make submissions available	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.21A(4)	duty to publish notice in accordance with section	General Manager City Development		City Development
Planning and Environment Act 1987	s.21A(4)	duty to publish notice in accordance with section	Manager Planning Services		City Development
Planning and Environment Act 1987	s.21(2)	duty to make submissions available	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.21A(4)	duty to publish notice in accordance with section	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.21A(4)	duty to publish notice in accordance with section	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.21A(4)	duty to publish notice in accordance with section	Strategic Planner		City Development
Planning and Environment Act 1987	s.21A(4)	duty to publish notice in accordance with section	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.22	duty to consider all submissions	Not Delegated		
Planning and Environment Act 1987	s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	Not Delegated		

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.21A(4)	duty to publish notice in accordance with section	Manager Planning Services		City Development
Planning and Environment Act 1987	s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	General Manager City Development		City Development
Planning and Environment Act 1987	s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	Manager Planning Services		City Development
Planning and Environment Act 1987	s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	Manager Planning Services		City Development
Planning and Environment Act 1987	s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in s.96D)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in s.96D)	General Manager City Development		City Development
Planning and Environment Act 1987	s.21A(4)	duty to publish notice in accordance with section	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in s.96D)	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in s.96D)	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in s.96D)	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in s.96D)	Statutory Planner		City Development
Planning and Environment Act 1987	s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in s.96D)	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in s.96D)	Strategic Planner		City Development
Planning and Environment Act 1987	s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in s.96D)	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in s.96D)	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in s.96D)	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.26(1)	power to make report available for inspection	General Manager City Development		City Development
Planning and Environment Act 1987	s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in s.96D)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.26(1)	power to make report available for inspection	Manager Planning Services		City Development
Planning and Environment Act 1987	s.26(1)	power to make report available for inspection	Manager Planning Services		City Development
Planning and Environment Act 1987	s.26(1)	power to make report available for inspection	Coordinator Strategic Planning		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.26(1)	power to make report available for inspection	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.26(1)	power to make report available for inspection	Strategic Planner		City Development
Planning and Environment Act 1987	s.26(1)	power to make report available for inspection	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.26(1)	power to make report available for inspection	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.26(2)	duty to keep report of panel available for inspection	Manager Planning Services		City Development
Planning and Environment Act 1987	s.26(2)	duty to keep report of panel available for inspection	General Manager City Development		City Development
Planning and Environment Act 1987	s.26(1)	power to make report available for inspection	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.26(2)	duty to keep report of panel available for inspection	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.26(2)	duty to keep report of panel available for inspection	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.26(2)	duty to keep report of panel available for inspection	Statutory Planner		City Development
Planning and Environment Act 1987	s.26(2)	duty to keep report of panel available for inspection	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.26(2)	duty to keep report of panel available for inspection	Strategic Planner		City Development
Planning and Environment Act 1987	s.26(2)	duty to keep report of panel available for inspection	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.26(2)	duty to keep report of panel available for inspection	Manager Planning Services		City Development
Planning and Environment Act 1987	s.26(2)	duty to keep report of panel available for inspection	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.26(2)	duty to keep report of panel available for inspection	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.27(2)	power to apply for exemption if panel's report not received	General Manager City Development		City Development
Planning and Environment Act 1987	s.28	duty to notify the Minister if abandoning an amendment	General Manager City Development	Note; the power to make a decision to abandon an amendment cannot be delegated	City Development
Planning and Environment Act 1987	s.26(2)	duty to keep report of panel available for inspection	Manager Planning Services		City Development
Planning and Environment Act 1987	s.28	duty to notify the Minister if abandoning an amendment	Manager Planning Services	Note; the power to make a decision to abandon an amendment cannot be delegated	City Development
Planning and Environment Act 1987	s.26(2)	duty to keep report of panel available for inspection	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.28	duty to notify the Minister if abandoning an amendment	Coordinator Strategic Planning	Note; the power to make a decision to abandon an amendment cannot be delegated	City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.30(4)(a)	duty to say if amendment has lapsed	Manager Planning Services		City Development
Planning and Environment Act 1987	s.30(4)(a)	duty to say if amendment has lapsed	General Manager City Development		City Development
Planning and Environment Act 1987	s.28	duty to notify the Minister if abandoning an amendment	Coordinator Statutory Planning	Note; the power to make a decision to abandon an amendment cannot be delegated	City Development
Planning and Environment Act 1987	s.30(4)(a)	duty to say if amendment has lapsed	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.30(4)(a)	duty to say if amendment has lapsed	Manager Planning Services		City Development
Planning and Environment Act 1987	s.30(4)(b)	duty to provide information in writing upon request	Manager Planning Services		City Development
Planning and Environment Act 1987	s.30(4)(b)	duty to provide information in writing upon request	General Manager City Development		City Development
Planning and Environment Act 1987	s.30(4)(b)	duty to provide information in writing upon request	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.30(4)(b)	duty to provide information in writing upon request	Manager Planning Services		City Development
Planning and Environment Act 1987	s.30(4)(b)	duty to provide information in writing upon request	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.30(4)(b)	duty to provide information in writing upon request	Strategic Planner		City Development
Planning and Environment Act 1987	s.30(4)(b)	duty to provide information in writing upon request	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.32(2)	duty to give more notice if required	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.32(2)	duty to give more notice if required	General Manager City Development		City Development
Planning and Environment Act 1987	s.32(2)	duty to give more notice if required	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.32(2)	duty to give more notice if required	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.32(2)	duty to give more notice if required	Strategic Planner		City Development
Planning and Environment Act 1987	s.32(2)	duty to give more notice if required	Manager Planning Services		City Development
Planning and Environment Act 1987	s.32(2)	duty to give more notice if required	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.32(2)	duty to give more notice if required	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.33(1)	duty to give more notice of changes to an amendment	Manager Planning Services		City Development
Planning and Environment Act 1987	s.33(1)	duty to give more notice of changes to an amendment	General Manager City Development		City Development
Planning and Environment Act 1987	s.33(1)	duty to give more notice of changes to an amendment	Coordinator Strategic Planning		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.33(1)	duty to give more notice of changes to an amendment	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.33(1)	duty to give more notice of changes to an amendment	Strategic Planner		City Development
Planning and Environment Act 1987	s.33(1)	duty to give more notice of changes to an amendment	Manager Planning Services		City Development
Planning and Environment Act 1987	s.33(1)	duty to give more notice of changes to an amendment	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.33(1)	duty to give more notice of changes to an amendment	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.36(2)	duty to give notice of approval of amendment	Manager Planning Services		City Development
Planning and Environment Act 1987	s.36(2)	duty to give notice of approval of amendment	General Manager City Development		City Development
Planning and Environment Act 1987	s.36(2)	duty to give notice of approval of amendment	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.36(2)	duty to give notice of approval of amendment	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.36(2)	duty to give notice of approval of amendment	Strategic Planner		City Development
Planning and Environment Act 1987	s.36(2)	duty to give notice of approval of amendment	Manager Planning Services		City Development
Planning and Environment Act 1987	s.36(2)	duty to give notice of approval of amendment	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.36(2)	duty to give notice of approval of amendment	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.38(5)	duty to give notice of revocation of an amendment	Manager Planning Services		City Development
Planning and Environment Act 1987	s.38(5)	duty to give notice of revocation of an amendment	General Manager City Development		City Development
Planning and Environment Act 1987	s.36(2)	duty to give notice of approval of amendment	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.38(5)	duty to give notice of revocation of an amendment	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.38(5)	duty to give notice of revocation of an amendment	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.38(5)	duty to give notice of revocation of an amendment	Strategic Planner		City Development
Planning and Environment Act 1987	s.38(5)	duty to give notice of revocation of an amendment	Manager Planning Services		City Development
Planning and Environment Act 1987	s.38(5)	duty to give notice of revocation of an amendment	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.38(5)	duty to give notice of revocation of an amendment	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.39	function of being a party to a proceeding commenced under s.39 and duty to comply with determination by VCAT	Manager Planning Services		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.39	function of being a party to a proceeding commenced under s.39 and duty to comply with determination by VCAT	General Manager City Development		City Development
Planning and Environment Act 1987	s.38(5)	duty to give notice of revocation of an amendment	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.39	function of being a party to a proceeding commenced under s.39 and duty to comply with determination by VCAT	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.39	function of being a party to a proceeding commenced under s.39 and duty to comply with determination by VCAT	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.39	function of being a party to a proceeding commenced under s.39 and duty to comply with determination by VCAT	Strategic Planner		City Development
Planning and Environment Act 1987	s.39	function of being a party to a proceeding commenced under s.39 and duty to comply with determination by VCAT	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.39	function of being a party to a proceeding commenced under s.39 and duty to comply with determination by VCAT	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.40(1)	function of lodging copy of approved amendment	Manager Planning Services		City Development
Planning and Environment Act 1987	s.40(1)	function of lodging copy of approved amendment	General Manager City Development		City Development
Planning and Environment Act 1987	s.39	function of being a party to a proceeding commenced under s.39 and duty to comply with determination by VCAT	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.40(1)	function of lodging copy of approved amendment	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.40(1)	function of lodging copy of approved amendment	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.40(1)	function of lodging copy of approved amendment	Strategic Planner		City Development
Planning and Environment Act 1987	s.40(1)	function of lodging copy of approved amendment	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.40(1)	function of lodging copy of approved amendment	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.40(1)	function of lodging copy of approved amendment	Manager Planning Services		City Development
Planning and Environment Act 1987	s.41	duty to make approved amendment available	General Manager City Development		City Development
Planning and Environment Act 1987	s.41	duty to make approved amendment available	Manager Planning Services		City Development
Planning and Environment Act 1987	s.40(1)	function of lodging copy of approved amendment	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.41	duty to make approved amendment available	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.41	duty to make approved amendment available	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.41	duty to make approved amendment available	Strategic Planner		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.41	duty to make approved amendment available	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.41	duty to make approved amendment available	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.42	duty to make copy of planning scheme available	General Manager City Development		City Development
Planning and Environment Act 1987	s.42	duty to make copy of planning scheme available	Manager Planning Services		City Development
Planning and Environment Act 1987	s.42	duty to make copy of planning scheme available	Manager Planning Services		City Development
Planning and Environment Act 1987	s.41	duty to make approved amendment available	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.42	duty to make copy of planning scheme available	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.42	duty to make copy of planning scheme available	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.42	duty to make copy of planning scheme available	Strategic Planner		City Development
Planning and Environment Act 1987	s.42	duty to make copy of planning scheme available	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.42	duty to make copy of planning scheme available	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.41	duty to make approved amendment available	Manager Planning Services		City Development
Planning and Environment Act 1987	s.46AS(ac)	power to request the Growth Areas Authority to provide advice on any matter relating to land in Victoria or an objective of planning in			City Development
Planning and Environment Act 1987	s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	Manager Planning Services		City Development
Planning and Environment Act 1987	s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	General Manager City Development		City Development
Planning and Environment Act 1987	s.42	duty to make copy of planning scheme available	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	Statutory Planner		City Development
Planning and Environment Act 1987	s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	Planning Officer		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	General Manager City Development		City Development
Planning and Environment Act 1987	s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	Manager Planning Services		City Development
Planning and Environment Act 1987	s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	Manager Planning Services		City Development
Planning and Environment Act 1987	s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	General Manager City Development		City Development
Planning and Environment Act 1987	s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	Manager Planning Services		City Development
Planning and Environment Act 1987	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	General Manager City Development		City Development
Planning and Environment Act 1987	s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	Manager Planning Services		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	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	Municipal Building Surveyor		City Development
Planning and Environment Act 1987	s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	General Manager City Development		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	Manager Planning Services		City Development
Planning and Environment Act 1987	s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	Manager Planning Services		City Development
Planning and Environment Act 1987	s.46P(1)	power to require payment of amount of levy under s.46N or s.46O to be satisfactorily secured	Manager Planning Services		City Development
Planning and Environment Act 1987	s.46P(1)	power to require payment of amount of levy under s.46N or s.46O to be satisfactorily secured	General Manager City Development		City Development
Planning and Environment Act 1987	s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	General Manager City Development		City Development
Planning and Environment Act 1987	s.46P(1)	power to require payment of amount of levy under s.46N or s.46O to be satisfactorily secured	Manager Planning Services		City Development
Planning and Environment Act 1987	s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	Manager Planning Services		City Development
Planning and Environment Act 1987	s.46Q(1)	duty to keep proper accounts of levies paid	General Manager City Development		City Development
Planning and Environment Act 1987	s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	Manager Planning Services		City Development
Planning and Environment Act 1987	s.46Q(1)	duty to keep proper accounts of levies paid	Manager Planning Services		City Development
Planning and Environment Act 1987	s.46Q(1A)	duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development	General Manager City Development		City Development
Planning and Environment Act 1987	s.46Q(1)	duty to keep proper accounts of levies paid	Manager Planning Services		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	s.46Q(2)	duty to apply levy only for a purpose relating to the provision of the works, services and facilities in respect of which the levy was paid etc	General Manager City Development		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	s.46Q(2)	duty to apply levy only for a purpose relating to the provision of the works, services and facilities in respect of which the levy was paid etc	Manager Planning Services		City Development
Planning and Environment Act 1987	s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	General Manager City Development	only applies when levy is paid to Council as a 'development agency'	City Development
Planning and Environment Act 1987	s.46Q(2)	duty to apply levy only for a purpose relating to the provision of the works, services and facilities in respect of which the levy was paid etc	Manager Planning Services		City Development
Planning and Environment Act 1987	s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	Manager Planning Services	only applies when levy is paid to Council as a 'development agency'	City Development
Planning and Environment Act 1987	s.46Q(4)(c)	duty to pay amount to current owners of land in the area	General Manager City Development	· 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	City Development
Planning and Environment Act 1987	s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	Manager Planning Services	only applies when levy is paid to Council as a 'development agency'	City Development
Planning and Environment Act 1987	s.46Q(4)(c)	duty to pay amount to current owners of land in the area	Manager Planning Services	· 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	City Development
Planning and Environment Act 1987	s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	General Manager City Development	· must be done in accordance with Part 3	City Development
Planning and Environment Act 1987	s.46Q(4)(c)	duty to pay amount to current owners of land in the area	Manager Planning Services	· 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	City Development
Planning and Environment Act 1987	s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	Manager Planning Services	· must be done in accordance with Part 3	City Development
Planning and Environment Act 1987	s.46Q(4)(e)	duty to expend that amount on other works etc	General Manager City Development	· with the consent of, and in the manner approved by, the Minister	City Development
Planning and Environment Act 1987	s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	Manager Planning Services	· must be done in accordance with Part 3	City Development
Planning and Environment Act 1987	s.46Q(4)(e)	duty to expend that amount on other works etc	Manager Planning Services	· with the consent of, and in the manner approved by, the Minister	City Development
Planning and Environment Act 1987	s.46QC	power to recover any amount of levy payable under Part 3B	General Manager City Development		City Development
Planning and Environment Act 1987	s.46Q(4)(e)	duty to expend that amount on other works etc	Manager Planning Services	· with the consent of, and in the manner approved by, the Minister	City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.46QC	power to recover any amount of levy payable under Part 3B	Manager Planning Services		City Development
Planning and Environment Act 1987	s.46V(3)	duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents	Not Delegated		General
Planning and Environment Act 1987	s.46Y	duty to carry out works in conformity with the approved strategy plan	Not Delegated		General
Planning and Environment Act 1987	s.47	power to decide that an application for a planning permit does not comply with that Act	Manager Planning Services		City Development
Planning and Environment Act 1987	s.46QC	power to recover any amount of levy payable under Part 3B	Manager Planning Services		City Development
Planning and Environment Act 1987	s.46QC	power to recover any amount of levy payable under Part 3B	Manager Planning Services		City Development
Planning and Environment Act 1987	s.47	power to decide that an application for a planning permit does not comply with that Act	General Manager City Development		City Development
Planning and Environment Act 1987	s.47	power to decide that an application for a planning permit does not comply with that Act	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.47	power to decide that an application for a planning permit does not comply with that Act	Manager Planning Services		City Development
Planning and Environment Act 1987	s.47	power to decide that an application for a planning permit does not comply with that Act	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.47	power to decide that an application for a planning permit does not comply with that Act	Statutory Planner		City Development
Planning and Environment Act 1987	s.47	power to decide that an application for a planning permit does not comply with that Act	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.47	power to decide that an application for a planning permit does not comply with that Act	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.47	power to decide that an application for a planning permit does not comply with that Act	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.47	power to decide that an application for a planning permit does not comply with that Act	Strategic Planner		City Development
Planning and Environment Act 1987	s.47	power to decide that an application for a planning permit does not comply with that Act	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.47	power to decide that an application for a planning permit does not comply with that Act	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.47	power to decide that an application for a planning permit does not comply with that Act	Planning Officer		City Development
Planning and Environment Act 1987	s.47	power to decide that an application for a planning permit does not comply with that Act	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.46QC	power to recover any amount of levy payable under Part 3B	Manager Planning Services		City Development
Planning and Environment Act 1987	s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	Manager Planning Services		City Development
Planning and Environment Act 1987	s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	General Manager City Development		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	Strategic Planner		City Development
Planning and Environment Act 1987	s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.49(2)	duty to make register available for inspection	General Manager City Development		City Development
Planning and Environment Act 1987	s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	Manager Planning Services		City Development
Planning and Environment Act 1987	s.49(2)	duty to make register available for inspection	Manager Planning Services		City Development
Planning and Environment Act 1987	s.49(2)	duty to make register available for inspection	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.49(2)	duty to make register available for inspection	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.49(2)	duty to make register available for inspection	Statutory Planner		City Development
Planning and Environment Act 1987	s.49(2)	duty to make register available for inspection	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.49(2)	duty to make register available for inspection	Planning Officer		City Development
Planning and Environment Act 1987	s.49(2)	duty to make register available for inspection	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.49(2)	duty to make register available for inspection	Manager Planning Services		City Development
Planning and Environment Act 1987	s.49(2)	duty to make register available for inspection	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.49(2)	duty to make register available for inspection	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.49(2)	duty to make register available for inspection	Strategic Planner		City Development
Planning and Environment Act 1987	s.49(2)	duty to make register available for inspection	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.49(2)	duty to make register available for inspection	Urban Growth Project Officer		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.50(4)	duty to amend application	Manager Planning Services		City Development
Planning and Environment Act 1987	s.50(4)	duty to amend application	General Manager City Development		City Development
Planning and Environment Act 1987	s.50(4)	duty to amend application	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.50(4)	duty to amend application	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.50(4)	duty to amend application	Statutory Planner		City Development
Planning and Environment Act 1987	s.50(4)	duty to amend application	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.50(4)	duty to amend application	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.50(4)	duty to amend application	Strategic Planner		City Development
Planning and Environment Act 1987	s.50(4)	duty to amend application	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.50(4)	duty to amend application	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.50(4)	duty to amend application	Planning Officer		City Development
Planning and Environment Act 1987	s.50(4)	duty to amend application	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.50(4)	duty to amend application	Manager Planning Services		City Development
Planning and Environment Act 1987	s.50(5)	power to refuse to amend application	Manager Planning Services		City Development
Planning and Environment Act 1987	s.50(5)	power to refuse to amend application	General Manager City Development		City Development
Planning and Environment Act 1987	s.50(5)	power to refuse to amend application	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.50(5)	power to refuse to amend application	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.50(5)	power to refuse to amend application	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.50(5)	power to refuse to amend application	Statutory Planner		City Development
Planning and Environment Act 1987	s.50(5)	power to refuse to amend application	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.50(5)	power to refuse to amend application	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.50(5)	power to refuse to amend application	Strategic Planner		City Development
Planning and Environment Act 1987	s.50(5)	power to refuse to amend application	Strategic Planning Officer		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.50(5)	power to refuse to amend application	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.50(5)	power to refuse to amend application	Planning Officer		City Development
Planning and Environment Act 1987	s.50(5)	power to refuse to amend application	Manager Planning Services		City Development
Planning and Environment Act 1987	s.50(6)	duty to make note of amendment to application in register	Manager Planning Services		City Development
Planning and Environment Act 1987	s.50(6)	duty to make note of amendment to application in register	General Manager City Development		City Development
Planning and Environment Act 1987	s.50(6)	duty to make note of amendment to application in register	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.50(6)	duty to make note of amendment to application in register	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.50(6)	duty to make note of amendment to application in register	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.50(6)	duty to make note of amendment to application in register	Statutory Planner		City Development
Planning and Environment Act 1987	s.50(6)	duty to make note of amendment to application in register	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.50(6)	duty to make note of amendment to application in register	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.50(6)	duty to make note of amendment to application in register	Strategic Planner		City Development
Planning and Environment Act 1987	s.50(6)	duty to make note of amendment to application in register	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.50(6)	duty to make note of amendment to application in register	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.50(6)	duty to make note of amendment to application in register	Planning Officer		City Development
Planning and Environment Act 1987	s.50(6)	duty to make note of amendment to application in register	Manager Planning Services		City Development
Planning and Environment Act 1987	s.50A(1)	power to make amendment to application	Manager Planning Services		City Development
Planning and Environment Act 1987	s.50A(1)	power to make amendment to application	Manager Planning Services		City Development
Planning and Environment Act 1987	s.50A(1)	power to make amendment to application	General Manager City Development		City Development
Planning and Environment Act 1987	s.50A(1)	power to make amendment to application	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.50A(1)	power to make amendment to application	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.50A(1)	power to make amendment to application	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.50A(1)	power to make amendment to application	Statutory Planner		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.50A(1)	power to make amendment to application	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.50A(1)	power to make amendment to application	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.50A(1)	power to make amendment to application	Strategic Planner		City Development
Planning and Environment Act 1987	s.50A(1)	power to make amendment to application	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.50A(1)	power to make amendment to application	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.50A(1)	power to make amendment to application	Planning Officer		City Development
Planning and Environment Act 1987	s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	General Manager City Development		City Development
Planning and Environment Act 1987	s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	Manager Planning Services		City Development
Planning and Environment Act 1987	s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	Statutory Planner		City Development
Planning and Environment Act 1987	s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	Manager Planning Services		City Development
Planning and Environment Act 1987	s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	Strategic Planner		City Development
Planning and Environment Act 1987	s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	Planning Officer		City Development
Planning and Environment Act 1987	s.50A(4)	duty to note amendment to application in register	Manager Planning Services		City Development
Planning and Environment Act 1987	s.50A(4)	duty to note amendment to application in register	General Manager City Development		City Development
Planning and Environment Act 1987	s.50A(4)	duty to note amendment to application in register	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.50A(4)	duty to note amendment to application in register	Senior Statutory Planner		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.50A(4)	duty to note amendment to application in register	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.50A(4)	duty to note amendment to application in register	Statutory Planner		City Development
Planning and Environment Act 1987	s.50A(4)	duty to note amendment to application in register	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.50A(4)	duty to note amendment to application in register	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.50A(4)	duty to note amendment to application in register	Strategic Planner		City Development
Planning and Environment Act 1987	s.50A(4)	duty to note amendment to application in register	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.50A(4)	duty to note amendment to application in register	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.50A(4)	duty to note amendment to application in register	Planning Officer		City Development
Planning and Environment Act 1987	s.51	duty to make copy of application available for inspection	General Manager City Development		City Development
Planning and Environment Act 1987	s.50A(4)	duty to note amendment to application in register	Manager Planning Services		City Development
Planning and Environment Act 1987	s.51	duty to make copy of application available for inspection	Manager Planning Services		City Development
Planning and Environment Act 1987	s.51	duty to make copy of application available for inspection	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.51	duty to make copy of application available for inspection	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.51	duty to make copy of application available for inspection	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.51	duty to make copy of application available for inspection	Statutory Planner		City Development
Planning and Environment Act 1987	s.51	duty to make copy of application available for inspection	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.51	duty to make copy of application available for inspection	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.51	duty to make copy of application available for inspection	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.51	duty to make copy of application available for inspection	Strategic Planner		City Development
Planning and Environment Act 1987	s.51	duty to make copy of application available for inspection	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.51	duty to make copy of application available for inspection	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.51	duty to make copy of application available for inspection	Planning Officer		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	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	General Manager City Development		City Development
Planning and Environment Act 1987	s.51	duty to make copy of application available for inspection	Manager Planning Services		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	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	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	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	Senior Statutory Planner		City Development
Planning and Environment Act 1987	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	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	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	Statutory Planner		City Development
Planning and Environment Act 1987	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	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	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	Senior Strategic Planner		City Development
Planning and Environment Act 1987	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	Strategic Planner		City Development
Planning and Environment Act 1987	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	Strategic Planning Officer		City Development
Planning and Environment Act 1987	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	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	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	Planning Officer		City Development
Planning and Environment Act 1987	s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	General Manager City Development		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	Manager Planning Services		City Development
Planning and Environment Act 1987	s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	Coordinator Statutory Planning		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	Statutory Planner		City Development
Planning and Environment Act 1987	s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	Strategic Planner		City Development
Planning and Environment Act 1987	s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	Planning Officer		City Development
Planning and Environment Act 1987	s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	General Manager City Development		City Development
Planning and Environment Act 1987	s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	Manager Planning Services		City Development
Planning and Environment Act 1987	s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	Manager Planning Services		City Development
Planning and Environment Act 1987	s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	Statutory Planner		City Development
Planning and Environment Act 1987	s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	Strategic Planner		City Development
Planning and Environment Act 1987	s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	Strategic Planning Officer		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	Planning Officer		City Development
Planning and Environment Act 1987	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	General Manager City Development		City Development
Planning and Environment Act 1987	s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	Manager Planning Services		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	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	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	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	Senior Statutory Planner		City Development
Planning and Environment Act 1987	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	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	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	Statutory Planner		City Development
Planning and Environment Act 1987	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	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	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	Senior Strategic Planner		City Development
Planning and Environment Act 1987	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	Strategic Planner		City Development
Planning and Environment Act 1987	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	Strategic Planning Officer		City Development
Planning and Environment Act 1987	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	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	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	Planning Officer		City Development
Planning and Environment Act 1987	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	General Manager City Development		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	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	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	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	Senior Statutory Planner		City Development
Planning and Environment Act 1987	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	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	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	Statutory Planner		City Development
Planning and Environment Act 1987	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	Planning Officer		City Development
Planning and Environment Act 1987	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	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	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	Senior Strategic Planner		City Development
Planning and Environment Act 1987	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	Strategic Planner		City Development
Planning and Environment Act 1987	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	Strategic Planning Officer		City Development
Planning and Environment Act 1987	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	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	General Manager City Development		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	Manager Planning Services		City Development
Planning and Environment Act 1987	s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	Senior Statutory Planner		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	Statutory Planner		City Development
Planning and Environment Act 1987	s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	Strategic Planner		City Development
Planning and Environment Act 1987	s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	Planning Officer		City Development
Planning and Environment Act 1987	s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	General Manager City Development		City Development
Planning and Environment Act 1987	s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	Manager Planning Services		City Development
Planning and Environment Act 1987	s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	Manager Planning Services		City Development
Planning and Environment Act 1987	s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	Statutory Planner		City Development
Planning and Environment Act 1987	s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	Planning Officer		City Development
Planning and Environment Act 1987	s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	Manager Planning Services		City Development
Planning and Environment Act 1987	s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	Strategic Planner		City Development
Planning and Environment Act 1987	s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	Urban Growth Project Officer		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.52(3)	power to give any further notice of an application where appropriate	General Manager City Development		City Development
Planning and Environment Act 1987	s.52(3)	power to give any further notice of an application where appropriate	Manager Planning Services		City Development
Planning and Environment Act 1987	s.52(3)	power to give any further notice of an application where appropriate	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.52(3)	power to give any further notice of an application where appropriate	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.52(3)	power to give any further notice of an application where appropriate	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.52(3)	power to give any further notice of an application where appropriate	Statutory Planner		City Development
Planning and Environment Act 1987	s.52(3)	power to give any further notice of an application where appropriate	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.52(3)	power to give any further notice of an application where appropriate	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.52(3)	power to give any further notice of an application where appropriate	Strategic Planner		City Development
Planning and Environment Act 1987	s.52(3)	power to give any further notice of an application where appropriate	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.52(3)	power to give any further notice of an application where appropriate	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.52(3)	power to give any further notice of an application where appropriate	Planning Officer		City Development
Planning and Environment Act 1987	s.53(1)	power to require the applicant to give notice under s.52(1) to persons specified by it	General Manager City Development		City Development
Planning and Environment Act 1987	s.52(3)	power to give any further notice of an application where appropriate	Manager Planning Services		City Development
Planning and Environment Act 1987	s.53(1)	power to require the applicant to give notice under s.52(1) to persons specified by it	Manager Planning Services		City Development
Planning and Environment Act 1987	s.53(1)	power to require the applicant to give notice under s.52(1) to persons specified by it	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.53(1)	power to require the applicant to give notice under s.52(1) to persons specified by it	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.53(1)	power to require the applicant to give notice under s.52(1) to persons specified by it	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.53(1)	power to require the applicant to give notice under s.52(1) to persons specified by it	Statutory Planner		City Development
Planning and Environment Act 1987	s.53(1)	power to require the applicant to give notice under s.52(1) to persons specified by it	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.53(1)	power to require the applicant to give notice under s.52(1) to persons specified by it	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.53(1)	power to require the applicant to give notice under s.52(1) to persons specified by it	Strategic Planner		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.53(1)	power to require the applicant to give notice under s.52(1) to persons specified by it	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.53(1)	power to require the applicant to give notice under s.52(1) to persons specified by it	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.53(1)	power to require the applicant to give notice under s.52(1) to persons specified by it	Planning Officer		City Development
Planning and Environment Act 1987	s.53(1A)	power to require the applicant to give the notice under s.52(1AA)	General Manager City Development		City Development
Planning and Environment Act 1987	s.53(1)	power to require the applicant to give notice under s.52(1) to persons specified by it	Manager Planning Services		City Development
Planning and Environment Act 1987	s.53(1A)	power to require the applicant to give the notice under s.52(1AA)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.53(1A)	power to require the applicant to give the notice under s.52(1AA)	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.53(1A)	power to require the applicant to give the notice under s.52(1AA)	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.53(1A)	power to require the applicant to give the notice under s.52(1AA)	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.53(1A)	power to require the applicant to give the notice under s.52(1AA)	Statutory Planner		City Development
Planning and Environment Act 1987	s.53(1A)	power to require the applicant to give the notice under s.52(1AA)	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.53(1A)	power to require the applicant to give the notice under s.52(1AA)	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.53(1A)	power to require the applicant to give the notice under s.52(1AA)	Strategic Planner		City Development
Planning and Environment Act 1987	s.53(1A)	power to require the applicant to give the notice under s.52(1AA)	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.53(1A)	power to require the applicant to give the notice under s.52(1AA)	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.53(1A)	power to require the applicant to give the notice under s.52(1AA)	Planning Officer		City Development
Planning and Environment Act 1987	s.54(1)	power to require the applicant to provide more information	General Manager City Development		City Development
Planning and Environment Act 1987	s.53(1A)	power to require the applicant to give the notice under s.52(1AA)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.54(1)	power to require the applicant to provide more information	Manager Planning Services		City Development
Planning and Environment Act 1987	s.54(1)	power to require the applicant to provide more information	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.54(1)	power to require the applicant to provide more information	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.54(1)	power to require the applicant to provide more information	Statutory Planning Enforcement Officer		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.54(1)	power to require the applicant to provide more information	Statutory Planner		City Development
Planning and Environment Act 1987	s.54(1)	power to require the applicant to provide more information	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.54(1)	power to require the applicant to provide more information	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.54(1)	power to require the applicant to provide more information	Strategic Planner		City Development
Planning and Environment Act 1987	s.54(1)	power to require the applicant to provide more information	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.54(1)	power to require the applicant to provide more information	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.54(1)	power to require the applicant to provide more information	Planning Officer		City Development
Planning and Environment Act 1987	s.54(1A)	duty to give notice in writing of information required under s.54(1)	General Manager City Development		City Development
Planning and Environment Act 1987	s.54(1)	power to require the applicant to provide more information	Manager Planning Services		City Development
Planning and Environment Act 1987	s.54(1A)	duty to give notice in writing of information required under s.54(1)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.54(1A)	duty to give notice in writing of information required under s.54(1)	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.54(1A)	duty to give notice in writing of information required under s.54(1)	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.54(1A)	duty to give notice in writing of information required under s.54(1)	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.54(1A)	duty to give notice in writing of information required under s.54(1)	Statutory Planner		City Development
Planning and Environment Act 1987	s.54(1A)	duty to give notice in writing of information required under s.54(1)	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.54(1A)	duty to give notice in writing of information required under s.54(1)	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.54(1A)	duty to give notice in writing of information required under s.54(1)	Strategic Planner		City Development
Planning and Environment Act 1987	s.54(1A)	duty to give notice in writing of information required under s.54(1)	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.54(1A)	duty to give notice in writing of information required under s.54(1)	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.54(1A)	duty to give notice in writing of information required under s.54(1)	Planning Officer		City Development
Planning and Environment Act 1987	s.54(1B)	duty to specify the lapse date for an application	General Manager City Development		City Development
Planning and Environment Act 1987	s.54(1A)	duty to give notice in writing of information required under s.54(1)	Manager Planning Services		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.54(1B)	duty to specify the lapse date for an application	Manager Planning Services		City Development
Planning and Environment Act 1987	s.54(1B)	duty to specify the lapse date for an application	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.54(1B)	duty to specify the lapse date for an application	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.54(1B)	duty to specify the lapse date for an application	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.54(1B)	duty to specify the lapse date for an application	Statutory Planner		City Development
Planning and Environment Act 1987	s.54(1B)	duty to specify the lapse date for an application	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.54(1B)	duty to specify the lapse date for an application	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.54(1B)	duty to specify the lapse date for an application	Strategic Planner		City Development
Planning and Environment Act 1987	s.54(1B)	duty to specify the lapse date for an application	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.54(1B)	duty to specify the lapse date for an application	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.54(1B)	duty to specify the lapse date for an application	Planning Officer		City Development
Planning and Environment Act 1987	s.54A(3)	power to decide to extend time or refuse to extend time to give required information	General Manager City Development		City Development
Planning and Environment Act 1987	s.54(1B)	duty to specify the lapse date for an application	Manager Planning Services		City Development
Planning and Environment Act 1987	s.54A(3)	power to decide to extend time or refuse to extend time to give required information	Manager Planning Services		City Development
Planning and Environment Act 1987	s.54A(3)	power to decide to extend time or refuse to extend time to give required information	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.54A(3)	power to decide to extend time or refuse to extend time to give required information	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.54A(3)	power to decide to extend time or refuse to extend time to give required information	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.54A(3)	power to decide to extend time or refuse to extend time to give required information	Statutory Planner		City Development
Planning and Environment Act 1987	s.54A(3)	power to decide to extend time or refuse to extend time to give required information	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.54A(3)	power to decide to extend time or refuse to extend time to give required information	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.54A(3)	power to decide to extend time or refuse to extend time to give required information	Strategic Planner		City Development
Planning and Environment Act 1987	s.54A(3)	power to decide to extend time or refuse to extend time to give required information	Strategic Planning Officer		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.54A(3)	power to decide to extend time or refuse to extend time to give required information	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.54A(3)	power to decide to extend time or refuse to extend time to give required information	Planning Officer		City Development
Planning and Environment Act 1987	s.54A(4)	duty to give written notice of decision to extend or refuse to extend time under s.54A(3)	General Manager City Development		City Development
Planning and Environment Act 1987	s.54A(3)	power to decide to extend time or refuse to extend time to give required information	Manager Planning Services		City Development
Planning and Environment Act 1987	s.54A(4)	duty to give written notice of decision to extend or refuse to extend time under s.54A(3)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.54A(4)	duty to give written notice of decision to extend or refuse to extend time under s.54A(3)	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.54A(4)	duty to give written notice of decision to extend or refuse to extend time under s.54A(3)	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.54A(4)	duty to give written notice of decision to extend or refuse to extend time under s.54A(3)	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.54A(4)	duty to give written notice of decision to extend or refuse to extend time under s.54A(3)	Statutory Planner		City Development
Planning and Environment Act 1987	s.54A(4)	duty to give written notice of decision to extend or refuse to extend time under s.54A(3)	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.54A(4)	duty to give written notice of decision to extend or refuse to extend time under s.54A(3)	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.54A(4)	duty to give written notice of decision to extend or refuse to extend time under s.54A(3)	Strategic Planner		City Development
Planning and Environment Act 1987	s.54A(4)	duty to give written notice of decision to extend or refuse to extend time under s.54A(3)	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.54A(4)	duty to give written notice of decision to extend or refuse to extend time under s.54A(3)	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.54A(4)	duty to give written notice of decision to extend or refuse to extend time under s.54A(3)	Planning Officer		City Development
Planning and Environment Act 1987	s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	General Manager City Development		City Development
Planning and Environment Act 1987	s.54A(4)	duty to give written notice of decision to extend or refuse to extend time under s.54A(3)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Manager Planning Services		City Development
Planning and Environment Act 1987	s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Senior Statutory Planner		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Statutory Planner		City Development
Planning and Environment Act 1987	s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Strategic Planner		City Development
Planning and Environment Act 1987	s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Planning Officer		City Development
Planning and Environment Act 1987	s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	General Manager City Development		City Development
Planning and Environment Act 1987	s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	Manager Planning Services		City Development
Planning and Environment Act 1987	s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	Manager Planning Services		City Development
Planning and Environment Act 1987	s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	Strategic Planner		City Development
Planning and Environment Act 1987	s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	General Manager City Development		City Development
Planning and Environment Act 1987	s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Manager Planning Services		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	Manager Planning Services		City Development
Planning and Environment Act 1987	s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	Statutory Planner		City Development
Planning and Environment Act 1987	s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	Strategic Planner		City Development
Planning and Environment Act 1987	s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	Planning Officer		City Development
Planning and Environment Act 1987	s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	Administration Team Leader		City Development
Planning and Environment Act 1987	s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.57(5)	duty to make available for inspection copy of all objections	General Manager City Development		City Development
Planning and Environment Act 1987	s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	Manager Planning Services		City Development
Planning and Environment Act 1987	s.57(5)	duty to make available for inspection copy of all objections	Manager Planning Services		City Development
Planning and Environment Act 1987	s.57(5)	duty to make available for inspection copy of all objections	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.57(5)	duty to make available for inspection copy of all objections	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.57(5)	duty to make available for inspection copy of all objections	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.57(5)	duty to make available for inspection copy of all objections	Statutory Planner		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.57(5)	duty to make available for inspection copy of all objections	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.57(5)	duty to make available for inspection copy of all objections	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.57(5)	duty to make available for inspection copy of all objections	Strategic Planner		City Development
Planning and Environment Act 1987	s.57(5)	duty to make available for inspection copy of all objections	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.57(5)	duty to make available for inspection copy of all objections	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.57(5)	duty to make available for inspection copy of all objections	Planning Officer		City Development
Planning and Environment Act 1987	s.57(5)	duty to make available for inspection copy of all objections	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.57A(4)	duty to amend application in accordance with applicant's request, subject to s.57A(5)	General Manager City Development		City Development
Planning and Environment Act 1987	s.57(5)	duty to make available for inspection copy of all objections	Manager Planning Services		City Development
Planning and Environment Act 1987	s.57A(4)	duty to amend application in accordance with applicant's request, subject to s.57A(5)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.57A(4)	duty to amend application in accordance with applicant's request, subject to s.57A(5)	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.57A(4)	duty to amend application in accordance with applicant's request, subject to s.57A(5)	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.57A(4)	duty to amend application in accordance with applicant's request, subject to s.57A(5)	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.57A(4)	duty to amend application in accordance with applicant's request, subject to s.57A(5)	Statutory Planner		City Development
Planning and Environment Act 1987	s.57A(4)	duty to amend application in accordance with applicant's request, subject to s.57A(5)	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.57A(4)	duty to amend application in accordance with applicant's request, subject to s.57A(5)	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.57A(4)	duty to amend application in accordance with applicant's request, subject to s.57A(5)	Strategic Planner		City Development
Planning and Environment Act 1987	s.57A(4)	duty to amend application in accordance with applicant's request, subject to s.57A(5)	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.57A(4)	duty to amend application in accordance with applicant's request, subject to s.57A(5)	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.57A(4)	duty to amend application in accordance with applicant's request, subject to s.57A(5)	Planning Officer		City Development
Planning and Environment Act 1987	s.57A(5)	power to refuse to amend application	General Manager City Development		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.57A(4)	duty to amend application in accordance with applicant's request, subject to s.57A(5)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.57A(5)	power to refuse to amend application	Manager Planning Services		City Development
Planning and Environment Act 1987	s.57A(5)	power to refuse to amend application	Manager Planning Services		City Development
Planning and Environment Act 1987	s.57A(5)	power to refuse to amend application	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.57A(5)	power to refuse to amend application	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.57A(5)	power to refuse to amend application	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.57A(5)	power to refuse to amend application	Statutory Planner		City Development
Planning and Environment Act 1987	s.57A(5)	power to refuse to amend application	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.57A(5)	power to refuse to amend application	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.57A(5)	power to refuse to amend application	Strategic Planner		City Development
Planning and Environment Act 1987	s.57A(5)	power to refuse to amend application	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.57A(5)	power to refuse to amend application	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.57A(5)	power to refuse to amend application	Planning Officer		City Development
Planning and Environment Act 1987	s.57A(6)	duty to note amendments to application in register	General Manager City Development		City Development
Planning and Environment Act 1987	s.57A(6)	duty to note amendments to application in register	Manager Planning Services		City Development
Planning and Environment Act 1987	s.57A(6)	duty to note amendments to application in register	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.57A(6)	duty to note amendments to application in register	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.57A(6)	duty to note amendments to application in register	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.57A(6)	duty to note amendments to application in register	Statutory Planner		City Development
Planning and Environment Act 1987	s.57A(6)	duty to note amendments to application in register	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.57A(6)	duty to note amendments to application in register	Senior Strategic Planner		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.57A(6)	duty to note amendments to application in register	Strategic Planner		City Development
Planning and Environment Act 1987	s.57A(6)	duty to note amendments to application in register	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.57A(6)	duty to note amendments to application in register	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.57A(6)	duty to note amendments to application in register	Planning Officer		City Development
Planning and Environment Act 1987	s.57B(1)	duty to determine whether and to whom notice should be given	General Manager City Development		City Development
Planning and Environment Act 1987	s.57A(6)	duty to note amendments to application in register	Manager Planning Services		City Development
Planning and Environment Act 1987	s.57B(1)	duty to determine whether and to whom notice should be given	Manager Planning Services		City Development
Planning and Environment Act 1987	s.57B(1)	duty to determine whether and to whom notice should be given	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.57B(1)	duty to determine whether and to whom notice should be given	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.57B(1)	duty to determine whether and to whom notice should be given	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.57B(1)	duty to determine whether and to whom notice should be given	Statutory Planner		City Development
Planning and Environment Act 1987	s.57B(1)	duty to determine whether and to whom notice should be given	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.57B(1)	duty to determine whether and to whom notice should be given	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.57B(1)	duty to determine whether and to whom notice should be given	Strategic Planner		City Development
Planning and Environment Act 1987	s.57B(1)	duty to determine whether and to whom notice should be given	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.57B(1)	duty to determine whether and to whom notice should be given	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.57B(1)	duty to determine whether and to whom notice should be given	Planning Officer		City Development
Planning and Environment Act 1987	s.57B(2)	duty to consider certain matters in determining whether notice should be given	General Manager City Development		City Development
Planning and Environment Act 1987	s.57B(1)	duty to determine whether and to whom notice should be given	Manager Planning Services		City Development
Planning and Environment Act 1987	s.57B(2)	duty to consider certain matters in determining whether notice should be given	Manager Planning Services		City Development
Planning and Environment Act 1987	s.57B(2)	duty to consider certain matters in determining whether notice should be given	Coordinator Statutory Planning		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.57B(2)	duty to consider certain matters in determining whether notice should be given	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.57B(2)	duty to consider certain matters in determining whether notice should be given	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.57B(2)	duty to consider certain matters in determining whether notice should be given	Statutory Planner		City Development
Planning and Environment Act 1987	s.57B(2)	duty to consider certain matters in determining whether notice should be given	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.57B(2)	duty to consider certain matters in determining whether notice should be given	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.57B(2)	duty to consider certain matters in determining whether notice should be given	Strategic Planner		City Development
Planning and Environment Act 1987	s.57B(2)	duty to consider certain matters in determining whether notice should be given	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.57B(2)	duty to consider certain matters in determining whether notice should be given	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.57B(2)	duty to consider certain matters in determining whether notice should be given	Planning Officer		City Development
Planning and Environment Act 1987	s.57C(1)	duty to give copy of amended application to referral authority	General Manager City Development		City Development
Planning and Environment Act 1987	s.57B(2)	duty to consider certain matters in determining whether notice should be given	Manager Planning Services		City Development
Planning and Environment Act 1987	s.57C(1)	duty to give copy of amended application to referral authority	Manager Planning Services		City Development
Planning and Environment Act 1987	s.57C(1)	duty to give copy of amended application to referral authority	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.57C(1)	duty to give copy of amended application to referral authority	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.57C(1)	duty to give copy of amended application to referral authority	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.57C(1)	duty to give copy of amended application to referral authority	Statutory Planner		City Development
Planning and Environment Act 1987	s.57C(1)	duty to give copy of amended application to referral authority	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.57C(1)	duty to give copy of amended application to referral authority	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.57C(1)	duty to give copy of amended application to referral authority	Strategic Planner		City Development
Planning and Environment Act 1987	s.57C(1)	duty to give copy of amended application to referral authority	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.57C(1)	duty to give copy of amended application to referral authority	Urban Growth Project Officer		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.57C(1)	duty to give copy of amended application to referral authority	Planning Officer		City Development
Planning and Environment Act 1987	s.58	duty to consider every application for a permit	General Manager City Development		City Development
Planning and Environment Act 1987	s.57C(1)	duty to give copy of amended application to referral authority	Manager Planning Services		City Development
Planning and Environment Act 1987	s.58	duty to consider every application for a permit	Manager Planning Services		City Development
Planning and Environment Act 1987	s.58	duty to consider every application for a permit	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.58	duty to consider every application for a permit	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.58	duty to consider every application for a permit	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.58	duty to consider every application for a permit	Statutory Planner		City Development
Planning and Environment Act 1987	s.58	duty to consider every application for a permit	Planning Officer		City Development
Planning and Environment Act 1987	s.58	duty to consider every application for a permit	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.58	duty to consider every application for a permit	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.58	duty to consider every application for a permit	Strategic Planner		City Development
Planning and Environment Act 1987	s.58	duty to consider every application for a permit	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.58	duty to consider every application for a permit	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.58A	power to request advice from the Planning Application Committee			City Development
Planning and Environment Act 1987	s.60	duty to consider certain matters	General Manager City Development		City Development
Planning and Environment Act 1987	s.58	duty to consider every application for a permit	Manager Planning Services		City Development
Planning and Environment Act 1987	s.60	duty to consider certain matters	Manager Planning Services		City Development
Planning and Environment Act 1987	s.60	duty to consider certain matters	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.60	duty to consider certain matters	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.60	duty to consider certain matters	Statutory Planning Enforcement Officer		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.60	duty to consider certain matters	Statutory Planner		City Development
Planning and Environment Act 1987	s.60	duty to consider certain matters	Planning Officer		City Development
Planning and Environment Act 1987	s.60	duty to consider certain matters	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.60	duty to consider certain matters	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.60	duty to consider certain matters	Strategic Planner		City Development
Planning and Environment Act 1987	s.60	duty to consider certain matters	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.60	duty to consider certain matters	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.60(1A)	power to consider certain matters before deciding on application	General Manager City Development		City Development
Planning and Environment Act 1987	s.60	duty to consider certain matters	Manager Planning Services		City Development
Planning and Environment Act 1987	s.60(1A)	power to consider certain matters before deciding on application	Manager Planning Services		City Development
Planning and Environment Act 1987	s.60(1A)	power to consider certain matters before deciding on application	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.60(1A)	power to consider certain matters before deciding on application	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.60(1A)	power to consider certain matters before deciding on application	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.60(1A)	power to consider certain matters before deciding on application	Statutory Planner		City Development
Planning and Environment Act 1987	s.60(1A)	power to consider certain matters before deciding on application	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.60(1A)	power to consider certain matters before deciding on application	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.60(1A)	power to consider certain matters before deciding on application	Strategic Planner		City Development
Planning and Environment Act 1987	s.60(1A)	power to consider certain matters before deciding on application	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.60(1A)	power to consider certain matters before deciding on application	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.60(1A)	power to consider certain matters before deciding on application	Planning Officer		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	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.	General Manager City Development	If the permit has one to five objectors or recommended for refusal must be approved by CEO. If permit has more than five objectors must be heard at ordinary Council Meeting. The permit must not be inconsistent with a Cultural heritage management plan under the Aboriginal Heritage Act 2006.	City Development
Planning and Environment Act 1987	s.60(1A)	power to consider certain matters before deciding on application	Manager Planning Services		City Development
Planning and Environment Act 1987	s.60(1B)	duty to consider number of objectors in considering whether use or development may have significant social effect			City Development
Planning and Environment Act 1987	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.	Manager Planning Services	If the permit has one to five objectors or recommended for refusal must be approved by CEO. If permit has more than five objectors must be heard at ordinary Council Meeting. The permit must not be inconsistent with a Cultural heritage management plan under the Aboriginal Heritage Act 2006.	City Development
Planning and Environment Act 1987	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.	Coordinator Statutory Planning	If the permit has one to five objectors or recommended for refusal must be approved by CEO. If permit has more than five objectors must be heard at ordinary Council Meeting. The permit must not be inconsistent with a Cultural heritage management plan under the Aboriginal Heritage Act 2006.	City Development
Planning and Environment Act 1987	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.	Senior Statutory Planner	If the permit has one to five objectors or recommended for refusal must be approved by CEO. If permit has more than five objectors must be heard at ordinary Council Meeting. The permit must not be inconsistent with a Cultural heritage management plan under the Aboriginal Heritage Act 2006.	City Development
Planning and Environment Act 1987	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.	Statutory Planning Enforcement Officer	If the permit has one to five objectors or recommended for refusal must be approved by CEO. If permit has more than five objectors must be heard at ordinary Council Meeting. The permit must not be inconsistent with a Cultural heritage management plan under the Aboriginal Heritage Act 2006.	City Development
Planning and Environment Act 1987	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.	Statutory Planner	If the permit has one to five objectors or recommended for refusal must be approved by CEO. If permit has more than five objectors must be heard at ordinary Council Meeting. The permit must not be inconsistent with a Cultural heritage management plan under the Aboriginal Heritage Act 2006.	City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	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.	Planning Officer	If the permit has one to five objectors or recommended for refusal must be approved by CEO. If permit has more than five objectors must be heard at ordinary Council Meeting. The permit must not be inconsistent with a Cultural heritage management plan under the Aboriginal Heritage Act 2006.	City Development
Planning and Environment Act 1987	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.	Manager Planning Services	If the permit has one to five objectors or recommended for refusal must be approved by CEO. If permit has more than five objectors must be heard at ordinary Council Meeting. The permit must not be inconsistent with a Cultural heritage management plan under the Aboriginal Heritage Act 2006.	City Development
Planning and Environment Act 1987	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.	Coordinator Strategic Planning	If the permit has one to five objectors or recommended for refusal must be approved by CEO. If permit has more than five objectors must be heard at ordinary Council Meeting. The permit must not be inconsistent with a Cultural heritage management plan under the Aboriginal Heritage Act 2006.	City Development
Planning and Environment Act 1987	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.	Senior Strategic Planner	If the permit has one to five objectors or recommended for refusal must be approved by CEO. If permit has more than five objectors must be heard at ordinary Council Meeting. The permit must not be inconsistent with a Cultural heritage management plan under the Aboriginal Heritage Act 2006.	City Development
Planning and Environment Act 1987	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.	Strategic Planner	If the permit has one to five objectors or recommended for refusal must be approved by CEO. If permit has more than five objectors must be heard at ordinary Council Meeting. The permit must not be inconsistent with a Cultural heritage management plan under the Aboriginal Heritage Act 2006.	City Development
Planning and Environment Act 1987	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.	Strategic Planning Officer	If the permit has one to five objectors or recommended for refusal must be approved by CEO. If permit has more than five objectors must be heard at ordinary Council Meeting. The permit must not be inconsistent with a Cultural heritage management plan under the Aboriginal Heritage Act 2006.	City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	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.	Urban Growth Project Officer	If the permit has one to five objectors or recommended for refusal must be approved by CEO. If permit has more than five objectors must be heard at ordinary Council Meeting. The permit must not be inconsistent with a Cultural heritage management plan under the Aboriginal Heritage Act 2006.	City Development
Planning and Environment Act 1987	s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	Manager Planning Services	With approval from the Chief Executive Officer	City Development
Planning and Environment Act 1987	s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	Manager Planning Services	With approval from the Chief Executive Officer	City Development
Planning and Environment Act 1987	s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	Coordinator Statutory Planning	With approval from the Chief Executive Officer	City Development
Planning and Environment Act 1987	s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	Senior Planning Officer	With approval from the Chief Executive Officer	City Development
Planning and Environment Act 1987	s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	Statutory Planning Officer	With approval from the Chief Executive Officer	City Development
Planning and Environment Act 1987	s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	Planning Officer	With approval from the Chief Executive Officer	City Development
Planning and Environment Act 1987	s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending authority objects to the grant of permit.	Manager Planning Services	With approval from the Chief Executive Officer	City Development
Planning and Environment Act 1987	s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending authority objects to the grant of permit.	Manager Planning Services	With approval from the Chief Executive Officer	City Development
Planning and Environment Act 1987	s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	Coordinator Strategic Planning	With approval from the Chief Executive Officer	City Development
Planning and Environment Act 1987	s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending authority objects to the grant of permit.	Coordinator Statutory Planning	With approval from the Chief Executive Officer	City Development
Planning and Environment Act 1987	s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending authority objects to the grant of permit.	Statutory Planner	With approval from the Chief Executive Officer	City Development
Planning and Environment Act 1987	s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending authority objects to the grant of permit.	Senior Statutory Planner	With approval from the Chief Executive Officer	City Development
Planning and Environment Act 1987	s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending authority objects to the grant of permit.	Senior Planning Officer	With approval from the Chief Executive Officer	City Development
Planning and Environment Act 1987	s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending authority objects to the grant of permit.	Statutory Planner	With approval from the Chief Executive Officer	City Development
Planning and Environment Act 1987	s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending authority objects to the grant of permit.	Coordinator Strategic Planning	With approval from the Chief Executive Officer	City Development
Planning and Environment Act 1987	s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending authority objects to the grant of permit.	Senior Strategic Planner	With approval from the Chief Executive Officer	City Development
Planning and Environment Act 1987	s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending authority objects to the grant of permit.	Strategic Planner	With approval from the Chief Executive Officer	City Development
Planning and Environment Act 1987	s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending authority objects to the grant of permit.	Strategic Planning Officer	With approval from the Chief Executive Officer	City Development
Planning and Environment Act 1987	s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending authority objects to the grant of permit.	Urban Growth Project Officer	With approval from the Chief Executive Officer	City Development
Planning and Environment Act 1987	s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending authority objects to the grant of permit.	Planning Officer	With approval from the Chief Executive Officer	City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Not Delegated		General
Planning and Environment Act 1987	s.61(3)(b)	duty to refuse to grant the permit without the Minister's consent	Not Delegated		General
Planning and Environment Act 1987	s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	Not Delegated		General
Planning and Environment Act 1987	s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	Not Delegated		General
Planning and Environment Act 1987	s.62(1)	duty to include certain conditions in deciding to grant a permit	General Manager City Development		City Development
Planning and Environment Act 1987	s.62(1)	duty to include certain conditions in deciding to grant a permit	Manager Planning Services		City Development
Planning and Environment Act 1987	s.62(1)	duty to include certain conditions in deciding to grant a permit	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.62(1)	duty to include certain conditions in deciding to grant a permit	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.62(1)	duty to include certain conditions in deciding to grant a permit	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.62(1)	duty to include certain conditions in deciding to grant a permit	Statutory Planner		City Development
Planning and Environment Act 1987	s.62(1)	duty to include certain conditions in deciding to grant a permit	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.62(1)	duty to include certain conditions in deciding to grant a permit	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.62(1)	duty to include certain conditions in deciding to grant a permit	Strategic Planner		City Development
Planning and Environment Act 1987	s.62(1)	duty to include certain conditions in deciding to grant a permit	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.62(1)	duty to include certain conditions in deciding to grant a permit	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.62(1)	duty to include certain conditions in deciding to grant a permit	Planning Officer		City Development
Planning and Environment Act 1987	s.62(2)	power to include other conditions	General Manager City Development		City Development
Planning and Environment Act 1987	s.62(1)	duty to include certain conditions in deciding to grant a permit	Manager Planning Services		City Development
Planning and Environment Act 1987	s.62(2)	power to include other conditions	Manager Planning Services		City Development
Planning and Environment Act 1987	s.62(2)	power to include other conditions	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.62(2)	power to include other conditions	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.62(2)	power to include other conditions	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.62(2)	power to include other conditions	Statutory Planner		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.62(2)	power to include other conditions	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.62(2)	power to include other conditions	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.62(2)	power to include other conditions	Strategic Planner		City Development
Planning and Environment Act 1987	s.62(2)	power to include other conditions	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.62(2)	power to include other conditions	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.62(2)	power to include other conditions	Planning Officer		City Development
Planning and Environment Act 1987	s.62(4)	duty to ensure conditions are consistent with subsections (a),(b) and (c)	General Manager City Development		City Development
Planning and Environment Act 1987	s.62(2)	power to include other conditions	Manager Planning Services		City Development
Planning and Environment Act 1987	s.62(4)	duty to ensure conditions are consistent with subsections (a),(b) and (c)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.62(4)	duty to ensure conditions are consistent with subsections (a),(b) and (c)	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.62(4)	duty to ensure conditions are consistent with subsections (a),(b) and (c)	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.62(4)	duty to ensure conditions are consistent with subsections (a),(b) and (c)	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.62(4)	duty to ensure conditions are consistent with subsections (a),(b) and (c)	Statutory Planner		City Development
Planning and Environment Act 1987	s.62(4)	duty to ensure conditions are consistent with subsections (a),(b) and (c)	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.62(4)	duty to ensure conditions are consistent with subsections (a),(b) and (c)	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.62(4)	duty to ensure conditions are consistent with subsections (a),(b) and (c)	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.62(4)	duty to ensure conditions are consistent with subsections (a),(b) and (c)	Strategic Planner		City Development
Planning and Environment Act 1987	s.62(4)	duty to ensure conditions are consistent with subsections (a),(b) and (c)	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.62(4)	duty to ensure conditions are consistent with subsections (a),(b) and (c)	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.62(4)	duty to ensure conditions are consistent with subsections (a),(b) and (c)	Planning Officer		City Development
Planning and Environment Act 1987	s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	Manager Planning Services		City Development
Planning and Environment Act 1987	s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	Manager Planning Services		City Development
Planning and Environment Act 1987	s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	Coordinator Strategic Planning		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	Strategic Planner		City Development
Planning and Environment Act 1987	s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.62(4)	duty to ensure conditions are consistent with subsections (a),(b) and (c)	Manager Planning Services		City Development
Planning and Environment Act 1987	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	General Manager City Development		City Development
Planning and Environment Act 1987	s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	Senior Strategic Planner		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	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	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	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	Senior Statutory Planner		City Development
Planning and Environment Act 1987	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	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	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	Statutory Planner		City Development
Planning and Environment Act 1987	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	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	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	Senior Strategic Planner		City Development
Planning and Environment Act 1987	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	Strategic Planner		City Development
Planning and Environment Act 1987	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	Strategic Planning Officer		City Development
Planning and Environment Act 1987	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	Urban Growth Project Officer		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	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	Planning Officer		City Development
Planning and Environment Act 1987	s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	General Manager City Development		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	Manager Planning Services		City Development
Planning and Environment Act 1987	s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	Statutory Planner		City Development
Planning and Environment Act 1987	s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	Strategic Planner		City Development
Planning and Environment Act 1987	s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	Planning Officer		City Development
Planning and Environment Act 1987	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 s.62(5) or s.46N	General Manager City Development		City Development
Planning and Environment Act 1987	s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	Manager Planning Services		City Development
Planning and Environment Act 1987	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 s.62(5) or s.46N	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	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 s.62(5) or s.46N	Senior Statutory Planner		City Development
Planning and Environment Act 1987	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 s.62(5) or s.46N	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	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 s.62(5) or s.46N	Statutory Planner		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	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 s.62(5) or s.46N	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	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 s.62(5) or s.46N	Senior Strategic Planner		City Development
Planning and Environment Act 1987	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 s.62(5) or s.46N	Strategic Planner		City Development
Planning and Environment Act 1987	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 s.62(5) or s.46N	Strategic Planning Officer		City Development
Planning and Environment Act 1987	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 s.62(5) or s.46N	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	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 s.62(5) or s.46N	Planning Officer		City Development
Planning and Environment Act 1987	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)	General Manager City Development		City Development
Planning and Environment Act 1987	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)	Manager Planning Services		City Development
Planning and Environment Act 1987	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)	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	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)	Senior Statutory Planner		City Development
Planning and Environment Act 1987	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)	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	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)	Statutory Planner		City Development
Planning and Environment Act 1987	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)	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	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)	Senior Strategic Planner		City Development
Planning and Environment Act 1987	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)	Strategic Planner		City Development
Planning and Environment Act 1987	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)	Strategic Planning Officer		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	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)	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	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)	Planning Officer		City Development
Planning and Environment Act 1987	s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	General Manager City Development		City Development
Planning and Environment Act 1987	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)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	Statutory Planner		City Development
Planning and Environment Act 1987	s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	Planning Officer		City Development
Planning and Environment Act 1987	s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	Strategic Planner		City Development
Planning and Environment Act 1987	s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	General Manager City Development	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	Manager Planning Services	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	Coordinator Statutory Planning	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	Senior Statutory Planner	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	Statutory Planning Enforcement Officer	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	Statutory Planner	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	Planning Officer	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(3)	duty not to issue a permit until after the specified period	General Manager City Development	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	Manager Planning Services	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	Coordinator Strategic Planning	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	Senior Strategic Planner	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	Strategic Planner	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	Strategic Planning Officer	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	Urban Growth Project Officer	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(3)	duty not to issue a permit until after the specified period	Manager Planning Services	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(3)	duty not to issue a permit until after the specified period	Coordinator Statutory Planning	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(3)	duty not to issue a permit until after the specified period	Senior Statutory Planner	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(3)	duty not to issue a permit until after the specified period	Statutory Planning Enforcement Officer	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(3)	duty not to issue a permit until after the specified period	Statutory Planner	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(3)	duty not to issue a permit until after the specified period	Planning Officer	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(3)	duty not to issue a permit until after the specified period	Coordinator Strategic Planning	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(3)	duty not to issue a permit until after the specified period	Senior Strategic Planner	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(3)	duty not to issue a permit until after the specified period	Strategic Planner	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(3)	duty not to issue a permit until after the specified period	Strategic Planning Officer	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(3)	duty not to issue a permit until after the specified period	Urban Growth Project Officer	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(5)	duty to give each objector a copy of an exempt decision	General Manager City Development	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(3)	duty not to issue a permit until after the specified period	Manager Planning Services	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.64(5)	duty to give each objector a copy of an exempt decision	Manager Planning Services	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(5)	duty to give each objector a copy of an exempt decision	Coordinator Statutory Planning	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(5)	duty to give each objector a copy of an exempt decision	Senior Statutory Planner	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(5)	duty to give each objector a copy of an exempt decision	Statutory Planning Enforcement Officer	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(5)	duty to give each objector a copy of an exempt decision	Statutory Planner	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(5)	duty to give each objector a copy of an exempt decision	Planning Officer	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	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.		this provision applies to a decision to grant an amendment to a permit - see section 75A	City Development
Planning and Environment Act 1987	s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	General Manager City Development		City Development
Planning and Environment Act 1987	s.64(5)	duty to give each objector a copy of an exempt decision	Manager Planning Services	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(5)	duty to give each objector a copy of an exempt decision	Coordinator Strategic Planning	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(5)	duty to give each objector a copy of an exempt decision	Senior Strategic Planner	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(5)	duty to give each objector a copy of an exempt decision	Strategic Planner	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(5)	duty to give each objector a copy of an exempt decision	Strategic Planning Officer	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.64(5)	duty to give each objector a copy of an exempt decision	Urban Growth Project Officer	this provision applies to a decision to grant an amendment to a permit - see section 75	City Development
Planning and Environment Act 1987	s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	Manager Planning Services		City Development
Planning and Environment Act 1987	s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	Statutory Planner		City Development
Planning and Environment Act 1987	s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	Planning Officer		City Development
Planning and Environment Act 1987	s.66(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	General Manager City Development		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	Manager Planning Services		City Development
Planning and Environment Act 1987	s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	Strategic Planner		City Development
Planning and Environment Act 1987	s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.66(1)	duty to give notice under s.64 or s.65 and copy permit to relevant determining referral authorities	Manager Planning Services		City Development
Planning and Environment Act 1987	s.66(1)	duty to give notice under s.64 or s.65 and copy permit to relevant determining referral authorities	Manager Planning Services		City Development
Planning and Environment Act 1987	s.66(1)	duty to give notice under s.64 or s.65 and copy permit to relevant determining referral authorities	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.66(1)	duty to give notice under s.64 or s.65 and copy permit to relevant determining referral authorities	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.66(1)	duty to give notice under s.64 or s.65 and copy permit to relevant determining referral authorities	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.66(1)	duty to give notice under s.64 or s.65 and copy permit to relevant determining referral authorities	Statutory Planner		City Development
Planning and Environment Act 1987	s.66(1)	duty to give notice under s.64 or s.65 and copy permit to relevant determining referral authorities	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.66(1)	duty to give notice under s.64 or s.65 and copy permit to relevant determining referral authorities	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.66(1)	duty to give notice under s.64 or s.65 and copy permit to relevant determining referral authorities	Strategic Planner		City Development
Planning and Environment Act 1987	s.66(1)	duty to give notice under s.64 or s.65 and copy permit to relevant determining referral authorities	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.66(1)	duty to give notice under s.64 or s.65 and copy permit to relevant determining referral authorities	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.66(1)	duty to give notice under s.64 or s.65 and copy permit to relevant determining referral authorities	Planning Officer		City Development
Planning and Environment Act 1987	s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	General Manager City Development	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	Manager Planning Services	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	Manager Planning Services	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	Coordinator Statutory Planning	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	Senior Statutory Planner	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	Statutory Planner	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	Coordinator Strategic Planning	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	Senior Strategic Planner	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	Strategic Planner	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	Strategic Planning Officer	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	Urban Growth Project Officer	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	Planning Officer	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	Planning Administration Officer	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.64 (4)	duty to give a recommending referral authority notice of its decision to refuse a permit.	General Manager City Development	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition to be included on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.64 (4)	duty to give a recommending referral authority notice of its decision to refuse a permit.	Manager Planning Services	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition to be included on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.64 (4)	duty to give a recommending referral authority notice of its decision to refuse a permit.	Manager Planning Services	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition to be included on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.64 (4)	duty to give a recommending referral authority notice of its decision to refuse a permit.	Coordinator Statutory Planning	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition to be included on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.64 (4)	duty to give a recommending referral authority notice of its decision to refuse a permit.	Senior Statutory Planner	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition to be included on the permit recommended by the recommending referral authority.	City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.64 (4)	duty to give a recommending referral authority notice of its decision to refuse a permit.	Statutory Planner	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition to be included on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.64 (4)	duty to give a recommending referral authority notice of its decision to refuse a permit.	Planning Officer	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition to be included on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.64 (4)	duty to give a recommending referral authority notice of its decision to refuse a permit.	Coordinator Strategic Planning	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition to be included on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.64 (4)	duty to give a recommending referral authority notice of its decision to refuse a permit.	Senior Strategic Planner	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition to be included on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.64 (4)	duty to give a recommending referral authority notice of its decision to refuse a permit.	Strategic Planner	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition to be included on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.64 (4)	duty to give a recommending referral authority notice of its decision to refuse a permit.	Strategic Planning Officer	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition to be included on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.64 (4)	duty to give a recommending referral authority notice of its decision to refuse a permit.	Urban Growth Project Officer	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition to be included on the permit recommended by the recommending referral authority.	City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.64 (4)	duty to give a recommending referral authority notice of its decision to refuse a permit.	Planning Administration Officer	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition to be included on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	General Manager City Development	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	Manager Planning Services	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	Manager Planning Services	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	Coordinator Statutory Planning	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	Senior Statutory Planner	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	Statutory Planner	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	Coordinator Strategic Planning	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	Senior Strategic Planner	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development

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Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	Strategic Planner	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	Strategic Planning Officer	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	Urban Growth Project Officer	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	Planning Officer	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	Planning Administration Officer	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to included a condition on the permit recommended by the recommending referral authority.	City Development
Planning and Environment Act 1987	s.69(1)	function of receiving application for extension of time of permit	General Manager City Development		City Development
Planning and Environment Act 1987	s.66(1)	duty to give notice under s.64 or s.65 and copy permit to relevant deterring referral authorities	Manager Planning Services		City Development
Planning and Environment Act 1987	s.69(1)	function of receiving application for extension of time of permit	Manager Planning Services		City Development
Planning and Environment Act 1987	s.69(1)	function of receiving application for extension of time of permit	Manager Planning Services		City Development
Planning and Environment Act 1987	s.69(1)	function of receiving application for extension of time of permit	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.69(1)	function of receiving application for extension of time of permit	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.69(1)	function of receiving application for extension of time of permit	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.69(1)	function of receiving application for extension of time of permit	Statutory Planner		City Development
Planning and Environment Act 1987	s.69(1)	function of receiving application for extension of time of permit	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.69(1)	function of receiving application for extension of time of permit	Senior Strategic Planner		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.69(1)	function of receiving application for extension of time of permit	Strategic Planner		City Development
Planning and Environment Act 1987	s.69(1)	function of receiving application for extension of time of permit	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.69(1)	function of receiving application for extension of time of permit	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.69(1)	function of receiving application for extension of time of permit	Planning Officer		City Development
Planning and Environment Act 1987	s.69(1)	function of receiving application for extension of time of permit	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.69(1A)	function of receiving application for extension of time to complete development.	General Manager City Development		City Development
Planning and Environment Act 1987	s.69(2)	power to extend time	General Manager City Development		City Development
Planning and Environment Act 1987	s.69(2)	power to extend time	Manager Planning Services		City Development
Planning and Environment Act 1987	s.69(2)	power to extend time	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.69(2)	power to extend time	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.69(2)	power to extend time	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.69(2)	power to extend time	Statutory Planner		City Development
Planning and Environment Act 1987	s.69(2)	power to extend time	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.69(2)	power to extend time	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.69(2)	power to extend time	Strategic Planner		City Development
Planning and Environment Act 1987	s.69(2)	power to extend time	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.69(2)	power to extend time	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.69(2)	power to extend time	Planning Officer		City Development
Planning and Environment Act 1987	s.70	duty to make copy permit available for inspection	General Manager City Development		City Development
Planning and Environment Act 1987	s.69(2)	power to extend time	Manager Planning Services		City Development
Planning and Environment Act 1987	s.70	duty to make copy permit available for inspection	Manager Planning Services		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.70	duty to make copy permit available for inspection	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.70	duty to make copy permit available for inspection	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.70	duty to make copy permit available for inspection	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.70	duty to make copy permit available for inspection	Statutory Planner		City Development
Planning and Environment Act 1987	s.70	duty to make copy permit available for inspection	Planning Administration		City Development
Planning and Environment Act 1987	s.70	duty to make copy permit available for inspection	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.70	duty to make copy permit available for inspection	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.70	duty to make copy permit available for inspection	Strategic Planner		City Development
Planning and Environment Act 1987	s.70	duty to make copy permit available for inspection	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.70	duty to make copy permit available for inspection	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.70	duty to make copy permit available for inspection	Planning Officer		City Development
Planning and Environment Act 1987	s.71(1)	power to correct certain mistakes	General Manager City Development		City Development
Planning and Environment Act 1987	s.70	duty to make copy permit available for inspection	Manager Planning Services		City Development
Planning and Environment Act 1987	s.71(1)	power to correct certain mistakes	Manager Planning Services		City Development
Planning and Environment Act 1987	s.71(1)	power to correct certain mistakes	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.71(1)	power to correct certain mistakes	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.71(1)	power to correct certain mistakes	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.71(1)	power to correct certain mistakes	Statutory Planner		City Development
Planning and Environment Act 1987	s.71(1)	power to correct certain mistakes	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.71(1)	power to correct certain mistakes	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.71(1)	power to correct certain mistakes	Strategic Planner		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.71(1)	power to correct certain mistakes	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.71(1)	power to correct certain mistakes	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.71(1)	power to correct certain mistakes	Planning Officer		City Development
Planning and Environment Act 1987	s.71(2)	duty to note corrections in register	General Manager City Development		City Development
Planning and Environment Act 1987	s.71(1)	power to correct certain mistakes	Manager Planning Services		City Development
Planning and Environment Act 1987	s.71(2)	duty to note corrections in register	Manager Planning Services		City Development
Planning and Environment Act 1987	s.71(2)	duty to note corrections in register	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.71(2)	duty to note corrections in register	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.71(2)	duty to note corrections in register	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.71(2)	duty to note corrections in register	Statutory Planner		City Development
Planning and Environment Act 1987	s.71(2)	duty to note corrections in register	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.71(2)	duty to note corrections in register	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.71(2)	duty to note corrections in register	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.71(2)	duty to note corrections in register	Strategic Planner		City Development
Planning and Environment Act 1987	s.71(2)	duty to note corrections in register	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.71(2)	duty to note corrections in register	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.71(2)	duty to note corrections in register	Planning Officer		City Development
Planning and Environment Act 1987	s.71(2)	duty to note corrections in register	Manager Planning Services		City Development
Planning and Environment Act 1987	s.73	power to decide to grant amendment subject to conditions	Manager Planning Services		City Development
Planning and Environment Act 1987	s.73	power to decide to grant amendment subject to conditions	General Manager City Development		City Development
Planning and Environment Act 1987	s.73	power to decide to grant amendment subject to conditions	Coordinator Statutory Planning		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.73	power to decide to grant amendment subject to conditions	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.73	power to decide to grant amendment subject to conditions	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.73	power to decide to grant amendment subject to conditions	Statutory Planner		City Development
Planning and Environment Act 1987	s.73	power to decide to grant amendment subject to conditions	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.73	power to decide to grant amendment subject to conditions	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.73	power to decide to grant amendment subject to conditions	Strategic Planner		City Development
Planning and Environment Act 1987	s.73	power to decide to grant amendment subject to conditions	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.73	power to decide to grant amendment subject to conditions	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.73	power to decide to grant amendment subject to conditions	Planning Officer		City Development
Planning and Environment Act 1987	s.74	duty to issue amended permit to applicant if no objectors	General Manager City Development		City Development
Planning and Environment Act 1987	s.73	power to decide to grant amendment subject to conditions	Manager Planning Services		City Development
Planning and Environment Act 1987	s.74	duty to issue amended permit to applicant if no objectors	Manager Planning Services		City Development
Planning and Environment Act 1987	s.74	duty to issue amended permit to applicant if no objectors	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.74	duty to issue amended permit to applicant if no objectors	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.74	duty to issue amended permit to applicant if no objectors	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.74	duty to issue amended permit to applicant if no objectors	Statutory Planner		City Development
Planning and Environment Act 1987	s.74	duty to issue amended permit to applicant if no objectors	Planning Officer		City Development
Planning and Environment Act 1987	s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	General Manager City Development		City Development
Planning and Environment Act 1987	s.74	duty to issue amended permit to applicant if no objectors	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.74	duty to issue amended permit to applicant if no objectors	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.74	duty to issue amended permit to applicant if no objectors	Strategic Planner		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.74	duty to issue amended permit to applicant if no objectors	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.74	duty to issue amended permit to applicant if no objectors	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.74	duty to issue amended permit to applicant if no objectors	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Manager Planning Services		City Development
Planning and Environment Act 1987	s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	General Manager City Development		City Development
Planning and Environment Act 1987	s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Manager Planning Services		City Development
Planning and Environment Act 1987	s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Statutory Planner		City Development
Planning and Environment Act 1987	s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Strategic Planner		City Development
Planning and Environment Act 1987	s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Planning Officer		City Development
Planning and Environment Act 1987	s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	Manager Planning Services		City Development
Planning and Environment Act 1987	s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	Statutory Planner		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	Strategic Planner		City Development
Planning and Environment Act 1987	s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	Planning Officer		City Development
Planning and Environment Act 1987	s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	General Manager City Development	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 referral authority .	City Development
Planning and Environment Act 1987	s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	Manager Planning Services	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 referral authority .	City Development
Planning and Environment Act 1987	s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	Coordinator Statutory Planning	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 referral authority .	City Development
Planning and Environment Act 1987	s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	Senior Statutory Planner	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 referral authority .	City Development
Planning and Environment Act 1987	s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	Statutory Planner	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 referral authority .	City Development
Planning and Environment Act 1987	s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	Manager Planning Services	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 referral authority .	City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	Coordinator Strategic Planning	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 referral authority .	City Development
Planning and Environment Act 1987	s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	Senior Strategic Planner	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 referral authority .	City Development
Planning and Environment Act 1987	s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	Strategic Planner	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 referral authority .	City Development
Planning and Environment Act 1987	s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	Strategic Planning Officer	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 referral authority .	City Development
Planning and Environment Act 1987	s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	Urban Growth Project Officer	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 referral authority .	City Development
Planning and Environment Act 1987	s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	Planning Officer	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 referral authority .	City Development
Planning and Environment Act 1987	s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	Planning Administration Officer	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 referral authority .	City Development
Planning and Environment Act 1987	s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	General Manager City Development	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.	City Development
Planning and Environment Act 1987	s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	Manager Planning Services	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.	City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	Coordinator Statutory Planning	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.	City Development
Planning and Environment Act 1987	s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	Senior Statutory Planner	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.	City Development
Planning and Environment Act 1987	s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	Statutory Planner	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.	City Development
Planning and Environment Act 1987	s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	Manager Planning Services	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.	City Development
Planning and Environment Act 1987	s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	Coordinator Strategic Planning	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.	City Development
Planning and Environment Act 1987	s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	Senior Strategic Planner	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.	City Development
Planning and Environment Act 1987	s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	Strategic Planner	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.	City Development
Planning and Environment Act 1987	s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	Strategic Planning Officer	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.	City Development
Planning and Environment Act 1987	s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	Urban Growth Project Officer	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.	City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	Planning Officer	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.	City Development
Planning and Environment Act 1987	s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	Planning Administration Officer	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.	City Development
Planning and Environment Act 1987	s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant a copy of any given under section 64 or 76	General Manager City Development	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	City Development
Planning and Environment Act 1987	s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant a copy of any given under section 64 or 76	Manager Planning Services	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	City Development
Planning and Environment Act 1987	s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant a copy of any given under section 64 or 76	Coordinator Statutory Planning	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	City Development
Planning and Environment Act 1987	s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant a copy of any given under section 64 or 76	Senior Statutory Planner	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	City Development
Planning and Environment Act 1987	s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant a copy of any given under section 64 or 76	Statutory Planner	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	City Development
Planning and Environment Act 1987	s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant a copy of any given under section 64 or 76	Manager Planning Services	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	City Development
Planning and Environment Act 1987	s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant a copy of any given under section 64 or 76	Coordinator Strategic Planning	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	City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant a copy of any given under section 64 or 76	Senior Strategic Planner	if the recommending referral authority did not object to the amendment of the permit or the recommending refferal authority did not recommend a condition be included on the amended permit	City Development
Planning and Environment Act 1987	s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant a copy of any given under section 64 or 76	Strategic Planner	if the recommending referral authority did not object to the amendment of the permit or the recommending refferal authority did not recommend a condition be included on the amended permit	City Development
Planning and Environment Act 1987	s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant a copy of any given under section 64 or 76	Strategic Planning Officer	if the recommending referral authority did not object to the amendment of the permit or the recommending refferal authority did not recommend a condition be included on the amended permit	City Development
Planning and Environment Act 1987	s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant a copy of any given under section 64 or 76	Urban Growth Project Officer	if the recommending referral authority did not object to the amendment of the permit or the recommending refferal authority did not recommend a condition be included on the amended permit	City Development
Planning and Environment Act 1987	s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant a copy of any given under section 64 or 76	Planning Officer	if the recommending referral authority did not object to the amendment of the permit or the recommending refferal authority did not recommend a condition be included on the amended permit	City Development
Planning and Environment Act 1987	s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant a copy of any given under section 64 or 76	Planning Administration Officer	if the recommending referral authority did not object to the amendment of the permit or the recommending refferal authority did not recommend a condition be included on the amended permit	City Development
Planning and Environment Act 1987	s.76D	duty to comply with direction of Minister to issue amended permit	General Manager City Development		City Development
Planning and Environment Act 1987	s.76A(1)	duty to give relevant deterring referral authorities copy of amended permit and copy of notice	Manager Planning Services		City Development
Planning and Environment Act 1987	s.76A(1)	duty to give relevant deterring referral authorities copy of amended permit and copy of notice	Manager Planning Services		City Development
Planning and Environment Act 1987	s.76D	duty to comply with direction of Minister to issue amended permit	Manager Planning Services		City Development
Planning and Environment Act 1987	s.83	function of being respondent to an appeal	Not Delegated		City Development
Planning and Environment Act 1987	s.83B	duty to give or publish notice of application for review	Not Delegated		City Development
Planning and Environment Act 1987	s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	General Manager City Development		City Development
Planning and Environment Act 1987	s.76D	duty to comply with direction of Minister to issue amended permit	Manager Planning Services		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	Not Delegated		City Development
Planning and Environment Act 1987	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	General Manager City Development		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	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	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	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	Senior Statutory Planner		City Development
Planning and Environment Act 1987	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	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	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	Statutory Planner		City Development
Planning and Environment Act 1987	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	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	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	Senior Strategic Planner		City Development
Planning and Environment Act 1987	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	Strategic Planner		City Development
Planning and Environment Act 1987	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	Strategic Planning Officer		City Development
Planning and Environment Act 1987	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	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	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	Planning Officer		City Development
Planning and Environment Act 1987	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	General Manager City Development		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	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	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	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	Senior Statutory Planner		City Development
Planning and Environment Act 1987	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	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	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	Statutory Planner		City Development
Planning and Environment Act 1987	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	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	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	Senior Strategic Planner		City Development
Planning and Environment Act 1987	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	Strategic Planner		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	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	Strategic Planning Officer		City Development
Planning and Environment Act 1987	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	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	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	Planning Officer		City Development
Planning and Environment Act 1987	s.84(6)	duty to issue permit on receipt of advice within 3 working days	General Manager City Development		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	s.84(6)	duty to issue permit on receipt of advice within 3 working days	Manager Planning Services		City Development
Planning and Environment Act 1987	s.84(6)	duty to issue permit on receipt of advice within 3 working days	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.84(6)	duty to issue permit on receipt of advice within 3 working days	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.84(6)	duty to issue permit on receipt of advice within 3 working days	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.84(6)	duty to issue permit on receipt of advice within 3 working days	Statutory Planner		City Development
Planning and Environment Act 1987	s.84(6)	duty to issue permit on receipt of advice within 3 working days	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.84(6)	duty to issue permit on receipt of advice within 3 working days	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.84(6)	duty to issue permit on receipt of advice within 3 working days	Strategic Planner		City Development
Planning and Environment Act 1987	s.84(6)	duty to issue permit on receipt of advice within 3 working days	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.84(6)	duty to issue permit on receipt of advice within 3 working days	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.84(6)	duty to issue permit on receipt of advice within 3 working days	Planning Officer		City Development
Planning and Environment Act 1987	s.86	duty to issue a permit at order of Tribunal within 3 working days	General Manager City Development		City Development
Planning and Environment Act 1987	s.84(6)	duty to issue permit on receipt of advice within 3 working days	Manager Planning Services		City Development
Planning and Environment Act 1987	s.86	duty to issue a permit at order of Tribunal within 3 working days	Manager Planning Services		City Development
Planning and Environment Act 1987	s.86	duty to issue a permit at order of Tribunal within 3 working days	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.86	duty to issue a permit at order of Tribunal within 3 working days	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.86	duty to issue a permit at order of Tribunal within 3 working days	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.86	duty to issue a permit at order of Tribunal within 3 working days	Statutory Planner		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.86	duty to issue a permit at order of Tribunal within 3 working days	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.86	duty to issue a permit at order of Tribunal within 3 working days	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.86	duty to issue a permit at order of Tribunal within 3 working days	Strategic Planner		City Development
Planning and Environment Act 1987	s.86	duty to issue a permit at order of Tribunal within 3 working days	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.86	duty to issue a permit at order of Tribunal within 3 working days	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.86	duty to issue a permit at order of Tribunal within 3 working days	Planning Officer		City Development
Planning and Environment Act 1987	s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	General Manager City Development		City Development
Planning and Environment Act 1987	s.86	duty to issue a permit at order of Tribunal within 3 working days	Manager Planning Services		City Development
Planning and Environment Act 1987	s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	Manager Planning Services		City Development
Planning and Environment Act 1987	s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	General Manager City Development		City Development
Planning and Environment Act 1987	s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	Manager Planning Services		City Development
Planning and Environment Act 1987	s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	Strategic Planner		City Development
Planning and Environment Act 1987	s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	Manager Planning Services		City Development
Planning and Environment Act 1987	s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	Statutory Planner		City Development
Planning and Environment Act 1987	s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	Coordinator Strategic Planning		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	Strategic Planner		City Development
Planning and Environment Act 1987	s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	Planning Officer		City Development
Planning and Environment Act 1987	s.91(2)	duty to comply with the directions of VCAT	General Manager City Development		City Development
Planning and Environment Act 1987	s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	Manager Planning Services		City Development
Planning and Environment Act 1987	s.91(2)	duty to comply with the directions of VCAT	Manager Planning Services		City Development
Planning and Environment Act 1987	s.91(2)	duty to comply with the directions of VCAT	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.91(2)	duty to comply with the directions of VCAT	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.91(2)	duty to comply with the directions of VCAT	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.91(2)	duty to comply with the directions of VCAT	Statutory Planner		City Development
Planning and Environment Act 1987	s.91(2)	duty to comply with the directions of VCAT	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.91(2)	duty to comply with the directions of VCAT	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.91(2)	duty to comply with the directions of VCAT	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.91(2)	duty to comply with the directions of VCAT	Strategic Planner		City Development
Planning and Environment Act 1987	s.91(2)	duty to comply with the directions of VCAT	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.91(2)	duty to comply with the directions of VCAT	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.91(2)	duty to comply with the directions of VCAT	Planning Officer		City Development
Planning and Environment Act 1987	s.91(2A)	Duty to issue amended permit to owner if Tribunal so directs	General Manager City Development		City Development
Planning and Environment Act 1987	s.91(2)	duty to comply with the directions of VCAT	Manager Planning Services		City Development
Planning and Environment Act 1987	s.91(2A)	Duty to issue amended permit to owner if Tribunal so directs	Manager Planning Services		City Development
Planning and Environment Act 1987	s.91(2A)	Duty to issue amended permit to owner if Tribunal so directs	Coordinator Statutory Planning		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.91(2A)	Duty to issue amended permit to owner if Tribunal so directs	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.91(2A)	Duty to issue amended permit to owner if Tribunal so directs	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.91(2A)	Duty to issue amended permit to owner if Tribunal so directs	Statutory Planner		City Development
Planning and Environment Act 1987	s.91(2A)	Duty to issue amended permit to owner if Tribunal so directs	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.91(2A)	Duty to issue amended permit to owner if Tribunal so directs	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.91(2A)	Duty to issue amended permit to owner if Tribunal so directs	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.91(2A)	Duty to issue amended permit to owner if Tribunal so directs	Strategic Planner		City Development
Planning and Environment Act 1987	s.91(2A)	Duty to issue amended permit to owner if Tribunal so directs	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.91(2A)	Duty to issue amended permit to owner if Tribunal so directs	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.91(2A)	Duty to issue amended permit to owner if Tribunal so directs	Planning Officer		City Development
Planning and Environment Act 1987	s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s.90	General Manager City Development		City Development
Planning and Environment Act 1987	s.91(2A)	Duty to issue amended permit to owner if Tribunal so directs	Manager Planning Services		City Development
Planning and Environment Act 1987	s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s.90	Manager Planning Services		City Development
Planning and Environment Act 1987	s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s.90	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s.90	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s.90	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s.90	Statutory Planner		City Development
Planning and Environment Act 1987	s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s.90	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s.90	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s.90	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s.90	Strategic Planner		City Development
Planning and Environment Act 1987	s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s.90	Strategic Planning Officer		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s.90	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s.90	Planning Officer		City Development
Planning and Environment Act 1987	s.93(2)	duty to give notice of VCAT order to stop development	General Manager City Development		City Development
Planning and Environment Act 1987	s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s.90	Manager Planning Services		City Development
Planning and Environment Act 1987	s.93(2)	duty to give notice of VCAT order to stop development	Manager Planning Services		City Development
Planning and Environment Act 1987	s.93(2)	duty to give notice of VCAT order to stop development	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.93(2)	duty to give notice of VCAT order to stop development	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.93(2)	duty to give notice of VCAT order to stop development	Strategic Planner		City Development
Planning and Environment Act 1987	s.93(2)	duty to give notice of VCAT order to stop development	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.93(2)	duty to give notice of VCAT order to stop development	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.95(3)	function of referring certain applications to the Minister	General Manager City Development		City Development
Planning and Environment Act 1987	s.93(2)	duty to give notice of VCAT order to stop development	Manager Planning Services		City Development
Planning and Environment Act 1987	s.95(3)	function of referring certain applications to the Minister	Manager Planning Services		City Development
Planning and Environment Act 1987	s.93(2)	duty to give notice of VCAT order to stop development	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.95(3)	function of referring certain applications to the Minister	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.95(3)	function of referring certain applications to the Minister	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.95(3)	function of referring certain applications to the Minister	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.95(3)	function of referring certain applications to the Minister	Strategic Planner		City Development
Planning and Environment Act 1987	s.95(3)	function of referring certain applications to the Minister	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.95(3)	function of referring certain applications to the Minister	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.95(4)	duty to comply with an order or direction	General Manager City Development		City Development
Planning and Environment Act 1987	s.95(3)	function of referring certain applications to the Minister	Manager Planning Services		City Development
Planning and Environment Act 1987	s.95(4)	duty to comply with an order or direction	Manager Planning Services		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.95(4)	duty to comply with an order or direction	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.95(4)	duty to comply with an order or direction	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.95(4)	duty to comply with an order or direction	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.95(4)	duty to comply with an order or direction	Statutory Planner		City Development
Planning and Environment Act 1987	s.95(4)	duty to comply with an order or direction	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.95(4)	duty to comply with an order or direction	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.95(4)	duty to comply with an order or direction	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.95(4)	duty to comply with an order or direction	Strategic Planner		City Development
Planning and Environment Act 1987	s.95(4)	duty to comply with an order or direction	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.95(4)	duty to comply with an order or direction	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.95(4)	duty to comply with an order or direction	Planning Officer		City Development
Planning and Environment Act 1987	s.96(1)	duty to obtain a permit from the Minister to use and develop its land	General Manager City Development		City Development
Planning and Environment Act 1987	s.95(4)	duty to comply with an order or direction	Manager Planning Services		City Development
Planning and Environment Act 1987	s.96(1)	duty to obtain a permit from the Minister to use and develop its land	Manager Planning Services		City Development
Planning and Environment Act 1987	s.96(1)	duty to obtain a permit from the Minister to use and develop its land	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.96(1)	duty to obtain a permit from the Minister to use and develop its land	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.96(1)	duty to obtain a permit from the Minister to use and develop its land	Strategic Planner		City Development
Planning and Environment Act 1987	s.96(1)	duty to obtain a permit from the Minister to use and develop its land	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.96(1)	duty to obtain a permit from the Minister to use and develop its land	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	General Manager City Development		City Development
Planning and Environment Act 1987	s.96(1)	duty to obtain a permit from the Minister to use and develop its land	Manager Planning Services		City Development
Planning and Environment Act 1987	s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	Manager Planning Services		City Development
Planning and Environment Act 1987	s.96(1)	duty to obtain a permit from the Minister to use and develop its land	Coordinator Statutory Planning		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	Strategic Planner		City Development
Planning and Environment Act 1987	s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	General Manager City Development		City Development
Planning and Environment Act 1987	s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	Manager Planning Services		City Development
Planning and Environment Act 1987	s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	Manager Planning Services		City Development
Planning and Environment Act 1987	s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	Strategic Planner		City Development
Planning and Environment Act 1987	s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s.96C	General Manager City Development		City Development
Planning and Environment Act 1987	s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	Manager Planning Services		City Development
Planning and Environment Act 1987	s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s.96C	Manager Planning Services		City Development
Planning and Environment Act 1987	s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s.96C	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s.96C	Strategic Planner		City Development
Planning and Environment Act 1987	s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s.96C	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s.96C	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.96F	duty to consider the panel's report under section 96E	General Manager City Development		City Development
Planning and Environment Act 1987	s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s.96C	Manager Planning Services		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.96F	duty to consider the panel's report under section 96E	Manager Planning Services		City Development
Planning and Environment Act 1987	s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.96F	duty to consider the panel's report under section 96E	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.96F	duty to consider the panel's report under section 96E	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.96F	duty to consider the panel's report under section 96E	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.96F	duty to consider the panel's report under section 96E	Statutory Planner		City Development
Planning and Environment Act 1987	s.96F	duty to consider the panel's report under section 96E	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.96F	duty to consider the panel's report under section 96E	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.96F	duty to consider the panel's report under section 96E	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.96F	duty to consider the panel's report under section 96E	Strategic Planner		City Development
Planning and Environment Act 1987	s.96F	duty to consider the panel's report under section 96E	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.96F	duty to consider the panel's report under section 96E	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.96F	duty to consider the panel's report under section 96E	Planning Officer		City Development
Planning and Environment Act 1987	s.96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s.23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	Not Delegated		City Development
Planning and Environment Act 1987	s.96H(3)	power to give notice in compliance with Minister's direction	General Manager City Development		City Development
Planning and Environment Act 1987	s.96F	duty to consider the panel's report under section 96E	Manager Planning Services		City Development
Planning and Environment Act 1987	s.96H(3)	power to give notice in compliance with Minister's direction	Manager Planning Services		City Development
Planning and Environment Act 1987	s.96H(3)	power to give notice in compliance with Minister's direction	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.96H(3)	power to give notice in compliance with Minister's direction	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.96H(3)	power to give notice in compliance with Minister's direction	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.96H(3)	power to give notice in compliance with Minister's direction	Strategic Planner		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.96H(3)	power to give notice in compliance with Minister's direction	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.96H(3)	power to give notice in compliance with Minister's direction	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.96J	power to issue permit as directed by the Minister	General Manager City Development		City Development
Planning and Environment Act 1987	s.96H(3)	power to give notice in compliance with Minister's direction	Manager Planning Services		City Development
Planning and Environment Act 1987	s.96J	power to issue permit as directed by the Minister	Manager Planning Services		City Development
Planning and Environment Act 1987	s.96J	power to issue permit as directed by the Minister	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.96J	power to issue permit as directed by the Minister	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.96K	duty to comply with direction of the Minister to give notice of refusal	General Manager City Development		City Development
Planning and Environment Act 1987	s.96J	power to issue permit as directed by the Minister	Manager Planning Services		City Development
Planning and Environment Act 1987	s.96J	power to issue permit as directed by the Minister	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.96J	power to issue permit as directed by the Minister	Strategic Planner		City Development
Planning and Environment Act 1987	s.96J	power to issue permit as directed by the Minister	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.96J	power to issue permit as directed by the Minister	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.96K	duty to comply with direction of the Minister to give notice of refusal	Manager Planning Services		City Development
Planning and Environment Act 1987	s.96K	duty to comply with direction of the Minister to give notice of refusal	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.96K	duty to comply with direction of the Minister to give notice of refusal	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.96K	duty to comply with direction of the Minister to give notice of refusal	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.96K	duty to comply with direction of the Minister to give notice of refusal	Strategic Planner		City Development
Planning and Environment Act 1987	s.96K	duty to comply with direction of the Minister to give notice of refusal	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.96K	duty to comply with direction of the Minister to give notice of refusal	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.96K	duty to comply with direction of the Minister to give notice of refusal	Manager Planning Services		City Development
Planning and Environment Act 1987	s.97C	power to request Minister to decide the application	Manager Planning Services		City Development
Planning and Environment Act 1987	s.97C	power to request Minister to decide the application	General Manager City Development		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.97C	power to request Minister to decide the application	Manager Planning Services		City Development
Planning and Environment Act 1987	s.97C	power to request Minister to decide the application	Manager Planning Services		City Development
Planning and Environment Act 1987	s.97C	power to request Minister to decide the application	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.97C	power to request Minister to decide the application	Strategic Planner		City Development
Planning and Environment Act 1987	s.97C	power to request Minister to decide the application	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.97C	power to request Minister to decide the application	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	Statutory Planner		City Development
Planning and Environment Act 1987	s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	Planning Officer		City Development
Planning and Environment Act 1987	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	General Manager City Development		City Development
Planning and Environment Act 1987	s.97C	power to request Minister to decide the application	Manager Planning Services		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	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	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	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	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.97G(6)	duty to make a copy of permits issued under s.97F available for inspection	General Manager City Development		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	s.97G(6)	duty to make a copy of permits issued under s.97F available for inspection	Manager Planning Services		City Development
Planning and Environment Act 1987	s.97G(6)	duty to make a copy of permits issued under s.97F available for inspection	Coordinator Statutory Planning		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.97G(6)	duty to make a copy of permits issued under s.97F available for inspection	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.97G(6)	duty to make a copy of permits issued under s.97F available for inspection	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.97G(6)	duty to make a copy of permits issued under s.97F available for inspection	Statutory Planner		City Development
Planning and Environment Act 1987	s.97G(6)	duty to make a copy of permits issued under s.97F available for inspection	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.97G(6)	duty to make a copy of permits issued under s.97F available for inspection	Planning Officer		City Development
Planning and Environment Act 1987	s.97L	duty to include Ministerial decisions in a register kept under s.49	General Manager City Development		City Development
Planning and Environment Act 1987	s.97G(6)	duty to make a copy of permits issued under s.97F available for inspection	Manager Planning Services		City Development
Planning and Environment Act 1987	s.97G(6)	duty to make a copy of permits issued under s.97F available for inspection	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.97G(6)	duty to make a copy of permits issued under s.97F available for inspection	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.97G(6)	duty to make a copy of permits issued under s.97F available for inspection	Strategic Planner		City Development
Planning and Environment Act 1987	s.97G(6)	duty to make a copy of permits issued under s.97F available for inspection	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.97G(6)	duty to make a copy of permits issued under s.97F available for inspection	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.97L	duty to include Ministerial decisions in a register kept under s.49	Manager Planning Services		City Development
Planning and Environment Act 1987	s.97L	duty to include Ministerial decisions in a register kept under s.49	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.97L	duty to include Ministerial decisions in a register kept under s.49	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.97L	duty to include Ministerial decisions in a register kept under s.49	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.97L	duty to include Ministerial decisions in a register kept under s.49	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.97L	duty to include Ministerial decisions in a register kept under s.49	Statutory Planner		City Development
Planning and Environment Act 1987	s.97L	duty to include Ministerial decisions in a register kept under s.49	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.97L	duty to include Ministerial decisions in a register kept under s.49	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.97L	duty to include Ministerial decisions in a register kept under s.49	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.97L	duty to include Ministerial decisions in a register kept under s.49	Strategic Planner		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.97L	duty to include Ministerial decisions in a register kept under s.49	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.97L	duty to include Ministerial decisions in a register kept under s.49	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.97L	duty to include Ministerial decisions in a register kept under s.49	Planning Officer		City Development
Planning and Environment Act 1987	s.97L	duty to include Ministerial decisions in a register kept under s.49	Manager Planning Services		City Development
Planning and Environment Act 1987	s.97MH	duty to provide assistance to the development assessment committee	General Manager City Development		City Development
Planning and Environment Act 1987	s.97MH	duty to provide assistance to the development assessment committee	Manager Planning Services		City Development
Planning and Environment Act 1987	s.97MH	duty to provide assistance to the development assessment committee	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.97MH	duty to provide assistance to the development assessment committee	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.97MH	duty to provide assistance to the development assessment committee	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.97MH	duty to provide assistance to the development assessment committee	Statutory Planner		City Development
Planning and Environment Act 1987	s.97MH	duty to provide assistance to the development assessment committee	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.97MH	duty to provide assistance to the development assessment committee	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.97MH	duty to provide assistance to the development assessment committee	Strategic Planner		City Development
Planning and Environment Act 1987	s.97MH	duty to provide assistance to the development assessment committee	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.97MH	duty to provide assistance to the development assessment committee	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.97MH	duty to provide assistance to the development assessment committee	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.97MH	duty to provide assistance to the development assessment committee	Planning Officer		City Development
Planning and Environment Act 1987	s.97O	duty to consider application and issue or refuse to issue certificate of compliance	General Manager City Development		City Development
Planning and Environment Act 1987	s.97O	duty to consider application and issue or refuse to issue certificate of compliance	Manager Planning Services		City Development
Planning and Environment Act 1987	s.97O	duty to consider application and issue or refuse to issue certificate of compliance	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.97O	duty to consider application and issue or refuse to issue certificate of compliance	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.97O	duty to consider application and issue or refuse to issue certificate of compliance	Statutory Planning Enforcement Officer		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.97O	duty to consider application and issue or refuse to issue certificate of compliance	Statutory Planner		City Development
Planning and Environment Act 1987	s.97O	duty to consider application and issue or refuse to issue certificate of compliance	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.97O	duty to consider application and issue or refuse to issue certificate of compliance	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.97O	duty to consider application and issue or refuse to issue certificate of compliance	Strategic Planner		City Development
Planning and Environment Act 1987	s.97O	duty to consider application and issue or refuse to issue certificate of compliance	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.97O	duty to consider application and issue or refuse to issue certificate of compliance	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	General Manager City Development		City Development
Planning and Environment Act 1987	s.97O	duty to consider application and issue or refuse to issue certificate of compliance	Manager Planning Services		City Development
Planning and Environment Act 1987	s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	Manager Planning Services		City Development
Planning and Environment Act 1987	s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	Statutory Planner		City Development
Planning and Environment Act 1987	s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	Strategic Planner		City Development
Planning and Environment Act 1987	s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	General Manager City Development		City Development
Planning and Environment Act 1987	s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	Manager Planning Services		City Development
Planning and Environment Act 1987	s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	Manager Planning Services		City Development
Planning and Environment Act 1987	s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	Senior Statutory Planner		City Development

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Planning and Environment Act 1987	s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	Statutory Planner		City Development
Planning and Environment Act 1987	s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	Strategic Planner		City Development
Planning and Environment Act 1987	s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.97Q(4)	duty to comply with directions of VCAT	General Manager City Development		City Development
Planning and Environment Act 1987	s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	Manager Planning Services		City Development
Planning and Environment Act 1987	s.97Q(4)	duty to comply with directions of VCAT	Manager Planning Services		City Development
Planning and Environment Act 1987	s.97Q(4)	duty to comply with directions of VCAT	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.97Q(4)	duty to comply with directions of VCAT	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.97Q(4)	duty to comply with directions of VCAT	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.97Q(4)	duty to comply with directions of VCAT	Statutory Planner		City Development
Planning and Environment Act 1987	s.97Q(4)	duty to comply with directions of VCAT	Manager Planning Services		City Development
Planning and Environment Act 1987	s.97Q(4)	duty to comply with directions of VCAT	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.97Q(4)	duty to comply with directions of VCAT	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.97Q(4)	duty to comply with directions of VCAT	Strategic Planner		City Development
Planning and Environment Act 1987	s.97Q(4)	duty to comply with directions of VCAT	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.97Q(4)	duty to comply with directions of VCAT	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.97R	duty to keep register of all applications for certificate of compliance and related decisions	Manager Planning Services		City Development
Planning and Environment Act 1987	s.97R	duty to keep register of all applications for certificate of compliance and related decisions	General Manager City Development		City Development
Planning and Environment Act 1987	s.97R	duty to keep register of all applications for certificate of compliance and related decisions	Coordinator Statutory Planning		City Development

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S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.97R	duty to keep register of all applications for certificate of compliance and related decisions	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.97R	duty to keep register of all applications for certificate of compliance and related decisions	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.97R	duty to keep register of all applications for certificate of compliance and related decisions	Statutory Planner		City Development
Planning and Environment Act 1987	s.97R	duty to keep register of all applications for certificate of compliance and related decisions	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.97R	duty to keep register of all applications for certificate of compliance and related decisions	Planning Officer		City Development
Planning and Environment Act 1987	s.97R	duty to keep register of all applications for certificate of compliance and related decisions	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.97R	duty to keep register of all applications for certificate of compliance and related decisions	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.97R	duty to keep register of all applications for certificate of compliance and related decisions	Strategic Planner		City Development
Planning and Environment Act 1987	s.97R	duty to keep register of all applications for certificate of compliance and related decisions	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.97R	duty to keep register of all applications for certificate of compliance and related decisions	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	General Manager City Development		City Development
Planning and Environment Act 1987	s.97R	duty to keep register of all applications for certificate of compliance and related decisions	Manager Planning Services		City Development
Planning and Environment Act 1987	s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	Manager Planning Services		City Development
Planning and Environment Act 1987	s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	General Manager City Development		City Development
Planning and Environment Act 1987	s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	Manager Planning Services		City Development
Planning and Environment Act 1987	s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	Manager Planning Services		City Development
Planning and Environment Act 1987	s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	Statutory Planner		City Development
Planning and Environment Act 1987	s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	Planning Administration Officer		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	Planning Officer		City Development
Planning and Environment Act 1987	s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	Strategic Planner		City Development
Planning and Environment Act 1987	s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.101	function of receiving claim for expenses in conjunction with claim	General Manager City Development		City Development
Planning and Environment Act 1987	s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	Manager Planning Services		City Development
Planning and Environment Act 1987	s.101	function of receiving claim for expenses in conjunction with claim	Manager Planning Services		City Development
Planning and Environment Act 1987	s.103	power to reject a claim for compensation in certain circumstances	General Manager City Development		City Development
Planning and Environment Act 1987	s.101	function of receiving claim for expenses in conjunction with claim	Manager Planning Services		City Development
Planning and Environment Act 1987	s.103	power to reject a claim for compensation in certain circumstances	Manager Planning Services		City Development
Planning and Environment Act 1987	s.107(1)	function of receiving claim for compensation	General Manager City Development		City Development
Planning and Environment Act 1987	s.103	power to reject a claim for compensation in certain circumstances	Manager Planning Services		City Development
Planning and Environment Act 1987	s.107(1)	function of receiving claim for compensation	Manager Planning Services		City Development
Planning and Environment Act 1987	s.107(3)	power to agree to extend time for making claim	General Manager City Development		City Development
Planning and Environment Act 1987	s.107(1)	function of receiving claim for compensation	Manager Planning Services		City Development
Planning and Environment Act 1987	s.107(1)	function of receiving claim for compensation	Manager Planning Services		City Development
Planning and Environment Act 1987	s.114(1)	power to apply to the VCAT for an enforcement order	General Manager City Development		City Development
Planning and Environment Act 1987	s.107(1)	function of receiving claim for compensation	Manager Planning Services		City Development
Planning and Environment Act 1987	s.114(1)	power to apply to the VCAT for an enforcement order	Manager Planning Services		City Development
Planning and Environment Act 1987	s.117(1)(a)	function of making a submission to the VCAT where objections are received	General Manager City Development		City Development
Planning and Environment Act 1987	s.114(1)	power to apply to the VCAT for an enforcement order	Manager Planning Services		City Development

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S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.114(1)	power to apply to the VCAT for an enforcement order	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.114(1)	power to apply to the VCAT for an enforcement order	Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.117(1)(a)	function of making a submission to the VCAT where objections are received	Manager Planning Services		City Development
Planning and Environment Act 1987	s.114(1)	power to apply to the VCAT for an enforcement order	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.117(1)(a)	function of making a submission to the VCAT where objections are received	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.117(1)(a)	function of making a submission to the VCAT where objections are received	Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.117(1)(a)	function of making a submission to the VCAT where objections are received	Manager Planning Services		City Development
Planning and Environment Act 1987	s.117(1)(a)	function of making a submission to the VCAT where objections are received	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.117(1)(a)	function of making a submission to the VCAT where objections are received	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.117(1)(a)	function of making a submission to the VCAT where objections are received	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.117(1)(a)	function of making a submission to the VCAT where objections are received	Strategic Planner		City Development
Planning and Environment Act 1987	s.117(1)(a)	function of making a submission to the VCAT where objections are received	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.117(1)(a)	function of making a submission to the VCAT where objections are received	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.117(1)(a)	function of making a submission to the VCAT where objections are received	Statutory Planner		City Development
Planning and Environment Act 1987	s.117(1)(a)	function of making a submission to the VCAT where objections are received	Planning Officer		City Development
Planning and Environment Act 1987	s.120(1)	power to apply for an interim enforcement order where s.114 application has been made	General Manager City Development		City Development
Planning and Environment Act 1987	s.117(1)(a)	function of making a submission to the VCAT where objections are received	Manager Planning Services		City Development
Planning and Environment Act 1987	s.120(1)	power to apply for an interim enforcement order where s.114 application has been made	Manager Planning Services		City Development
Planning and Environment Act 1987	s.123(1)	power to carry out work required by enforcement order and recover costs	General Manager City Development		City Development
Planning and Environment Act 1987	s.120(1)	power to apply for an interim enforcement order where s.114 application has been made	Manager Planning Services		City Development
Planning and Environment Act 1987	s.123(1)	power to carry out work required by enforcement order and recover costs	Manager Planning Services		City Development
Planning and Environment Act 1987	s.123(1)	power to carry out work required by enforcement order and recover costs	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under s.123(1)	Not Delegated	except Crown Land	General

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S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.125	power to apply for an injunction restraining a person from contravening an enforcement order or interim enforcement order	General Manager City Development		City Development
Planning and Environment Act 1987	s.129	function of recovering penalties	General Manager City Development		City Development
Planning and Environment Act 1987	s.123(1)	power to carry out work required by enforcement order and recover costs	Manager Planning Services		City Development
Planning and Environment Act 1987	s.129	function of recovering penalties	Manager Planning Services		City Development
Planning and Environment Act 1987	s.130(5)	power to allow person served with an infringement notice further time	General Manager City Development	Note: we must authorise an officer from planning to firstly issue the notice	City Development
Planning and Environment Act 1987	s.129	function of recovering penalties	Manager Planning Services		City Development
Planning and Environment Act 1987	s.130(1)	An authorised officer of a responsible authority may serve a planning infringement notice on any person, if the authorised officer	General Manager City Development		City Development
Planning and Environment Act 1987	s.130(1)	An authorised officer of a responsible authority may serve a planning infringement notice on any person, if the authorised officer	Manager Planning Services		City Development
Planning and Environment Act 1987	s.123(1)	power to carry out work required by enforcement order and recover costs	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.130(1)	An authorised officer of a responsible authority may serve a planning infringement notice on any person, if the authorised officer	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.130(1)	An authorised officer of a responsible authority may serve a planning infringement notice on any person, if the authorised officer	Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.130(1)	An authorised officer of a responsible authority may serve a planning infringement notice on any person, if the authorised officer	Manager Planning Services		City Development
Planning and Environment Act 1987	s.130(5)	power to allow person served with an infringement notice further time	Manager Planning Services	Note: we must authorise an officer from planning to firstly issue the notice	City Development
Planning and Environment Act 1987	s.149A(1)	power to refer a matter to the VCAT for determination	General Manager City Development		City Development
Planning and Environment Act 1987	s.130(5)	power to allow person served with an infringement notice further time	Manager Planning Services	Note: we must authorise an officer from planning to firstly issue the notice	City Development
Planning and Environment Act 1987	s.149A(1)	power to refer a matter to the VCAT for determination	Manager Planning Services		City Development
Planning and Environment Act 1987	s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	General Manager City Development		City Development
Planning and Environment Act 1987	s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	Manager Planning Services		City Development
Planning and Environment Act 1987	s.156	duty to pay fees and allowances (including a payment to the Crown under subsection [2A]) and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under subsection (2B), power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	General Manager City Development	where council is the relevant planning authority	City Development
Planning and Environment Act 1987	s.149A(1)	power to refer a matter to the VCAT for determination	Manager Planning Services		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.156	duty to pay fees and allowances (including a payment to the Crown under subsection [2A]) and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under subsection (2B), power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	Manager Planning Services	where council is the relevant planning authority	City Development
Planning and Environment Act 1987	s.156	duty to pay fees and allowances (including a payment to the Crown under subsection [2A]) and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under subsection (2B), power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	Coordinator Strategic Planning	where council is the relevant planning authority	City Development
Planning and Environment Act 1987	s.156	duty to pay fees and allowances (including a payment to the Crown under subsection [2A]) and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under subsection (2B), power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	Coordinator Statutory Planning	where council is the relevant planning authority	City Development
Planning and Environment Act 1987	s.171(2)(f)	power to carry out studies and commission reports	General Manager City Development		City Development
Planning and Environment Act 1987	s.156	duty to pay fees and allowances (including a payment to the Crown under subsection [2A]) and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under subsection (2B), power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	Manager Planning Services	where council is the relevant planning authority	City Development
Planning and Environment Act 1987	s.171(2)(f)	power to carry out studies and commission reports	Manager Planning Services		City Development
Planning and Environment Act 1987	s.171(2)(g)	power to grant and reserve easements	Not Delegated		City Development
Planning and Environment Act 1987	s.173	power to enter into agreement covering matters set out in s.174	General Manager City Development	Must be signed by the CEO	City Development
Planning and Environment Act 1987	s.171(2)(f)	power to carry out studies and commission reports	Manager Planning Services		City Development
Planning and Environment Act 1987	s.173	power to enter into agreement covering matters set out in s.174	Manager Planning Services	Must be signed by the CEO	City Development
Planning and Environment Act 1987	s.173	power to enter into agreement covering matters set out in s.174	Municipal Building Surveyor	Must be signed by the CEO	City Development
Planning and Environment Act 1987	---	power to decide whether something is to the satisfaction of Council, where an agreement made under s.173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	General Manager City Development		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	---	power to decide whether something is to the satisfaction of Council, where an agreement made under s.173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	Manager Planning Services		City Development
Planning and Environment Act 1987	---	power to decide whether something is to the satisfaction of Council, where an agreement made under s.173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	---	power to decide whether something is to the satisfaction of Council, where an agreement made under s.173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	Senior Statutory Planner		City Development
Planning and Environment Act 1987	---	power to decide whether something is to the satisfaction of Council, where an agreement made under s.173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	Planning Enforcement Officer		City Development
Planning and Environment Act 1987	---	power to decide whether something is to the satisfaction of Council, where an agreement made under s.173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	Manager Planning Services		City Development
Planning and Environment Act 1987	---	power to decide whether something is to the satisfaction of Council, where an agreement made under s.173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	---	power to decide whether something is to the satisfaction of Council, where an agreement made under s.173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	Senior Strategic Planner		City Development
Planning and Environment Act 1987	---	power to decide whether something is to the satisfaction of Council, where an agreement made under s.173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	Strategic Planner		City Development
Planning and Environment Act 1987	---	power to decide whether something is to the satisfaction of Council, where an agreement made under s.173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	Strategic Planning Officer		City Development
Planning and Environment Act 1987	---	power to decide whether something is to the satisfaction of Council, where an agreement made under s.173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	---	power to decide whether something is to the satisfaction of Council, where an agreement made under s.173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	Planning Officer		City Development
Planning and Environment Act 1987	---	power to decide whether something is to the satisfaction of Council, where an agreement made under s.173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	Municipal Building Surveyor		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.173	power to enter into agreement covering matters set out in s.174	Manager Planning Services	Must be signed by the CEO	City Development
Planning and Environment Act 1987	s.173	power to enter into agreement covering matters set out in s.174	Coordinator Statutory Planning	Must be signed by the CEO	City Development
Planning and Environment Act 1987	---	power to decide whether something is to the satisfaction of Council, where an agreement made under s.173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	Manager Planning Services		City Development
Planning and Environment Act 1987	---	power to give consent on behalf of Council, where an agreement made under s.173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	General Manager City Development		City Development
Planning and Environment Act 1987	---	power to decide whether something is to the satisfaction of Council, where an agreement made under s.173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	Manager Planning Services		City Development
Planning and Environment Act 1987	---	power to give consent on behalf of Council, where an agreement made under s.173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	Manager Planning Services		City Development
Planning and Environment Act 1987	s.177(2)	power to end a section 173 agreement with the agreement all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	General Manager City Development		City Development
Planning and Environment Act 1987	---	power to give consent on behalf of Council, where an agreement made under s.173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	Manager Planning Services		City Development
Planning and Environment Act 1987	s.177(2)	power to end a section 173 agreement with the agreement all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	Manager Planning Services		City Development
Planning and Environment Act 1987	s.173	power to enter into agreement covering matters set out in s.174	Coordinator Strategic Planning	Must be signed by the CEO	City Development
Planning and Environment Act 1987	s.177(2)	power to end a section 173 agreement with the agreement all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	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	General Manager City Development		City Development
Planning and Environment Act 1987	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	Municipal Building Surveyor		City Development
Planning and Environment Act 1987	s.177(2)	power to end a section 173 agreement with the agreement all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	Manager Planning Services		City Development
Planning and Environment Act 1987	s.177(2)	power to end a section 173 agreement with the agreement all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	Coordinator Strategic Planning		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	s.178A(1)	function of receiving application to amend or end an agreement	General Manager City Development		City Development
Planning and Environment Act 1987	s.178A(1)	function of receiving application to amend or end an agreement	Manager Planning Services		City Development
Planning and Environment Act 1987	s.178A(1)	function of receiving application to amend or end an agreement	Manager Planning Services		City Development
Planning and Environment Act 1987	s.178A(1)	function of receiving application to amend or end an agreement	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.178A(1)	function of receiving application to amend or end an agreement	Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.178A(1)	function of receiving application to amend or end an agreement	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.178A(1)	function of receiving application to amend or end an agreement	Statutory Planner		City Development
Planning and Environment Act 1987	s.178A(1)	function of receiving application to amend or end an agreement	Planning Officer		City Development
Planning and Environment Act 1987	s.178A(1)	function of receiving application to amend or end an agreement	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.178A(1)	function of receiving application to amend or end an agreement	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.178A(1)	function of receiving application to amend or end an agreement	Strategic Planner		City Development
Planning and Environment Act 1987	s.178A(1)	function of receiving application to amend or end an agreement	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.178A(1)	function of receiving application to amend or end an agreement	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	General Manager City Development		City Development
Planning and Environment Act 1987	s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	Statutory Planner		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	Planning Officer		City Development
Planning and Environment Act 1987	s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	Strategic Planner		City Development
Planning and Environment Act 1987	s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	General Manager City Development		City Development
Planning and Environment Act 1987	s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Manager Planning Services		City Development
Planning and Environment Act 1987	s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Manager Planning Services		City Development
Planning and Environment Act 1987	s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Statutory Planner		City Development
Planning and Environment Act 1987	s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Planning Officer		City Development
Planning and Environment Act 1987	s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Strategic Planner		City Development
Planning and Environment Act 1987	s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.178A(5)	power to propose to amend or end an agreement	General Manager City Development		City Development
Planning and Environment Act 1987	s.178A(5)	power to propose to amend or end an agreement	Manager Planning Services		City Development
Planning and Environment Act 1987	s.178A(5)	power to propose to amend or end an agreement	Manager Planning Services		City Development
Planning and Environment Act 1987	s.178A(5)	power to propose to amend or end an agreement	Coordinator Statutory Planning		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.178A(5)	power to propose to amend or end an agreement	Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.178A(5)	power to propose to amend or end an agreement	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.178A(5)	power to propose to amend or end an agreement	Statutory Planner		City Development
Planning and Environment Act 1987	s.178A(5)	power to propose to amend or end an agreement	Planning Officer		City Development
Planning and Environment Act 1987	s.178A(5)	power to propose to amend or end an agreement	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.178A(5)	power to propose to amend or end an agreement	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.178A(5)	power to propose to amend or end an agreement	Strategic Planner		City Development
Planning and Environment Act 1987	s.178A(5)	power to propose to amend or end an agreement	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.178A(5)	power to propose to amend or end an agreement	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	General Manager City Development		City Development
Planning and Environment Act 1987	s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	Manager Planning Services		City Development
Planning and Environment Act 1987	s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	Manager Planning Services		City Development
Planning and Environment Act 1987	s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	Statutory Planner		City Development
Planning and Environment Act 1987	s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	Planning Officer		City Development
Planning and Environment Act 1987	s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	Strategic Planner		City Development
Planning and Environment Act 1987	s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	General Manager City Development		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	Manager Planning Services		City Development
Planning and Environment Act 1987	s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	Manager Planning Services		City Development
Planning and Environment Act 1987	s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	Statutory Planner		City Development
Planning and Environment Act 1987	s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	Planning Officer		City Development
Planning and Environment Act 1987	s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	Strategic Planner		City Development
Planning and Environment Act 1987	s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	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	General Manager City Development		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	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	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	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	Planning Enforcement Officer		City Development
Planning and Environment Act 1987	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	Senior Statutory Planner		City Development
Planning and Environment Act 1987	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	Statutory Planner		City Development
Planning and Environment Act 1987	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	Planning Officer		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	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	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	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	Senior Strategic Planner		City Development
Planning and Environment Act 1987	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	Strategic Planner		City Development
Planning and Environment Act 1987	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	Strategic Planning Officer		City Development
Planning and Environment Act 1987	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	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.178C(4)	function of determining how to give notice under s.178C(2)	General Manager City Development		City Development
Planning and Environment Act 1987	s.178C(4)	function of determining how to give notice under s.178C(2)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.178C(4)	function of determining how to give notice under s.178C(2)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.178C(4)	function of determining how to give notice under s.178C(2)	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.178C(4)	function of determining how to give notice under s.178C(2)	Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.178C(4)	function of determining how to give notice under s.178C(2)	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.178C(4)	function of determining how to give notice under s.178C(2)	Statutory Planner		City Development
Planning and Environment Act 1987	s.178C(4)	function of determining how to give notice under s.178C(2)	Planning Officer		City Development
Planning and Environment Act 1987	s.178C(4)	function of determining how to give notice under s.178C(2)	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.178C(4)	function of determining how to give notice under s.178C(2)	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.178C(4)	function of determining how to give notice under s.178C(2)	Strategic Planner		City Development
Planning and Environment Act 1987	s.178C(4)	function of determining how to give notice under s.178C(2)	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.178C(4)	function of determining how to give notice under s.178C(2)	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.178E(1)	duty not to make decision until after 14 days after notice has been given	General Manager City Development		City Development
Planning and Environment Act 1987	s.178E(1)	duty not to make decision until after 14 days after notice has been given	Manager Planning Services		City Development

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Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.178E(1)	duty not to make decision until after 14 days after notice has been given	Manager Planning Services		City Development
Planning and Environment Act 1987	s.178E(1)	duty not to make decision until after 14 days after notice has been given	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.178E(1)	duty not to make decision until after 14 days after notice has been given	Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.178E(1)	duty not to make decision until after 14 days after notice has been given	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.178E(1)	duty not to make decision until after 14 days after notice has been given	Statutory Planner		City Development
Planning and Environment Act 1987	s.178E(1)	duty not to make decision until after 14 days after notice has been given	Planning Officer		City Development
Planning and Environment Act 1987	s.178E(1)	duty not to make decision until after 14 days after notice has been given	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.178E(1)	duty not to make decision until after 14 days after notice has been given	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.178E(1)	duty not to make decision until after 14 days after notice has been given	Strategic Planner		City Development
Planning and Environment Act 1987	s.178E(1)	duty not to make decision until after 14 days after notice has been given	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.178E(1)	duty not to make decision until after 14 days after notice has been given	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	General Manager City Development	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	Manager Planning Services	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	Manager Planning Services	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	Coordinator Statutory Planning	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	Planning Enforcement Officer	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	Senior Statutory Planner	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	Statutory Planner	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	Planning Officer	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	Coordinator Strategic Planning	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	Senior Strategic Planner	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	Strategic Planner	If on objections are made under s.178D, Must consider matters in s.178B	City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	Strategic Planning Officer	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	Urban Growth Project Officer	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	General Manager City Development	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Manager Planning Services	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Manager Planning Services	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Coordinator Statutory Planning	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Planning Enforcement Officer	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Senior Statutory Planner	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Statutory Planner	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Planning Officer	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Coordinator Strategic Planning	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Senior Strategic Planner	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Strategic Planner	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Strategic Planning Officer	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Urban Growth Project Officer	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(c)	power to refuse to amend or end the agreement	General Manager City Development	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(c)	power to refuse to amend or end the agreement	Manager Planning Services	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(c)	power to refuse to amend or end the agreement	Manager Planning Services	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(c)	power to refuse to amend or end the agreement	Coordinator Statutory Planning	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(c)	power to refuse to amend or end the agreement	Planning Enforcement Officer	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(c)	power to refuse to amend or end the agreement	Senior Statutory Planner	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(c)	power to refuse to amend or end the agreement	Statutory Planner	If on objections are made under s.178D, Must consider matters in s.178B	City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.178E(2)(c)	power to refuse to amend or end the agreement	Planning Officer	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(c)	power to refuse to amend or end the agreement	Coordinator Strategic Planning	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(c)	power to refuse to amend or end the agreement	Senior Strategic Planner	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(c)	power to refuse to amend or end the agreement	Strategic Planner	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(c)	power to refuse to amend or end the agreement	Strategic Planning Officer	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(2)(c)	power to refuse to amend or end the agreement	Urban Growth Project Officer	If on objections are made under s.178D, Must consider matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	General Manager City Development	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	Manager Planning Services	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	Manager Planning Services	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	Coordinator Statutory Planning	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	Planning Enforcement Officer	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	Senior Statutory Planner	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	Statutory Planner	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	Planning Officer	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	Coordinator Strategic Planning	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	Senior Strategic Planner	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	Strategic Planner	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	Strategic Planning Officer	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	Urban Growth Project Officer	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	General Manager City Development	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Manager Planning Services	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Manager Planning Services	After considering objections, submissions and matters in s.178B	City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Coordinator Statutory Planning	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Planning Enforcement Officer	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Senior Statutory Planner	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Statutory Planner	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Planning Officer	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Coordinator Strategic Planning	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Senior Strategic Planner	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Strategic Planner	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Strategic Planning Officer	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Urban Growth Project Officer	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	General Manager City Development	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	Manager Planning Services	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	Manager Planning Services	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	Coordinator Statutory Planning	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	Planning Enforcement Officer	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	Senior Statutory Planner	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	Statutory Planner	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	Planning Officer	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	Coordinator Strategic Planning	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	Senior Strategic Planner	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	Strategic Planner	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	Strategic Planning Officer	After considering objections, submissions and matters in s.178B	City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	Urban Growth Project Officer	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(d)	power to refuse to amend or end the agreement	General Manager City Development	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(d)	power to refuse to amend or end the agreement	Manager Planning Services	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(d)	power to refuse to amend or end the agreement	Manager Planning Services	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(d)	power to refuse to amend or end the agreement	Coordinator Statutory Planning	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(d)	power to refuse to amend or end the agreement	Planning Enforcement Officer	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(d)	power to refuse to amend or end the agreement	Senior Statutory Planner	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(d)	power to refuse to amend or end the agreement	Statutory Planner	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(d)	power to refuse to amend or end the agreement	Planning Officer	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(d)	power to refuse to amend or end the agreement	Coordinator Strategic Planning	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(d)	power to refuse to amend or end the agreement	Senior Strategic Planner	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(d)	power to refuse to amend or end the agreement	Strategic Planner	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(d)	power to refuse to amend or end the agreement	Strategic Planning Officer	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178E(3)(d)	power to refuse to amend or end the agreement	Urban Growth Project Officer	After considering objections, submissions and matters in s.178B	City Development
Planning and Environment Act 1987	s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	General Manager City Development		City Development
Planning and Environment Act 1987	s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	Statutory Planner		City Development
Planning and Environment Act 1987	s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	Planning Officer		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	Strategic Planner		City Development
Planning and Environment Act 1987	s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	General Manager City Development		City Development
Planning and Environment Act 1987	s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	Manager Planning Services		City Development
Planning and Environment Act 1987	s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	Statutory Planner		City Development
Planning and Environment Act 1987	s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	Planning Officer		City Development
Planning and Environment Act 1987	s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	Strategic Planner		City Development
Planning and Environment Act 1987	s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	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	General Manager City Development		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	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	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	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	Planning Enforcement Officer		City Development
Planning and Environment Act 1987	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	Senior Statutory Planner		City Development
Planning and Environment Act 1987	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	Statutory Planner		City Development
Planning and Environment Act 1987	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	Planning Officer		City Development
Planning and Environment Act 1987	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	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	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	Senior Strategic Planner		City Development
Planning and Environment Act 1987	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	Strategic Planner		City Development
Planning and Environment Act 1987	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	Strategic Planning Officer		City Development
Planning and Environment Act 1987	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	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.178G	duty to sign amended agreement and give copy to each other party to the agreement	General Manager City Development		City Development
Planning and Environment Act 1987	s.178G	duty to sign amended agreement and give copy to each other party to the agreement	Manager Planning Services		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.178G	duty to sign amended agreement and give copy to each other party to the agreement	Manager Planning Services		City Development
Planning and Environment Act 1987	s.178G	duty to sign amended agreement and give copy to each other party to the agreement	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.178G	duty to sign amended agreement and give copy to each other party to the agreement	Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.178G	duty to sign amended agreement and give copy to each other party to the agreement	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.178G	duty to sign amended agreement and give copy to each other party to the agreement	Statutory Planner		City Development
Planning and Environment Act 1987	s.178G	duty to sign amended agreement and give copy to each other party to the agreement	Planning Officer		City Development
Planning and Environment Act 1987	s.178G	duty to sign amended agreement and give copy to each other party to the agreement	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.178G	duty to sign amended agreement and give copy to each other party to the agreement	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.178G	duty to sign amended agreement and give copy to each other party to the agreement	Strategic Planner		City Development
Planning and Environment Act 1987	s.178G	duty to sign amended agreement and give copy to each other party to the agreement	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.178G	duty to sign amended agreement and give copy to each other party to the agreement	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	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	General Manager City Development		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	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	Manager Planning Services		City Development
Planning and Environment Act 1987	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	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	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	Planning Enforcement Officer		City Development
Planning and Environment Act 1987	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	Senior Statutory Planner		City Development
Planning and Environment Act 1987	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	Statutory Planner		City Development
Planning and Environment Act 1987	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	Planning Officer		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	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	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	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	Senior Strategic Planner		City Development
Planning and Environment Act 1987	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	Strategic Planner		City Development
Planning and Environment Act 1987	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	Strategic Planning Officer		City Development
Planning and Environment Act 1987	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	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	General Manager City Development		City Development
Planning and Environment Act 1987	s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Manager Planning Services		City Development
Planning and Environment Act 1987	s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Manager Planning Services		City Development
Planning and Environment Act 1987	s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Statutory Planner		City Development
Planning and Environment Act 1987	s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Planning Officer		City Development
Planning and Environment Act 1987	s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Strategic Planner		City Development
Planning and Environment Act 1987	s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.179(2)	duty to make available for inspection copy agreement	General Manager City Development		City Development
Planning and Environment Act 1987	s.179(2)	duty to make available for inspection copy agreement	Municipal Building Surveyor		City Development
Planning and Environment Act 1987	s.179(2)	duty to make available for inspection copy agreement	Manager Planning Services		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.179(2)	duty to make available for inspection copy agreement	Coordinator Property and		Corporate Services
Planning and Environment Act 1987	s.179(2)	duty to make available for inspection copy agreement	Property and Statute Officer		Corporate Services
Planning and Environment Act 1987	s.179(2)	duty to make available for inspection copy agreement	Legal Officer		Corporate Services
Planning and Environment Act 1987	s.179(2)	duty to make available for inspection copy agreement	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.179(2)	duty to make available for inspection copy agreement	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.179(2)	duty to make available for inspection copy agreement	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.179(2)	duty to make available for inspection copy agreement	Statutory Planner		City Development
Planning and Environment Act 1987	s.179(2)	duty to make available for inspection copy agreement	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.179(2)	duty to make available for inspection copy agreement	Planning Officer		City Development
Planning and Environment Act 1987	s.179(2)	duty to make available for inspection copy agreement	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.179(2)	duty to make available for inspection copy agreement	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.179(2)	duty to make available for inspection copy agreement	Strategic Planner		City Development
Planning and Environment Act 1987	s.179(2)	duty to make available for inspection copy agreement	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.179(2)	duty to make available for inspection copy agreement	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.181	power to apply to the Registrar of Titles for registration of the agreement and to deliver a memorial to Registrar-General	General Manager City Development		City Development
Planning and Environment Act 1987	s.181	duty to apply to the Registrar of Titles for registration of to record the agreement and to deliver a memorial to Registrar-General	Municipal Building Surveyor		City Development
Planning and Environment Act 1987	s.179(2)	duty to make available for inspection copy agreement	Manager Planning Services		City Development
Planning and Environment Act 1987	s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Manager Planning Services		City Development
Planning and Environment Act 1987	s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Coordinator Property and		Corporate Services
Planning and Environment Act 1987	s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Property and Statute Officer		Corporate Services
Planning and Environment Act 1987	s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Legal Officer		Corporate Services
Planning and Environment Act 1987	s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Senior Statutory Planner		City Development

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Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Statutory Planner		City Development
Planning and Environment Act 1987	s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Planning Officer		City Development
Planning and Environment Act 1987	s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Strategic Planner		City Development
Planning and Environment Act 1987	s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement			City Development
Planning and Environment Act 1987	s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement			City Development
Planning and Environment Act 1987	s.182	power to enforce an agreement	General Manager City Development		City Development
Planning and Environment Act 1987	s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Manager Planning Services		City Development
Planning and Environment Act 1987	s.182	power to enforce an agreement	Manager Planning Services		City Development
Planning and Environment Act 1987	s.182	power to enforce an agreement	Coordinator Property and		Corporate Services
Planning and Environment Act 1987	s.182	power to enforce an agreement	Property and Statute Officer		Corporate Services
Planning and Environment Act 1987	s.182	power to enforce an agreement	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.182	power to enforce an agreement	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.182	power to enforce an agreement	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.182	power to enforce an agreement	Statutory Planner		City Development
Planning and Environment Act 1987	s.182	power to enforce an agreement	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.182	power to enforce an agreement	Planning Officer		City Development
Planning and Environment Act 1987	s.182	power to enforce an agreement	Municipal Building Surveyor		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.182	power to enforce an agreement	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.182	power to enforce an agreement	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.182	power to enforce an agreement	Strategic Planner		City Development
Planning and Environment Act 1987	s.182	power to enforce an agreement	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.182	power to enforce an agreement	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.183	duty to tell Registrar of Titles of ending/amendment of agreement	General Manager City Development		City Development
Planning and Environment Act 1987	s.182	power to enforce an agreement	Manager Planning Services		City Development
Planning and Environment Act 1987	s.183	duty to tell Registrar of Titles of ending/amendment of agreement	Manager Planning Services		City Development
Planning and Environment Act 1987	s.183	duty to tell Registrar of Titles of ending/amendment of agreement	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.183	duty to tell Registrar of Titles of ending/amendment of agreement	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.183	duty to tell Registrar of Titles of ending/amendment of agreement	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.183	duty to tell Registrar of Titles of ending/amendment of agreement	Statutory Planner		City Development
Planning and Environment Act 1987	s.183	duty to tell Registrar of Titles of ending/amendment of agreement	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.183	duty to tell Registrar of Titles of ending/amendment of agreement	Planning Officer		City Development
Planning and Environment Act 1987	s.183	duty to tell Registrar of Titles of ending/amendment of agreement	Municipal Building Surveyor		City Development
Planning and Environment Act 1987	s.183	duty to tell Registrar of Titles of ending/amendment of agreement	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.183	duty to tell Registrar of Titles of ending/amendment of agreement	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.183	duty to tell Registrar of Titles of ending/amendment of agreement	Strategic Planner		City Development
Planning and Environment Act 1987	s.183	duty to tell Registrar of Titles of ending/amendment of agreement	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.183	duty to tell Registrar of Titles of ending/amendment of agreement	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	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			City Development
Planning and Environment Act 1987	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			City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	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			City Development
Planning and Environment Act 1987	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			City Development
Planning and Environment Act 1987	s.184G(2)	duty to comply with a direction of the Tribunal			City Development
Planning and Environment Act 1987	s.184G(3)	duty to give notice as directed by the Tribunal			City Development
Planning and Environment Act 1987	s.198(1)	function to receive application for planning certificate	General Manager City Development		City Development
Planning and Environment Act 1987	s.183	duty to tell Registrar of Titles of ending/amendment of agreement	Manager Planning Services		City Development
Planning and Environment Act 1987	s.198(1)	function to receive application for planning certificate	Manager Planning Services		City Development
Planning and Environment Act 1987	s.198(1)	function to receive application for planning certificate	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.198(1)	function to receive application for planning certificate	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.198(1)	function to receive application for planning certificate	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.198(1)	function to receive application for planning certificate	Statutory Planner		City Development
Planning and Environment Act 1987	s.198(1)	function to receive application for planning certificate	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.198(1)	function to receive application for planning certificate	Planning Officer		City Development
Planning and Environment Act 1987	s.199(1)	duty to give planning certificate to applicant	General Manager City Development		City Development
Planning and Environment Act 1987	s.198(1)	function to receive application for planning certificate	Manager Planning Services		City Development
Planning and Environment Act 1987	s.198(1)	function to receive application for planning certificate	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.198(1)	function to receive application for planning certificate	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.198(1)	function to receive application for planning certificate	Strategic Planner		City Development
Planning and Environment Act 1987	s.198(1)	function to receive application for planning certificate	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.198(1)	function to receive application for planning certificate	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.199(1)	duty to give planning certificate to applicant	Manager Planning Services		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.199(1)	duty to give planning certificate to applicant	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.199(1)	duty to give planning certificate to applicant	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.199(1)	duty to give planning certificate to applicant	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.199(1)	duty to give planning certificate to applicant	Statutory Planner		City Development
Planning and Environment Act 1987	s.199(1)	duty to give planning certificate to applicant	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.199(1)	duty to give planning certificate to applicant	Planning Officer		City Development
Planning and Environment Act 1987	s.201(1)	function of receiving application for declaration of underlying zoning	General Manager City Development		City Development
Planning and Environment Act 1987	s.199(1)	duty to give planning certificate to applicant	Manager Planning Services		City Development
Planning and Environment Act 1987	s.199(1)	duty to give planning certificate to applicant	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.199(1)	duty to give planning certificate to applicant	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.199(1)	duty to give planning certificate to applicant	Strategic Planner		City Development
Planning and Environment Act 1987	s.199(1)	duty to give planning certificate to applicant	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.199(1)	duty to give planning certificate to applicant	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.201(1)	function of receiving application for declaration of underlying zoning	Manager Planning Services		City Development
Planning and Environment Act 1987	s.201(1)	function of receiving application for declaration of underlying zoning	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.201(1)	function of receiving application for declaration of underlying zoning	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.201(1)	function of receiving application for declaration of underlying zoning	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.201(1)	function of receiving application for declaration of underlying zoning	Statutory Planner		City Development
Planning and Environment Act 1987	s.201(1)	function of receiving application for declaration of underlying zoning	Planning Administration Officer		City Development
Planning and Environment Act 1987	s.201(1)	function of receiving application for declaration of underlying zoning	Planning Officer		City Development
Planning and Environment Act 1987	s.201(1)	function of receiving application for declaration of underlying zoning	Coordinator Strategic Planning		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.201(1)	function of receiving application for declaration of underlying zoning	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.201(1)	function of receiving application for declaration of underlying zoning	Strategic Planner		City Development
Planning and Environment Act 1987	s.201(1)	function of receiving application for declaration of underlying zoning	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.201(1)	function of receiving application for declaration of underlying zoning	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	s.201(3)	duty to make declaration	General Manager City Development		City Development
Planning and Environment Act 1987	s.201(1)	function of receiving application for declaration of underlying zoning	Manager Planning Services		City Development
Planning and Environment Act 1987	s.201(3)	duty to make declaration	Manager Planning Services		City Development
Planning and Environment Act 1987	s.201(3)	duty to make declaration	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.201(3)	duty to make declaration	Senior Statutory Planner		City Development
Planning and Environment Act 1987	s.201(3)	duty to make declaration	Statutory Planning Enforcement Officer		City Development
Planning and Environment Act 1987	s.201(3)	duty to make declaration	Statutory Planner		City Development
Planning and Environment Act 1987	---	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	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.201(3)	duty to make declaration	Manager Planning Services		City Development
Planning and Environment Act 1987	s.201(3)	duty to make declaration	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.201(3)	duty to make declaration	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.201(3)	duty to make declaration	Strategic Planner		City Development
Planning and Environment Act 1987	s.201(3)	duty to make declaration	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.201(3)	duty to make declaration	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	---	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	Manager Planning Services		City Development
Planning and Environment Act 1987	---	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	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	---	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	Manager Planning Services		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	---	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	Manager Planning Services		City Development
Planning and Environment Act 1987	---	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	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	---	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	Senior Strategic Planner		City Development
Planning and Environment Act 1987	---	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	Strategic Planner		City Development
Planning and Environment Act 1987	---	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	Strategic Planning Officer		City Development
Planning and Environment Act 1987	---	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	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	---	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	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	---	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	Manager Planning Services		City Development
Planning and Environment Act 1987	---	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	Manager Planning Services		City Development
Planning and Environment Act 1987	---	power to give written authorisation in accordance with a provision of a planning scheme	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	---	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	Manager Planning Services		City Development
Planning and Environment Act 1987	---	power to give written authorisation in accordance with a provision of a planning scheme	Manager Planning Services		City Development
Planning and Environment Act 1987	s.201UAB(1)	function of providing the Growth Areas Authority with information relating to any land within municipal district	General Manager City Development		City Development
Planning and Environment Act 1987	---	power to give written authorisation in accordance with a provision of a planning scheme	Manager Planning Services		City Development
Planning and Environment Act 1987	s.201UAB(1)	function of providing the Growth Areas Authority with information relating to any land within municipal district	Manager Planning Services		City Development
Planning and Environment Act 1987	---	power to give written authorisation in accordance with a provision of a planning scheme	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.201UAB(1)	function of providing the Growth Areas Authority with information relating to any land within municipal district	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	s.201UAB(1)	function of providing the Growth Areas Authority with information relating to any land within municipal district	General Manager City Development		City Development

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Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Act 1987	s.201UAB(1)	function of providing the Growth Areas Authority with information relating to any land within municipal district	Manager Planning Services		City Development
Planning and Environment Act 1987	s.201UAB(1)	function of providing the Growth Areas Authority with information relating to any land within municipal district	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	s.201UAB(1)	function of providing the Growth Areas Authority with information relating to any land within municipal district	Senior Strategic Planner		City Development
Planning and Environment Act 1987	s.201UAB(1)	function of providing the Growth Areas Authority with information relating to any land within municipal district	Strategic Planner		City Development
Planning and Environment Act 1987	s.201UAB(1)	function of providing the Growth Areas Authority with information relating to any land within municipal district	Strategic Planning Officer		City Development
Planning and Environment Act 1987	s.201UAB(1)	function of providing the Growth Areas Authority with information relating to any land within municipal district	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	S.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	General Manager City Development		City Development
Planning and Environment Act 1987	S.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	Manager Planning Services		City Development
Planning and Environment Act 1987	S.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	Manager Planning Services		City Development
Planning and Environment Act 1987	S.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	Coordinator Statutory Planning		City Development
Planning and Environment Act 1987	S.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	General Manager City Development		City Development
Planning and Environment Act 1987	S.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	Coordinator Strategic Planning		City Development
Planning and Environment Act 1987	S.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	Senior Strategic Planner		City Development
Planning and Environment Act 1987	S.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	Strategic Planner		City Development
Planning and Environment Act 1987	S.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	Strategic Planning Officer		City Development
Planning and Environment Act 1987	S.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	Urban Growth Project Officer		City Development
Planning and Environment Act 1987	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		Note: this provision is not yet in force and will commence on 1 July 2015	City Development
Planning and Environment Regulations 2015	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	General Manager City Development	where Council is not the planning authority and the amendment affects land within its municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority	City Development
Planning and Environment Regulations 2015	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	Manager Planning Services	where Council is not the planning authority and the amendment affects land within its municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority	City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Regulations 2015	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	Coordinator Strategic Planning	where Council is not the planning authority and the amendment affects land within its municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority	City Development
Planning and Environment Regulations 2015	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	Coordinator Statutory Planning	where Council is not the planning authority and the amendment affects land within its municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority	City Development
Planning and Environment Regulations 2015	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	General Manager City Development		City Development
Planning and Environment Regulations 2015	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	Manager Planning Services		City Development
Planning and Environment Regulations 2015	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	Coordinator Strategic Planning		City Development
Planning and Environment Regulations 2015	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	Coordinator Statutory Planning		City Development
Planning and Environment Regulations 2015	r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	General Manager City Development	where Council is the responsible authority	City Development
Planning and Environment Regulations 2015	r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	Manager Planning Services	where Council is the responsible authority	City Development
Planning and Environment Regulations 2015	r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	Coordinator Strategic Planning	where Council is the responsible authority	City Development
Planning and Environment Regulations 2015	r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	Coordinator Statutory Planning	where Council is the responsible authority	City Development
Planning and Environment Regulations 2015	r.25(b))	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	General Manager City Development	where Council is not the responsible authority but the relevant land is within Council's municipal district	City Development
Planning and Environment Regulations 2015	r.25(b))	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	Manager Planning Services	where Council is not the responsible authority but the relevant land is within Council's municipal district	City Development
Planning and Environment Regulations 2015	r.25(b))	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	Coordinator Strategic Planning	where Council is not the responsible authority but the relevant land is within Council's municipal district	City Development

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Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Planning and Environment Regulations 2015	r.25(b))	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	Coordinator Statutory Planning	where Council is not the responsible authority but the relevant land is within Council's municipal district	City Development
Planning and Environment Regulations 2015	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	General Manager City Development	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	City Development
Railway Safety (Local Operations) Act 2006	s.33	duty to comply with a direction of the Safety Director under this section	General Manager Infrastructure & Recreation	where council is a utility under section 3	Infrastructure & Recreation
Railway Safety (Local Operations) Act 2006	s.33	duty to comply with a direction of the Safety Director under this section	Manager Infrastructure Operations and Waste	where council is a utility under section 3	Infrastructure & Recreation
Railway Safety (Local Operations) Act 2006	s.33A	duty to comply with a direction of the Safety Director to give effect to arrangements under this section	General Manager Infrastructure & Recreation	duty of council as a road authority under the <i>Road Management Act 2004</i>	Infrastructure & Recreation
Railway Safety (Local Operations) Act 2006	s.33A	duty to comply with a direction of the Safety Director to give effect to arrangements under this section	Manager Infrastructure Operations and Waste	duty of council as a road authority under the <i>Road Management Act 2004</i>	Infrastructure & Recreation
Railway Safety (Local Operations) Act 2006	s.34	duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under s.33(1)	General Manager Infrastructure & Recreation	where council is a utility under section 3	Infrastructure & Recreation
Railway Safety (Local Operations) Act 2006	s.34	duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under s.33(1)	Manager Infrastructure Operations and Waste	where council is a utility under section 3	Infrastructure & Recreation
Railway Safety (Local Operations) Act 2006	s.34C(2)	function of entering into safety interface agreements with rail infrastructure manager	Manager People & Culture	where council is the relevant road-authority	Corporate Services
Railway Safety (Local Operations) Act 2006	s.34C(2)	function of entering into safety interface agreements with rail infrastructure manager	Manager Infrastructure	where council is the relevant road-authority	Infrastructure & Recreation
Railway Safety (Local Operations) Act 2006	s.34D(1)	function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	Manager People & Culture	where council is the relevant road-authority	Corporate Services
Railway Safety (Local Operations) Act 2006	s.34D(1)	function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	Manager Infrastructure Development	where council is the relevant road-authority	Infrastructure & Recreation
Railway Safety (Local Operations) Act 2006	s.34D(2)	function of receiving written notice of opinion	Manager People & Culture	where council is the relevant road-authority	Corporate Services
Railway Safety (Local Operations) Act 2006	s.34D(2)	function of receiving written notice of opinion	Manager Infrastructure Development	where council is the relevant road-authority	Infrastructure & Recreation
Railway Safety (Local Operations) Act 2006	s.34D(4)	function of entering into safety interface agreement with infrastructure manager	Manager People & Culture	where council is the relevant road-authority	Corporate Services
Railway Safety (Local Operations) Act 2006	s.34D(4)	function of entering into safety interface agreement with infrastructure manager	Manager Infrastructure Development	where council is the relevant road-authority	Infrastructure & Recreation

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Railway Safety (Local Operations) Act 2006	s.34E(1)(a)	duty to identify and assess risks to safety	Manager People & Culture	where council is the relevant road-authority	Corporate Services
Railway Safety (Local Operations) Act 2006	s.34E(1)(a)	duty to identify and assess risks to safety	Manager Infrastructure Development	where council is the relevant road-authority	Infrastructure & Recreation
Railway Safety (Local Operations) Act 2006	s.34E(1)(b)	duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c)	Manager People & Culture	where council is the relevant road-authority	Corporate Services
Railway Safety (Local Operations) Act 2006	s.34E(1)(b)	duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c)	Manager Infrastructure Development	where council is the relevant road-authority	Infrastructure & Recreation
Railway Safety (Local Operations) Act 2006	s.34E(3)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	Manager People & Culture	where council is the relevant road-authority	Corporate Services
Railway Safety (Local Operations) Act 2006	s.34E(3)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	Manager Infrastructure Development	where council is the relevant road-authority	Infrastructure & Recreation
Railway Safety (Local Operations) Act 2006	s.34F(1)(a)	duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)	Manager People & Culture	where council is the relevant road-authority	Corporate Services
Railway Safety (Local Operations) Act 2006	s.34F(1)(a)	duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)	Manager Infrastructure Development	where council is the relevant road-authority	Infrastructure & Recreation
Railway Safety (Local Operations) Act 2006	s.34F(1)(b)	duty to determine measures to manage any risks identified and assessed, if written notice has been received under section 34D(2)(a)	Manager People & Culture	where council is the relevant road-authority	Corporate Services
Railway Safety (Local Operations) Act 2006	s.34F(1)(b)	duty to determine measures to manage any risks identified and assessed, if written notice has been received under section 34D(2)(a)	Manager Infrastructure Development	where council is the relevant road-authority	Infrastructure & Recreation
Railway Safety (Local Operations) Act 2006	s.34F(2)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	Manager People & Culture	where council is the relevant road-authority	Corporate Services
Railway Safety (Local Operations) Act 2006	s.34F(2)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	Manager Infrastructure Development	where council is the relevant road-authority	Infrastructure & Recreation
Railway Safety (Local Operations) Act 2006	s.34H	power to identify and assess risks to safety as required under sections 34B, 34C, 34D, 34E or 34F in accordance with subsections (a)-(c)	Manager People & Culture	where council is the relevant road-authority	Corporate Services
Railway Safety (Local Operations) Act 2006	s.34H	power to identify and assess risks to safety as required under sections 34B, 34C, 34D, 34E or 34F in accordance with subsections (a)-(c)	Manager Infrastructure Development	where council is the relevant road-authority	Infrastructure & Recreation
Railway Safety (Local Operations) Act 2006	s.34I	function of entering into safety interface agreements	Manager People & Culture	where council is the relevant road-authority	Corporate Services
Railway Safety (Local Operations) Act 2006	s.34I	function of entering into safety interface agreements	Manager Infrastructure Development	where council is the relevant road-authority	Infrastructure & Recreation
Railway Safety (Local Operations) Act 2006	s.34J(2)	function of receiving notice from Safety Director	Manager People & Culture	where council is the relevant road-authority	Corporate Services
Railway Safety (Local Operations) Act 2006	s.34J(2)	function of receiving notice from Safety Director	Manager Infrastructure Development	where council is the relevant road-authority	Infrastructure & Recreation

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Railway Safety (Local Operations) Act 2006	s.34J(7)	duty to comply with a direction of the Safety Director given under section 34J(5)	Manager People & Culture	where council is the relevant road-authority	Corporate Services
Railway Safety (Local Operations) Act 2006	s.34J(7)	duty to comply with a direction of the Safety Director given under section 34J(5)	Manager Infrastructure Development	where council is the relevant road-authority	Infrastructure & Recreation
Railway Safety (Local Operations) Act 2006	s.34K(2)	duty to maintain a register of items set out in subsections (a)-(b)	Manager People & Culture	where council is the relevant road-authority	Corporate Services
Railway Safety (Local Operations) Act 2006	s.34K(2)	duty to maintain a register of items set out in subsections (a)-(b)	Manager Infrastructure Development	where council is the relevant road-authority	Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.7	function of entering into a written agreement with a caravan park owner	Manager Municipal Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r. 11	function of receiving applications for registration	Manager Municipal Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.13(4) & (5)	duty to issue a certificate of registration on granting registration	Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.13(4) & (5)	duty to issue a certificate of registration on granting registration	Manager Municipal Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.15(1)	function of receiving notice of transfer of ownership	Manager Municipal Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.15(3)	power to determine where notice of transfer is displayed	Environmental Health Officer		City Development

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Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.15(3)	power to determine where notice of transfer is displayed	Manager Municipal Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.16(2)	duty to issue certificate of transfer of registration	Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.16(2)	duty to issue certificate of transfer of registration	Manager Municipal Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.19(4)	power to determine where the emergency contact person's details are displayed	Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.19(4)	power to determine where the emergency contact person's details are displayed	Manager Municipal Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.22(6)	duty to notify caravan park owners of emergency service agencies	Coordinator Leisure Facilities		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.22(6)	duty to notify caravan park owners of emergency service agencies	Manager Municipal Services		Infrastructure & Recreation

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.23(2)	power to determine places in which caravan park owner must display a copy of emergency procedures	Manager Municipal Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.24(1)	power to determine places in which caravan park owner must display copy of public emergency warnings	Manager Municipal Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.25(3)	duty to consult with relevant floodplain management authority	Manager Municipal Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.26	duty to have regard to any report of the relevant fire authority	Manager Municipal Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	Manager Municipal Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	Manager Municipal Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	Manager Municipal Services		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.40(4)	function of receiving installation certificate	Manager Municipal Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.7	function of entering into a written agreement with a caravan park owner	Coordinator Health Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.7	function of entering into a written agreement with a caravan park owner	Senior Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.7	function of entering into a written agreement with a caravan park owner	Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.7	function of entering into a written agreement with a caravan park owner	Manager Recreation		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.7	function of entering into a written agreement with a caravan park owner	Coordinator Leisure Facilities		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r. 11	function of receiving applications for registration	Coordinator Health Services		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r. 11	function of receiving applications for registration	Senior Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r. 11	function of receiving applications for registration	Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r. 11	function of receiving applications for registration	Manager Recreation		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r. 11	function of receiving applications for registration	Coordinator Leisure Facilities		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.13(1)	duty to grant registration; if satisfied that the caravan park complies with these regulations	Coordinator Health Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.13(1)	duty to grant registration; if satisfied that the caravan park complies with these regulations	Senior Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.13(1)	duty to grant registration; if satisfied that the caravan park complies with these regulations	Environmental Health Officer		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.13(1)	duty to grant registration, if satisfied that the caravan park complies with these regulations	Manager Recreation		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.13(1)	duty to grant registration, if satisfied that the caravan park complies with these regulations	Coordinator Leisure Facilities		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	Coordinator Leisure Facilities		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.13(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations			Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.13(4) & (5)	duty to issue a certificate of registration on granting registration	Coordinator Health Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.13(4) & (5)	duty to issue a certificate of registration on granting registration	Senior Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.13(4) & (5)	duty to issue a certificate of registration on granting registration	Manager Recreation		Infrastructure & Recreation

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.13(4) & (5)	duty to issue a certificate of registration on granting registration	Coordinator Leisure Facilities		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.15(1)	function of receiving notice of transfer of ownership	Coordinator Health Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.15(1)	function of receiving notice of transfer of ownership	Senior Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.15(1)	function of receiving notice of transfer of ownership	Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.15(1)	function of receiving notice of transfer of ownership	Manager Recreation		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.15(1)	function of receiving notice of transfer of ownership	Coordinator Leisure Facilities		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.15(3)	power to determine where notice of transfer is displayed	Coordinator Health Services		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.15(3)	power to determine where notice of transfer is displayed	Senior Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.15(3)	power to determine where notice of transfer is displayed	Manager Recreation		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.15(3)	power to determine where notice of transfer is displayed	Coordinator Leisure Facilities		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.16(1)	duty to transfer registration to new caravan park owner	Coordinator Health Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.16(1)	duty to transfer registration to new caravan park owner	Senior Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.16(1)	duty to transfer registration to new caravan park owner	Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.16(1)	duty to transfer registration to new caravan park owner	Manager Recreation		Infrastructure & Recreation

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.16(1)	duty to transfer registration to new caravan park owner	Coordinator Leisure Facilities		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.16(2)	duty to issue certificate of transfer of registration	Coordinator Health Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.16(2)	duty to issue certificate of transfer of registration	Senior Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.16(2)	duty to issue certificate of transfer of registration	Manager Recreation		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.16(2)	duty to issue certificate of transfer of registration	Coordinator Leisure Facilities		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.17(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	Reference to Council's Fees & Charges schedule 2016/2017.	Reference to Council's Fees & Charges schedule 2016/2017. 17 Fees (1) The fee to accompany or an application for renewal of registration is the relevant fee determined by the Council in accordance with this regulation. The fee must not exceed - (a) if the period of registration is to be 3 years, for a caravan park with the number of sites specified in column 2 of schedule 2, the corresponding fee specified in column 3 of that schedule; or if the period of registration is to be less than 3 years, one thirty-sixth of the fee referred to in paragraph (a) for each whole month of the intended registration period.	City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.18	duty to keep register of caravan parks	Coordinator Health Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.18	duty to keep register of caravan parks	Senior Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.18	duty to keep register of caravan parks	Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.18	duty to keep register of caravan parks	Manager Recreation		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.18	duty to keep register of caravan parks	Coordinator Leisure Facilities		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.19(4)	power to determine where the emergency contact person's details are displayed	Coordinator Health Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.19(4)	power to determine where the emergency contact person's details are displayed	Senior Environmental Health Officer		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.19(4)	power to determine where the emergency contact person's details are displayed	Manager Recreation		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.19(4)	power to determine where the emergency contact person's details are displayed	Coordinator Leisure Facilities		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.19(6)	power to determine where certain information is displayed	Coordinator Health Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.19(6)	power to determine where certain information is displayed	Senior Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.19(6)	power to determine where certain information is displayed	Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.19(6)	power to determine where certain information is displayed	Manager Recreation		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.19(6)	power to determine where certain information is displayed	Coordinator Leisure Facilities		Infrastructure & Recreation

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.22(6)	duty to notify caravan park owners of emergency service agencies	Coordinator Health Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.22(6)	duty to notify caravan park owners of emergency service agencies	Senior Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.22(6)	duty to notify caravan park owners of emergency service agencies	Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.22(6)	duty to notify caravan park owners of emergency service agencies	Manager Recreation		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.22(7)	duty to consult with relevant emergency services agency	Coordinator Health Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.22(7)	duty to consult with relevant emergency services agency	Senior Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.22(7)	duty to consult with relevant emergency services agency	Environmental Health Officer		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.22(7)	duty to consult with relevant emergency services agency	Manager Recreation		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.22(7)	duty to consult with relevant emergency services agency	Coordinator Leisure Facilities		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.23(2)	power to determine places in which caravan park owner must display a copy of emergency procedures	Coordinator Health Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.23(2)	power to determine places in which caravan park owner must display a copy of emergency procedures	Senior Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.23(2)	power to determine places in which caravan park owner must display a copy of emergency procedures	Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.23(2)	power to determine places in which caravan park owner must display a copy of emergency procedures	Manager Recreation		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.23(2)	power to determine places in which caravan park owner must display a copy of emergency procedures	Coordinator Leisure Facilities		Infrastructure & Recreation

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.24(1)	power to determine places in which caravan park owner must display copy of public emergency warnings	Coordinator Health Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.24(1)	power to determine places in which caravan park owner must display copy of public emergency warnings	Senior Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.24(1)	power to determine places in which caravan park owner must display copy of public emergency warnings	Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.24(1)	power to determine places in which caravan park owner must display copy of public emergency warnings	Manager Recreation		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.24(1)	power to determine places in which caravan park owner must display copy of public emergency warnings	Coordinator Leisure Facilities		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.25(3)	duty to consult with relevant floodplain management authority	Coordinator Health Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.25(3)	duty to consult with relevant floodplain management authority	Senior Environmental Health Officer		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.25(3)	duty to consult with relevant floodplain management authority	Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.25(3)	duty to consult with relevant floodplain management authority	Manager Recreation		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.25(3)	duty to consult with relevant floodplain management authority	Coordinator Leisure Facilities		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.26	duty to have regard to any report of the relevant fire authority	Coordinator Health Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.26	duty to have regard to any report of the relevant fire authority	Senior Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.26	duty to have regard to any report of the relevant fire authority	Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.26	duty to have regard to any report of the relevant fire authority	Manager Recreation		Infrastructure & Recreation

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.26	duty to have regard to any report of the relevant fire authority	Coordinator Leisure Facilities		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	Coordinator Health Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	Senior Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	Manager Recreation		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	Coordinator Leisure Facilities		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	Coordinator Health Services		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	Senior Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	Manager Recreation		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	Coordinator Leisure Facilities		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	Coordinator Health Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	Senior Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	Environmental Health Officer		City Development

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	Manager Recreation		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	Coordinator Leisure Facilities		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.40(4)	function of receiving installation certificate	Coordinator Health Services		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.40(4)	function of receiving installation certificate	Senior Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.40(4)	function of receiving installation certificate	Environmental Health Officer		City Development
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.40(4)	function of receiving installation certificate	Manager Recreation		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.40(4)	function of receiving installation certificate	Coordinator Leisure Facilities		Infrastructure & Recreation

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Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	Manager Recreation		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	Coordinator Leisure Facilities		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	Manager Recreation		Infrastructure & Recreation
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010	Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	Coordinator Leisure Facilities		Infrastructure & Recreation
Residential Tenancies Act 1997	s.142D	function of receiving notice regarding an unregistered rooming house	Coordinator Health Services		City Development
Residential Tenancies Act 1997	s.142D	function of receiving notice regarding an unregistered rooming house	Senior Environmental Health Officer		City Development
Residential Tenancies Act 1997	s.142D	function of receiving notice regarding an unregistered rooming house	Environmental Health Officer		City Development
Residential Tenancies Act 1997	s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal.	Coordinator Health Services		City Development
Residential Tenancies Act 1997	s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal.	Senior Environmental Health Officer		City Development
Residential Tenancies Act 1997	s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal.	Environmental Health Officer		City Development
Residential Tenancies Act 1997	s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal.	Health Administration Officer		City Development
Residential Tenancies Act 1997	s.142G(2)	power to enter certain information in the Rooming House Register.	Coordinator Health Services		City Development
Residential Tenancies Act 1997	s.142G(2)	power to enter certain information in the Rooming House Register.	Senior Environmental Health Officer		City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Residential Tenancies Act 1997	s.142G(2)	power to enter certain information in the Rooming House Register.	Environmental Health Officer		City Development
Residential Tenancies Act 1997	s.142G(2)	power to enter certain information in the Rooming House Register.	Health Administration Officer		City Development
Residential Tenancies Act 1997	142(2)	power to amend or revoke an entry in the rooming House Register if necessary to maintain the accuracy of the entry	Coordinator Health Services		City Development
Residential Tenancies Act 1997	142(2)	power to amend or revoke an entry in the rooming House Register if necessary to maintain the accuracy of the entry	Senior Environmental Health Officer		City Development
Residential Tenancies Act 1997	142(2)	power to amend or revoke an entry in the rooming House Register if necessary to maintain the accuracy of the entry	Environmental Health Officer		City Development
Residential Tenancies Act 1997	142(2)	power to amend or revoke an entry in the rooming House Register if necessary to maintain the accuracy of the entry	Health Administration Officer		City Development
Residential Tenancies Act 1997	s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	Coordinator Health Services	where council is the landlord	City Development
Residential Tenancies Act 1997	s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	Senior Environmental Health Officer	where council is the landlord	City Development
Residential Tenancies Act 1997	s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	Environmental Health Officer	where council is the landlord	City Development
Residential Tenancies Act 1997	s.262(1)	power to give tenant a notice to vacate rented premises	Coordinator Health Services	where council is the landlord	City Development
Residential Tenancies Act 1997	s.262(1)	power to give tenant a notice to vacate rented premises	Senior Environmental Health Officer	where council is the landlord	City Development
Residential Tenancies Act 1997	s.262(1)	power to give tenant a notice to vacate rented premises	Environmental Health Officer	where council is the landlord	City Development
Residential Tenancies Act 1997	s.262(3)	power to publish its criteria for eligibility for the provision of housing by council	Coordinator Health Services	where council is the landlord	City Development
Residential Tenancies Act 1997	s.262(3)	power to publish its criteria for eligibility for the provision of housing by council	Senior Environmental Health Officer	where council is the landlord	City Development
Residential Tenancies Act 1997	s.262(3)	power to publish its criteria for eligibility for the provision of housing by council	Environmental Health Officer	where council is the landlord	City Development
Residential Tenancies Act 1997	s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	Coordinator Health Services		City Development
Residential Tenancies Act 1997	s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	Senior Environmental Health Officer		City Development
Residential Tenancies Act 1997	s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	Environmental Health Officer		City Development
Residential Tenancies Act 1997	s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	Manager Recreation		Infrastructure & Recreation

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Residential Tenancies Act 1997	s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	Coordinator Leisure Facilities		Infrastructure & Recreation
Residential Tenancies Act 1997	s.522(1)	power to give a compliance notice to a person	Manager Infrastructure Operations and Waste		Infrastructure & Recreation
Residential Tenancies Act 1997	s.522(1)	power to give a compliance notice to a person	Planning Administration Officer		City Development
Residential Tenancies Act 1997	s.522(1)	power to give a compliance notice to a person	Manager Governance		Corporate Services
Residential Tenancies Act 1997	s.522(1)	power to give a compliance notice to a person	Coordinator Property and Statutory Services		Corporate Services
Residential Tenancies Act 1997	s.522(1)	power to give a compliance notice to a person	Property and Statute Officer		Corporate Services
Residential Tenancies Act 1997	s.522(1)	power to give a compliance notice to a person	Senior Environmental Health Officer		Corporate Services
Residential Tenancies Act 1997	s.522(1)	power to give a compliance notice to a person	Coordinator Health Services		City Development
Residential Tenancies Act 1997	s.522(1)	power to give a compliance notice to a person	Environmental Health Officer		City Development
Residential Tenancies Act 1997	s.525(2)	power to authorise an officer to exercise powers in s.526 (either generally or in a particular case)	Manager Governance		Corporate Services
Residential Tenancies Act 1997	s.525(2)	power to authorise an officer to exercise powers in s.526 (either generally or in a particular case)	Coordinator Property and Statutory Services		Corporate Services
Residential Tenancies Act 1997	s.525(2)	power to authorise an officer to exercise powers in s.526 (either generally or in a particular case)	Planning Administration Officer		City Development
Residential Tenancies Act 1997	s.522(1)	power to give a compliance notice to a person	Planning Officer		City Development
Residential Tenancies Act 1997	s.525(2)	power to authorise an officer to exercise powers in s.526 (either generally or in a particular case)	Planning Officer		City Development
Residential Tenancies Act 1997	s.525(2)	power to authorise an officer to exercise powers in s.526 (either generally or in a particular case)	Property and Statute Officer		Corporate Services
Residential Tenancies Act 1997	s.525(2)	power to authorise an officer to exercise powers in s.526 (either generally or in a particular case)	Coordinator Health Services		City Development
Residential Tenancies Act 1997	s.525(2)	power to authorise an officer to exercise powers in s.526 (either generally or in a particular case)	Senior Environmental Health Officer		City Development
Residential Tenancies Act 1997	s.525(2)	power to authorise an officer to exercise powers in s.526 (either generally or in a particular case)	Environmental Health Officer		City Development
Residential Tenancies Act 1997	s.525(4)	duty to issue identity card to authorised officers	Manager Governance		Corporate Services

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Residential Tenancies Act 1997	s.525(4)	duty to issue identity card to authorised officers	Coordinator Governance		Corporate Services
Residential Tenancies Act 1997	s.525(4)	duty to issue identity card to authorised officers	Human Resources Advisor		Corporate Services
Residential Tenancies Act 1997	s.525(4)	duty to issue identity card to authorised officers	Human Resources Officer		Corporate Services
Residential Tenancies Act 1997	s.525(4)	duty to issue identity card to authorised officers	Compliance Officer		City Development
Residential Tenancies Act 1997	s.526(5)	duty to keep record of entry by authorised officer under s.526	Coordinator Health Services		City Development
Residential Tenancies Act 1997	s.526(5)	duty to keep record of entry by authorised officer under s.526	Senior Environmental Health Officer		City Development
Residential Tenancies Act 1997	s.526(5)	duty to keep record of entry by authorised officer under s.526	Environmental Health Officer		City Development
Residential Tenancies Act 1997	s.526A(3)	report of inspection	Coordinator Health Services		City Development
Residential Tenancies Act 1997	s.526A(3)	report of inspection	Coordinator Property and Statutory Services		City Development
Residential Tenancies Act 1997	s.526A(3)	report of inspection	Senior Environmental Health Officer		City Development
Residential Tenancies Act 1997	s.526A(3)	report of inspection	Environmental Health Officer		City Development
Residential Tenancies Act 1997	s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	Manager Governance		Corporate Services
Residential Tenancies Act 1997	s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	Manager Municipal Services		City Development
Residential Tenancies Act 1997	s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	Coordinator Health Services		City Development
Residential Tenancies Act 1997	s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	Senior Environmental Health Officer		City Development
Residential Tenancies Act 1997	s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	Environmental Health Officer		City Development
Road Management Act 2004	s.11(1)	power to declare a road by publishing a notice in the Government Gazette	Manager Infrastructure Development	obtain consent in circumstances specified in s.11(2)	Infrastructure & Recreation
Road Management Act 2004	s.11(1)	power to declare a road by publishing a notice in the Government Gazette	General Manager Infrastructure & Recreation	obtain consent in circumstances specified in s.11(2)	Infrastructure & Recreation
Road Management Act 2004	s.11(1)	power to declare a road by publishing a notice in the Government Gazette	Manager Infrastructure Operations and Waste	obtain consent in circumstances specified in s.11(2)	Infrastructure & Recreation

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Road Management Act 2004	s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	Coordinator Property and Statutory Services		Corporate Services
Road Management Act 2004	s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	Manager Governance		Corporate Services
Road Management Act 2004	s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	Manager Infrastructure Operations and Waste		Infrastructure & Recreation
Road Management Act 2004	s.11(9)(b)	duty to advise Registrar	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.11(9)(b)	duty to advise Registrar	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.11(9)(b)	duty to advise Registrar	Manager Infrastructure Operations and Waste		Infrastructure & Recreation
Road Management Act 2004	s.11(9)(b)	duty to advise Registrar	Manager Governance		Corporate Services
Road Management Act 2004	s.11(9)(b)	duty to advise Registrar	Coordinator Property and Statutory Services		Corporate Services
Road Management Act 2004	s.11(10)	duty to inform Secretary to Department of Sustainability and Environment of declaration etc	Manager Infrastructure Development	clause subject to s.11(10A)	Infrastructure & Recreation
Road Management Act 2004	s.11(10)	duty to inform Secretary to Department of Sustainability and Environment of declaration etc	General Manager Infrastructure & Recreation	clause subject to s.11(10A)	Infrastructure & Recreation
Road Management Act 2004	s.11(10)	duty to inform Secretary to Department of Sustainability and Environment of declaration etc	Manager Infrastructure Operations and Waste	clause subject to s.11(10A)	Infrastructure & Recreation
Road Management Act 2004	s.11(10A)	duty to inform Secretary to Department of Sustainability and Environment or nominated person	Manager Infrastructure Development	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.11(10A)	duty to inform Secretary to Department of Sustainability and Environment or nominated person	General Manager Infrastructure & Recreation	where council is the coordinating road authority	Infrastructure & Recreation

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Road Management Act 2004	s.11(10A)	duty to inform Secretary to Department of Sustainability and Environment or nominated person	Manager Infrastructure Operations and Waste	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.12(2)	power to discontinue road or part of a road	Manager Infrastructure Development	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.12(2)	power to discontinue road or part of a road	General Manager Infrastructure & Recreation	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.12(2)	power to discontinue road or part of a road	Manager Infrastructure Operations and Waste	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	Manager Infrastructure Development	power of coordinating road authority where it is the discontinuing body - unless subsection (11) applies	Infrastructure & Recreation
Road Management Act 2004	s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	General Manager Infrastructure & Recreation	power of coordinating road authority where it is the discontinuing body - unless subsection (11) applies	Infrastructure & Recreation
Road Management Act 2004	s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	Manager Infrastructure Operations and Waste	power of coordinating road authority where it is the discontinuing body - unless subsection (11) applies	Infrastructure & Recreation
Road Management Act 2004	s.12(5)	duty to consider written submissions received within 28 days of notice	Manager Infrastructure Development	duty of coordinating road authority where it is the discontinuing body - unless subsection (11) applies	Infrastructure & Recreation
Road Management Act 2004	s.12(5)	duty to consider written submissions received within 28 days of notice	General Manager Infrastructure & Recreation	duty of coordinating road authority where it is the discontinuing body - unless subsection (11) applies	Infrastructure & Recreation
Road Management Act 2004	s.12(5)	duty to consider written submissions received within 28 days of notice	Manager Infrastructure Operations and Waste	duty of coordinating road authority where it is the discontinuing body - unless subsection (11) applies	Infrastructure & Recreation
Road Management Act 2004	s.12(6)	function of hearing a person in support of their written submission	Manager Infrastructure Development	function of coordinating road authority where it is the discontinuing body - unless subsection (11) applies	Infrastructure & Recreation
Road Management Act 2004	s.12(6)	function of hearing a person in support of their written submission	General Manager Infrastructure & Recreation	function of coordinating road authority where it is the discontinuing body - unless subsection (11) applies	Infrastructure & Recreation
Road Management Act 2004	s.12(6)	function of hearing a person in support of their written submission	Manager Infrastructure Operations and Waste	function of coordinating road authority where it is the discontinuing body - unless subsection (11) applies	Infrastructure & Recreation
Road Management Act 2004	s.12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	Manager Infrastructure Development	duty of coordinating road authority where it is the discontinuing body - unless subsection (11) applies	Infrastructure & Recreation

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Road Management Act 2004	s.12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	General Manager Infrastructure & Recreation	duty of coordinating road authority where it is the discontinuing body - unless subsection (11) applies	Infrastructure & Recreation
Road Management Act 2004	s.12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	Manager Infrastructure Operations and Waste	duty of coordinating road authority where it is the discontinuing body - unless subsection (11) applies	Infrastructure & Recreation
Road Management Act 2004	s.12(10)	duty to notify of decision made	Manager Infrastructure Development	duty of coordinating road authority where it is the discontinuing body - does not apply where an exemption is specified by the regulations or given by the Minister	Infrastructure & Recreation
Road Management Act 2004	s.12(10)	duty to notify of decision made	General Manager Infrastructure & Recreation	duty of coordinating road authority where it is the discontinuing body - does not apply where an exemption is specified by the regulations or given by the Minister	Infrastructure & Recreation
Road Management Act 2004	s.12(10)	duty to notify of decision made	Manager Infrastructure Operations and Waste	duty of coordinating road authority where it is the discontinuing body - does not apply where an exemption is specified by the regulations or given by the Minister	Infrastructure & Recreation
Road Management Act 2004	s.13(1)	power to fix a boundary of a road by publishing notice in Government Gazette	Manager Infrastructure Development	power of coordinating road authority and obtain consent under s.13(3) and s.13(4) as appropriate	Infrastructure & Recreation
Road Management Act 2004	s.13(1)	power to fix a boundary of a road by publishing notice in Government Gazette	Manager Infrastructure Development	power of coordinating road authority and obtain consent under s.13(3) and s.13(4) as appropriate	Infrastructure & Recreation
Road Management Act 2004	s.13(1)	power to fix a boundary of a road by publishing notice in Government Gazette	Manager Infrastructure Development	power of coordinating road authority and obtain consent under s.13(3) and s.13(4) as appropriate	Infrastructure & Recreation
Road Management Act 2004	s.14(4)	function of receiving notice from VicRoads	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.14(4)	function of receiving notice from VicRoads	Manager Infrastructure Operations and Waste		Infrastructure & Recreation
Road Management Act 2004	s.14(7)	power to appeal against decision of VicRoads	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.14(7)	power to appeal against decision of VicRoads	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.14(7)	power to appeal against decision of VicRoads	Manager Infrastructure Operations and Waste		Infrastructure & Recreation

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Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Road Management Act 2004	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	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	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	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	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	Manager Infrastructure Operations and Waste		Infrastructure & Recreation
Road Management Act 2004	s.15(1A)	power to enter into an agreement with a utility to transfer a road management function of the utility to the road authority	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.15(1A)	power to enter into an agreement with a utility to transfer a road management function of the utility to the road authority	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.15(1A)	power to enter into an agreement with a utility to transfer a road management function of the utility to the road authority	Manager Infrastructure Operations and Waste		Infrastructure & Recreation
Road Management Act 2004	s.15(2)	duty to include details of arrangement in public roads register	Coordinator Infrastructure Design		Infrastructure & Recreation
Road Management Act 2004	s.16(7)	power to enter into an arrangement under s.15	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.16(7)	power to enter into an arrangement under s.15	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.16(7)	power to enter into an arrangement under s.15	Manager Infrastructure Operations and Waste		Infrastructure & Recreation
Road Management Act 2004	s.16(8)	duty to enter details of determination in public roads register	Coordinator Infrastructure Design		Infrastructure & Recreation
Road Management Act 2004	s.17(2)	duty to register public road in public roads register	Coordinator Infrastructure Design	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.17(3)	power to decide that a road is reasonably required for general public use	Coordinator Infrastructure Design	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.17(3)	duty to register a road reasonably required for general public use in public roads register	Coordinator Infrastructure Design	where council is the coordinating road authority	Infrastructure & Recreation

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Road Management Act 2004	s.17(4)	power to decide that a road is no longer reasonably required for general public use	Manager Infrastructure Development	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.17(4)	power to decide that a road is no longer reasonably required for general public use	General Manager Infrastructure & Recreation	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.17(4)	power to decide that a road is no longer reasonably required for general public use	Manager Infrastructure Operations and Waste	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.17(4)	duty to remove road no longer reasonably required for general public use from public roads register	Coordinator Infrastructure Design	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.18(1)	power to designate ancillary area	Coordinator Infrastructure Design	where council is the coordinating road authority, and obtain consent in circumstances specified in s.18(2)	Infrastructure & Recreation
Road Management Act 2004	s.18(3)	duty to record designation in public roads register	Coordinator Infrastructure Design	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.19(1)	duty to keep register of public roads in respect of which it is the coordinating road authority	Coordinator Infrastructure Design		Infrastructure & Recreation
Road Management Act 2004	s.19(4)	duty to specify details of discontinuance in public roads register	Coordinator Infrastructure Design		Infrastructure & Recreation
Road Management Act 2004	s.19(5)	duty to ensure public roads register is available for public inspection	Coordinator Infrastructure Design		Infrastructure & Recreation
Road Management Act 2004	s.21	function of replying to request for information or advice	Manager Infrastructure Development	obtain consent in circumstances specified in s.11(2)	Infrastructure & Recreation
Road Management Act 2004	s.21	function of replying to request for information or advice	General Manager Infrastructure & Recreation	obtain consent in circumstances specified in s.11(2)	Infrastructure & Recreation
Road Management Act 2004	s.21	function of replying to request for information or advice	Manager Infrastructure Operations and Waste	obtain consent in circumstances specified in s.11(2)	Infrastructure & Recreation
Road Management Act 2004	s.22(2)	function of commenting on proposed direction	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.22(2)	function of commenting on proposed direction	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.22(2)	function of commenting on proposed direction	Manager Infrastructure Operations and Waste		Infrastructure & Recreation

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Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Road Management Act 2004	s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.22(5)	duty to give effect to a direction under this section.	General Manager City Development		City Development
Road Management Act 2004	s.22(5)	duty to give effect to a direction under this section.	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.40(1)	duty to inspect, maintain and repair a public road	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.40(1)	duty to inspect, maintain and repair a public road	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.40(1)	duty to inspect, maintain and repair a public road	Manager Infrastructure Operations and Waste		Infrastructure & Recreation
Road Management Act 2004	s.40(5)	power to inspect, maintain and repair a road which is not a public road	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.40(5)	power to inspect, maintain and repair a road which is not a public road	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	Manager Infrastructure Operations and Waste		Infrastructure & Recreation
Road Management Act 2004	s.42(1)	power to declare a public road as a controlled access road	Manager Infrastructure Development	power of coordinating road authority and Schedule 2 also applies	Infrastructure & Recreation
Road Management Act 2004	s.42(1)	power to declare a public road as a controlled access road	General Manager Infrastructure & Recreation	power of coordinating road authority and Schedule 2 also applies	Infrastructure & Recreation

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Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Road Management Act 2004	s.42(1)	power to declare a public road as a controlled access road	Manager Infrastructure Operations and Waste	power of coordinating road authority and Schedule 2 also applies	Infrastructure & Recreation
Road Management Act 2004	s.42(2)	power to amend or revoke declaration by notice published in Government Gazette	Manager Infrastructure Development	power of coordinating road authority and Schedule 2 also applies	Infrastructure & Recreation
Road Management Act 2004	s.42(2)	power to amend or revoke declaration by notice published in Government Gazette	General Manager Infrastructure & Recreation	power of coordinating road authority and Schedule 2 also applies	Infrastructure & Recreation
Road Management Act 2004	s.42(2)	power to amend or revoke declaration by notice published in Government Gazette	Manager Infrastructure Operations and Waste	power of coordinating road authority and Schedule 2 also applies	Infrastructure & Recreation
Road Management Act 2004	s.42A(3)	duty to consult with VicRoads before road is specified	Manager Infrastructure Development	where council is the coordinating road authority; - if road is a municipal road or part thereof	Infrastructure & Recreation
Road Management Act 2004	s.42A(3)	duty to consult with VicRoads before road is specified	General Manager Infrastructure & Recreation	where council is the coordinating road authority; - if road is a municipal road or part thereof	Infrastructure & Recreation
Road Management Act 2004	s.42A(3)	duty to consult with VicRoads before road is specified	Manager Infrastructure Operations and Waste	where council is the coordinating road authority; - if road is a municipal road or part thereof	Infrastructure & Recreation
Road Management Act 2004	s.42A(4)	power to approve Minister's decision to specify a road as a specified freight road	Manager Infrastructure Development	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	Infrastructure & Recreation
Road Management Act 2004	s.42A(4)	power to approve Minister's decision to specify a road as a specified freight road	General Manager Infrastructure & Recreation	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	Infrastructure & Recreation
Road Management Act 2004	s.42A(4)	power to approve Minister's decision to specify a road as a specified freight road	Manager Infrastructure Operations and Waste	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	Infrastructure & Recreation
Road Management Act 2004	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)	General Manager Infrastructure & Recreation	where council is the responsible road authority, infrastructure manager or works manager	Infrastructure & Recreation
Road Management Act 2004	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)	Manager Infrastructure Development	where council is the responsible road authority, infrastructure manager or works manager	Infrastructure & Recreation
Road Management Act 2004	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)	General Manager Infrastructure & Recreation	where council is the responsible road authority, infrastructure manager or works manager	Infrastructure & Recreation
Road Management Act 2004	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)	Manager Infrastructure Operations and Waste	where council is the responsible road authority, infrastructure manager or works manager	Infrastructure & Recreation

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Road Management Act 2004	s.48M(3)	function of consulting with the Secretary for purposes of developing guidelines under section 48M	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.48M(3)	function of consulting with the Secretary for purposes of developing guidelines under section 48M	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.48N	duty to notify the Secretary of the location of the bus stopping point and the action taken by council	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.48N	duty to notify the Secretary of the location of the bus stopping point and the action taken by council	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.49	power to develop and publish a road management plan	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.49	power to develop and publish a road management plan	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.51	power to determine standards by incorporating the standards in a road management plan	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.51	power to determine standards by incorporating the standards in a road management plan	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	Manager Infrastructure Operations and Waste		Infrastructure & Recreation
Road Management Act 2004	s.54(2)	duty to give notice of proposal to make a road management plan	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.54(5)	duty to conduct a review of road management plan at prescribed intervals	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.54(5)	duty to conduct a review of road management plan at prescribed intervals	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.54(6)	power to amend road management plan	General Manager Infrastructure & Recreation		Infrastructure & Recreation

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Road Management Act 2004	s.54(6)	power to amend road management plan	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.54(7)	duty to incorporate the amendments into the road management plan	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.54(7)	duty to incorporate the amendments into the road management plan	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	Manager Infrastructure Operations and Waste		Infrastructure & Recreation
Road Management Act 2004	s.63(1)	power to consent to conduct of works on roads	Coordinator Civil Works Projects	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.63(1)	power to consent to conduct of works on roads	Asset Protection Officer	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.63(2)(e)	power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	Manager Infrastructure Development	where council is the infrastructure manager	Infrastructure & Recreation
Road Management Act 2004	s.63(2)(e)	power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	General Manager Infrastructure & Recreation	where council is the infrastructure manager	Infrastructure & Recreation
Road Management Act 2004	s.63(2)(e)	power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	Manager Infrastructure Operations and Waste	where council is the infrastructure manager	Infrastructure & Recreation
Road Management Act 2004	s.64(1)	duty to comply with Clause 13 Schedule 7	Manager Infrastructure Development	where council is the infrastructure manager or works manager	Infrastructure & Recreation
Road Management Act 2004	s.64(1)	duty to comply with Clause 13 Schedule 7	General Manager Infrastructure & Recreation	where council is the infrastructure manager or works manager	Infrastructure & Recreation
Road Management Act 2004	s.64(1)	duty to comply with Clause 13 Schedule 7	Manager Infrastructure Operations and Waste	where council is the infrastructure manager or works manager	Infrastructure & Recreation
Road Management Act 2004	s.66(1)	power to consent to structure etc	Manager Infrastructure Development	where council is the coordinating road authority	Infrastructure & Recreation

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Road Management Act 2004	s.66(1)	power to consent to structure etc	General Manager Infrastructure & Recreation	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.66(1)	power to consent to structure etc	Manager Infrastructure Operations and Waste	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.67(2)	function of receiving the name & address of the person responsible for distributing the sign or bill	General Manager Infrastructure & Recreation	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.67(2)	function of receiving the name & address of the person responsible for distributing the sign or bill	Manager Infrastructure Development	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.67(3)	power to request information	Manager Infrastructure Development	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.67(3)	power to request information	General Manager Infrastructure & Recreation	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.67(3)	power to request information	Manager Infrastructure Operations and Waste	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.68(2)	power to request information	Manager Infrastructure Development	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.68(2)	power to request information	General Manager Infrastructure & Recreation	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.68(2)	power to request information	Manager Infrastructure Operations and Waste	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	s.71(3)	power to appoint an authorised officer	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.71(3)	power to appoint an authorised officer	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.71(3)	power to appoint an authorised officer	Manager Infrastructure Operations and Waste		Infrastructure & Recreation
Road Management Act 2004	s.72	duty to issue an identity card to each authorised officer	General Manager Infrastructure & Recreation		Infrastructure & Recreation

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Road Management Act 2004	s.72	duty to issue an identity card to each authorised officer	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.85	function of receiving report from authorised officer	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.85	function of receiving report from authorised officer	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.86	duty to keep register re s.85 matters	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.86	duty to keep register re s.85 matters	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.86	duty to keep register re s.85 matters	Manager Infrastructure Operations and Waste		Infrastructure & Recreation
Road Management Act 2004	s.87(1)	function of receiving complaints	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.87(1)	function of receiving complaints	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.87(2)	<u>duty</u> to investigate complaint and provide report	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.87(2)	<u>duty</u> to investigate complaint and provide report	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.87(2)	power to investigate complaint and provide report	Manager Infrastructure Operations and Waste		Infrastructure & Recreation
Road Management Act 2004	s.112(2)	power to recover damages in court	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.112(2)	power to recover damages in court	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.116	power to cause or carry out inspection	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.116	power to cause or carry out inspection	General Manager Infrastructure & Recreation		Infrastructure & Recreation

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Road Management Act 2004	s.116	power to cause or carry out inspection	Manager Infrastructure Operations and Waste		Infrastructure & Recreation
Road Management Act 2004	s.119(2)	function of consulting with VicRoads	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.119(2)	function of consulting with VicRoads	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	Manager Infrastructure Operations and Waste		Infrastructure & Recreation
Road Management Act 2004	s.120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	Manager Infrastructure Operations and Waste		Infrastructure & Recreation
Road Management Act 2004	s.121(1)	power to enter into an agreement in respect of works	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	s.121(1)	power to enter into an agreement in respect of works	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.121(1)	power to enter into an agreement in respect of works	Manager Infrastructure Operations and Waste		Infrastructure & Recreation
Road Management Act 2004	s.122(1)	power to charge and recover fees	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.122(1)	power to charge and recover fees	Manager Infrastructure Development		Infrastructure & Recreation

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Road Management Act 2004	s.123(1)	power to charge for any service	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	s.123(1)	power to charge for any service	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	Manager Infrastructure Operations and Waste		Infrastructure & Recreation
Road Management Act 2004	Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	Manager Infrastructure Operations and Waste		Infrastructure & Recreation
Road Management Act 2004	Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	Manager Infrastructure Operations and Waste		Infrastructure & Recreation
Road Management Act 2004	Schedule 2 Clause 4	function of receiving details of proposal from VicRoads	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management Act 2004	Schedule 2 Clause 4	function of receiving details of proposal from VicRoads	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	Schedule 2 Clause 5	duty to publish notice of declaration	Manager Infrastructure Development		Infrastructure & Recreation
Road Management Act 2004	Schedule 2 Clause 5	duty to publish notice of declaration	General Manager Infrastructure & Recreation		Infrastructure & Recreation

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Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Road Management Act 2004	Schedule 2 Clause 5	duty to publish notice of declaration	Manager Infrastructure Operations and Waste		Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 7(1)	duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	Manager Infrastructure Development	where council is the infrastructure manager or works manager	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 7(1)	duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	General Manager Infrastructure & Recreation	where council is the infrastructure manager or works manager	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 7(1)	duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	Manager Infrastructure Operations and Waste	where council is the infrastructure manager or works manager	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 8(1)	duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	Manager Infrastructure Development	where council is the infrastructure manager or works manager	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 8(1)	duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	General Manager Infrastructure & Recreation	where council is the infrastructure manager or works manager	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 8(1)	duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	Manager Infrastructure Operations and Waste	where council is the infrastructure manager or works manager	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 9(1)	duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	Manager Infrastructure Development	where council is the infrastructure manager or works manager responsible for non-road infrastructure	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 9(1)	duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	General Manager Infrastructure & Recreation	where council is the infrastructure manager or works manager responsible for non-road infrastructure	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 9(1)	duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	Manager Infrastructure Operations and Waste	where council is the infrastructure manager or works manager responsible for non-road infrastructure	Infrastructure & Recreation

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Road Management Act 2004	Schedule 7 Clause 9(2)	duty to give information to another infrastructure manager or works manager where infrastructure manager or works manager 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	Manager Infrastructure Development	where council is the infrastructure manager or works manager	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 9(2)	duty to give information to another infrastructure manager or works manager where infrastructure manager or works manager 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	General Manager Infrastructure & Recreation	where council is the infrastructure manager or works manager	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 9(2)	duty to give information to another infrastructure manager or works manager where infrastructure manager or works manager 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	Manager Infrastructure Operations and Waste	where council is the infrastructure manager or works manager	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	Manager Infrastructure Development	where council is-the infrastructure manager or works manager	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	General Manager Infrastructure & Recreation	where council is-the infrastructure manager or works manager	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	Manager Infrastructure Operations and Waste	where council is-the infrastructure manager or works manager	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	Coordinator Civil Works Projects	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	Asset Protection Officer	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	Asset Protection Officer	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	Manager Infrastructure Development	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	General Manager Infrastructure & Recreation	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	Manager Infrastructure Operations and Waste	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 12(5)	power to recover costs	Coordinator Civil Works Projects	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 12(5)	power to recover costs	Asset Protection Officer	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7 Clause 13(2)	Manager Infrastructure Development	where council is the works manager	Infrastructure & Recreation

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Road Management Act 2004	Schedule 7 Clause 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7 Clause 13(2)	General Manager Infrastructure & Recreation	where council is the works manager	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7 Clause 13(2)	Manager Infrastructure Operations and Waste	where council is the works manager	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 13(2)	power to vary notice period	Manager Infrastructure Development	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 13(2)	power to vary notice period	General Manager Infrastructure & Recreation	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 13(2)	power to vary notice period	Manager Infrastructure Operations and Waste	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7 Clause 13(1)	Manager Infrastructure Development	where council is the infrastructure manager	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7 Clause 13(1)	General Manager Infrastructure & Recreation	where council is the infrastructure manager	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7 Clause 13(1)	Manager Infrastructure Operations and Waste	where council is the infrastructure manager	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 16(1)	power to consent to proposed works	Manager Infrastructure Development	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 16(1)	power to consent to proposed works	General Manager Infrastructure & Recreation	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 16(1)	power to consent to proposed works	Manager Infrastructure Operations and Waste	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 16(4)	duty to consult	General Manager Infrastructure & Recreation	where council is the coordinating road authority, responsible authority or infrastructure manager	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 16(4)	duty to consult	Manager Infrastructure Development	where council is the coordinating road authority, responsible authority or infrastructure manager	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 16(5)	power to consent to proposed works	General Manager Infrastructure & Recreation	where council is the coordinating road authority	Infrastructure & Recreation

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Council Resolution:
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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Road Management Act 2004	Schedule 7 Clause 16(5)	power to consent to proposed works	Manager Infrastructure Development	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	General Manager Infrastructure & Recreation	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	Manager Infrastructure Development	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 16(8)	power to include consents and conditions	General Manager Infrastructure & Recreation	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 16(8)	power to include consents and conditions	Manager Infrastructure Development	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	Manager Infrastructure Development	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	General Manager Infrastructure & Recreation	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	Manager Infrastructure Operations and Waste	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 18(1)	power to enter into an agreement	Manager Infrastructure Development	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 18(1)	power to enter into an agreement	General Manager Infrastructure & Recreation	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 18(1)	power to enter into an agreement	Manager Infrastructure Operations and Waste	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	Manager Infrastructure Development	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	General Manager Infrastructure & Recreation	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	Manager Infrastructure Operations and Waste	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 19(2) & (3)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	General Manager Infrastructure & Recreation	where council is the coordinating road authority	Infrastructure & Recreation

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ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Road Management Act 2004	Schedule 7 Clause 19(2) & (3)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	Manager Infrastructure Development	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	Manager Infrastructure Development	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	General Manager Infrastructure & Recreation	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	Manager Infrastructure Operations and Waste	where council is the coordinating road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7A Clause 2	power to cause street lights to be installed on roads	Manager Infrastructure Development	power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road	Infrastructure & Recreation
Road Management Act 2004	Schedule 7A Clause 2	power to cause street lights to be installed on roads	General Manager Infrastructure & Recreation	power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road	Infrastructure & Recreation
Road Management Act 2004	Schedule 7A Clause 2	power to cause street lights to be installed on roads	Manager Infrastructure Operations and Waste	power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road	Infrastructure & Recreation
Road Management Act 2004	Schedule 7A Clause 2	power to cause street lights to be installed on roads	Coordinator Infrastructure Maintenance	power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road	Infrastructure & Recreation
Road Management Act 2004	Schedule 7A Clause 2	power to cause street lights to be installed on roads	Coordinator Civil Works Projects	power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road	Infrastructure & Recreation
Road Management Act 2004	Schedule 7A Clause 3(1)(d)	duty to pay installation and operation costs of street lighting - where road is not an arterial road	Manager Infrastructure Development	where council is the responsible road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7A Clause 3(1)(d)	duty to pay installation and operation costs of street lighting - where road is not an arterial road	General Manager Infrastructure & Recreation	where council is the responsible road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7A Clause 3(1)(d)	duty to pay installation and operation costs of street lighting - where road is not an arterial road	Manager Infrastructure Operations and Waste	where council is the responsible road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7A Clause 3(1)(d)	duty to pay installation and operation costs of street lighting - where road is not an arterial road	Coordinator Infrastructure Maintenance	where council is the responsible road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7A Clause 3(1)(d)	duty to pay installation and operation costs of street lighting - where road is not an arterial road	Coordinator Civil Works Projects	where council is the responsible road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7A Clause 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	Manager Infrastructure Development	where council is the responsible road authority	Infrastructure & Recreation

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Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Road Management Act 2004	Schedule 7A Clause 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	Coordinator Infrastructure Maintenance	where council is the responsible road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7A Clause 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	General Manager Infrastructure & Recreation	where council is the responsible road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7A Clause 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	Manager Infrastructure Operations and Waste	where council is the responsible road authority	Infrastructure & Recreation
Road Management Act 2004	Schedule 7A Clause 3(1)(f)	duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with clauses 3(2) and 4	Manager Infrastructure Development	duty of council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs)	Infrastructure & Recreation
Road Management Act 2004	Schedule 7A Clause 3(1)(f)	duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with clauses 3(2) and 4	Coordinator Infrastructure Maintenance	duty of council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs)	Infrastructure & Recreation
Road Management Act 2004	Schedule 7A Clause 3(1)(f)	duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with clauses 3(2) and 4	General Manager Infrastructure & Recreation	duty of council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs)	Infrastructure & Recreation
Road Management Act 2004	Schedule 7A Clause 3(1)(f)	duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with clauses 3(2) and 4	Manager Infrastructure Operations and Waste	duty of council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs)	Infrastructure & Recreation
Residential Tenancies Act 1997	s.525(4)	duty to issue identity card to authorised officers	Human Resources Business Partner		Corporate Services
Planning and Environment Act 1987	s.173	power to enter into agreement covering matters set out in s.174	Senior Strategic Planner	Must be signed by the CEO	City Development
Planning and Environment Act 1987	s.173	power to enter into agreement covering matters set out in s.174	Coordinator Statutory Planning	Must be signed by the CEO	City Development
Planning and Environment Act 1987	s.173	power to enter into agreement covering matters set out in s.174	Coordinator Strategic Planning	Must be signed by the CEO	City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Road Management (Works and Infrastructure) Regulations 2015. Note: these regulations commenced on 20 June 2015, replacing the Roads Management (works & infrastructure) Regulations 2005, which expired on 21 June 2015.	r.15	power to exempt a person from requirement under clause 13(1) of Schedule 7 of the Act to give notice as to the completion of those works	General Manager Infrastructure & Recreation	where council is the coordinating road authority and where consent under section 63(1) of the Act	Infrastructure & Recreation
Road Management (Works and Infrastructure) Regulations 2015. Note: these regulations commenced on 20 June 2015, replacing the Roads Management (works & infrastructure) Regulations 2005, which expired on 21 June 2015.	r.22(2)	power to waive whole or part of fee in certain circumstances	General Manager Infrastructure & Recreation	where council is the coordinating road authority	Infrastructure & Recreation
Planning and Environment (Fees) Interim Regulations 2015 Note: these Regulation expire on 14 October 2016	r.16	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	General Manager City Development		City Development
Planning and Environment (Fees) Interim Regulations 2015 Note: these Regulation expire on 14 October 2016	r.17	power to waive or rebate a fee relating to an amendment of a planning scheme	General Manager City Development		City Development
Planning and Environment (Fees) Interim Regulations 2015 Note: these Regulation expire on 14 October 2016	r.18	duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r.16 or 17	General Manager City Development		City Development
Road Management (General) Regulations 2016.	r.8(1)	duty to conduct reviews of road management plan	Manager Infrastructure Development		Infrastructure & Recreation
Road Management (General) Regulations 2016.	r.9(2)	duty to produce written report of review of road management plan and make report available	Manager Infrastructure Development		Infrastructure & Recreation
Road Management (General) Regulations 2016.	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)	General Manager Infrastructure & Recreation	where council is the coordinating road authority	Infrastructure & Recreation

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Road Management (General) Regulations 2016.	r.10	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	General Manager Infrastructure & Recreation		Infrastructure & Recreation
Road Management (General) Regulations 2016.	r.13(1)	Duty to publish notice of amendments to road management plan	General Manager Infrastructure & Recreation	where council is the coordinating road authority	Infrastructure & Recreation
Road Management (General) Regulations 2016.	r.13(3)	duty to record on road management plan the substance and date of effect of amendment	Manager Infrastructure Development		Infrastructure & Recreation
Road Management (General) Regulations 2016.	r.16(3)	power to issue permit	Asset Protection Officer	where council is the coordinating road authority	Infrastructure & Recreation
Road Management (General) Regulations 2016.	r.16(3)	power to issue permit	Manager Infrastructure Development	where council is the coordinating road authority	Infrastructure & Recreation
Road Management (General) Regulations 2016.	r.16(3)	power to issue permit	Coordinator Infrastructure Planning	where council is the coordinating road authority	Infrastructure & Recreation
Road Management (General) Regulations 2016.	r.18(1)	power to give written consent re damage to road	Asset Protection Officer	where council is the coordinating road authority	Infrastructure & Recreation
Road Management (General) Regulations 2016.	r.18(1)	power to give written consent re damage to road	Coordinator Infrastructure Planning	where council is the coordinating road authority	Infrastructure & Recreation
Road Management (General) Regulations 2016.	r.18(1)	power to give written consent re damage to road	Manager Infrastructure Development	where council is the coordinating road authority	Infrastructure & Recreation
Road Management (General) Regulations 2016.	r.23(2)	power to make submission to Tribunal	Manager Infrastructure Development	where council is the coordinating road authority	Infrastructure & Recreation
Road Management (General) Regulations 2016.	r.23(4)	power to charge a fee for application under section 66(1) Road Management Act	Asset Protection Officer	where council is the coordinating road authority	Infrastructure & Recreation
Road Management (General) Regulations 2016.	r.25(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	Manager Infrastructure Operations & Waste	where council is the responsible road authority	Infrastructure & Recreation
Road Management (General) Regulations 2016.	r.25(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	Coordinator Civil Works Projects	where council is the responsible road authority	Infrastructure & Recreation
Road Management (General) Regulations 2016.	r.25(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	Project Engineer	where council is the responsible road authority	Infrastructure & Recreation
Road Management (General) Regulations 2016.	r.25(2)	power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	Manager Municipal Services	where council is the responsible road authority	City Development

S6. Instrument of Delegation to Members of Council Staff - [16 DEL-2]

Council Resolution:
Effective

ACT / REGULATION	PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	DIVISION
Road Management (General) Regulations 2016.	r.25(5)	power to recover in the Magistrates' Court, expenses from person responsible	Manager Municipal Services		City Development

**17.2 POTENTIAL ROAD DISCONTINUANCE AND SALE OF LAND -
SULLIVANS TRACK, YALLOURN****General Manager****Corporate Services****For Decision****PURPOSE**

This report is to consider a request from NBA Group on behalf of the owners of Lot 1 Sullivans Track, Yallourn, to acquire a parcel of Council owned land that is currently fenced into their property.

EXECUTIVE SUMMARY

In 1998, La Trobe Shire Council acquired a parcel of land described as Road R1 on Plan of Subdivision PS412576W when the State Electricity Commission of Victoria (SECV) was selling the balance of the land (Lot 1 on PS412576W). This road reserve was created for a possible road widening of Sullivans Track and a shared pathway which has not eventuated.

The land has remained fenced into the adjoining property (Lot 1) Sullivans Track, Yallourn and until recently was leased by the current owners of the property. The NBA Group on behalf of this adjoining property owner has approached Council seeking to acquire the parcel of land, Road R1.

The Council land forms part of the Lake Narracan Precinct Structure Plan (PSP) and is not proposed to be used for the purposes for which the land was originally acquired. The Lake Narracan PSP shows Road R1 on PS 412576 as being included as developable land within Lot 1 Sullivan's Track, Yallourn (property number 8 in the Lake Narracan PSP).

Developing the land for its intended purpose (road widening and a shared pathway) is unlikely and would not be consistent with the adopted Lake Narracan PSP. Accordingly, the land is considered surplus to Council's requirements.

Prior to determining whether Council wishes to agree to this request it will be necessary for Council to give public notice of its intention to consider the potential discontinuance of the road and sale of land by inviting submission pursuant to Section 223 of the *Local Government Act 1989*.

RECOMMENDATION

That Council:

1. Pursuant to Section 206 and Schedule 10 Clause 3 of the *Local Government Act 1989* gives Public notice of its intention to consider the potential discontinuance and sale by private treaty of the unconstructed road reserve described as Road R1 on PS412576W, contained in Certificate of Title Volume 10462 Folio 229 and invite written submissions pursuant to Section 223 of the *Local Government Act 1989*.
2. Considers any written submissions received regarding the potential discontinuance and sale by private treaty of the unconstructed Road R1 on PS412576W, contained in Certificate of Title Volume 10462 Folio 229, at its meeting to be held on Monday 14 November 2016.
3. Notifies the owner of Lot 1 Sullivans Track, Yallourn of its decision.

DECLARATION OF INTEREST

No officer declared a conflict of interest under the *Local Government Act 1989* in the preparation of this report.

STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

Latrobe 2026: The Community Vision for Latrobe Valley

Strategic Objectives - Governance

In 2026, Latrobe Valley has a reputation for conscientious leadership and governance, strengthened by an informed and engaged community, committed to enriching local decision making.

Latrobe City Council Plan 2013 - 2017

Theme and Objectives

Theme 3: Efficient, effective and accountable governance

Legislation

Section 206 and Schedule 10 Clause 3 of the *Local Government Act 1989* gives Council the power to discontinue roads:

“A Council may, in addition to any power given to it by Sections 43 and 44 of the *Planning and Environment Act 1987* –

- (i) discontinue a road, or part of a road, by a notice published in the Victoria Government Gazette; and
- (ii) sell the land from that road (if it is not Crown Land), transfer the land to the Crown or itself or retain the land.”

ORDINARY COUNCIL MEETING AGENDA 22 AUGUST 2016 (CM488)

This power is subject to Section 223 of the *Local Government Act 1989* which requires Council “publish a public notice stating that submissions in respect of the matter specified in the public notice will be considered in accordance with this section”.

Council must then consider any submissions that have been received and any person who has made a submission and requested they be heard are entitled to appear before a meeting of Council.

Policy – Council has not adopted a policy relating to the discontinuance of roads.

BACKGROUND

In 1998 the State Electricity Commission of Victoria (SECV) sold a large parcel of land adjoining Lake Narracan. As part of this sale, the SECV prepared a Plan of Subdivision that created Road R1 and Lot 1 (balance of land) on Plan of Subdivision PS412576W.

The road reserve is contained in Certificate of Title Volume 10462 Folio 229 (see Attachment 1) and measures 1.16 ha in area.

A requirement of the SECV sale of land was that Council and the purchaser of Lot 1 enter into an agreement in relation to the newly created road reserve. This agreement, dated 15 January 1998, required the purchaser of Lot 1 to transfer to Council Road R1 for Nil consideration and Council was required to:

- lease the Road R1 land to the then owner which was later assigned to a subsequent owner of Lot 1, and
- “Upon termination of the of the Lease for any reason whatsoever, Council will construct at its own expense, a five strand barbed wire fence on the common boundary of Road R1 with Lot 1”.

The past and current owners of Lot 1 Sullivans Track have leased Road R1 from Council for a number of years until recently when the current owner allowed this lease to lapse.

It is believed that Road R1 was originally acquired to enable road widening of Sullivans track and construction of a shared path that connected the Moe/Yallourn Rail Trail with Lake Narracan

KEY POINTS/ISSUES

The NBA Group on behalf of the current owner of Lot 1 Sullivans Track, Yallourn, has approached Council seeking to acquire this land which has been used for grazing as part of the adjoining property.

Lot 1 Sullivans Track, Yallourn forms part of the Lake Narracan Precinct Structure Plan and is zoned Urban Growth Zone, with an underlying zone of General Residential.

The Lake Narracan PSP was approved and gazetted into the Latrobe Planning Scheme on 17 December 2015. Lot 1 Sullivans Track and Road R1 on PS412576W forms part of the same parcel and has been included as land to be developed for General Residential use.

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The Lake Narracan PSP identifies road networks, road upgrades and shared pathways. It was determined as part of this process that there is no road widening of Sullivans Track required. A shared path network has been created within the Lake Narracan PSP which connects development, the rail trail and the Moe/ Newborough community with Lake Narracan. Road R1 on PS412576 was not identified as being required for this purpose and is included as part of the owners of Lot 1 Sullivans Track (property 8 in the Lake Narracan PSP) developable land. Therefore, Road R1 on PS412576 is unlikely to be required for its intended purpose and could be considered surplus to Council's requirements.

Furthermore, the development of Road R1 on PS412576 for its intended purpose would not be in accordance with the Lake Narracan PSP and such development would require changes to the Lake Narracan PSP and to follow, a Planning Scheme Amendment process to make these changes.

Attachment 2 shows an aerial photograph of the property in Sullivans Track, Yallourn, the Road R1 is currently not shown within the GIS mapping layer and currently forms part of the property of Lot 1 Sullivans Track, Yallourn.

RISK IMPLICATIONS

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

There will be a significant risk if Council considers that it is inappropriate to commence the statutory process to allow the sale of this land, being:

1. Council will not meet the Lake Narracan PSP objective that requires the strip of land be developed for residential purposes, unless Council was to develop the land for residential land, or alternatively
2. Council will need to amend the Lake Narracan PSP and also undertake a full Planning Scheme Amendment process. This will impact on staff resources and cause time delays, and
3. There will be a reduction in the Developer's Contribution received (estimated to be in excess of \$200,000) that Council will need to fund to meet the shortfall.

FINANCIAL AND RESOURCES IMPLICATIONS

In addition to the potential Financial Resources Implications stated in Risk Implications stated above, the costs associated with the statutory process are officer's time and resources in the preparation of Council reports and the cost of public notices in the Latrobe Valley Express inviting submissions. Subject to Council finalising the statutory process, the cost of an independent valuation and a notice published in the Victoria Government Gazette would also be incurred.

The cost of the public notices, gazette notice and valuation and any legal and survey costs associated with the transfer and consolidation of the land are borne by the applicant.

ORDINARY COUNCIL MEETING AGENDA 22 AUGUST 2016 (CM488)

INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

Public comment on the proposed sale of land will be sought via the following methods:

- Public notices in the Latrobe Valley Express
- Notice displayed at the Corporate Headquarter and Moe Service Centre
- Details placed on Latrobe City Council website
- Letters sent to nearby property owners

Details of Community Consultation / Results of Engagement:

In accordance with Section 223 of the *Local Government Act 1989* any submissions that are received regarding this matter will be referred for consideration at a future meeting of Council.

OPTIONS

Council may now resolve to:

1. Give public notice of its intention to consider the potential discontinuance and sale by private treaty of R1 on PS412576W fenced into Lot 1 Sullivan's Track, Yallourn, and seek public comment on the proposal, or
2. Retain the road and determine not to commence the statutory process for the discontinuance and sale of R1 on PS412576W, or
3. Give public notice of its intention to consider the potential discontinuance and offer for sale by public auction R1 on PS412576W fenced into Lot 1 Sullivan's Track, Yallourn, and seek public comment on the proposal.

Option 3 is not supported as, in the event the purchaser is not the owner of Lot 1 Sullivan's Track, Yallourn, this would have a significant impact on the development of the property as the road reserve has been included as land to be developed for General Residential use.

If both the Road R1 and Lot 1 Sullivans Track are not developed in accordance with the Lake Narracan PSP, this would require changes to the Lake Narracan PSP and to follow, a Planning Scheme Amendment process to reflect this change.

CONCLUSION

In 1998 La Trobe Shire Council acquired a parcel of land in Yallourn to enable road widening of Sullivans Track and a shared pathway. Road R1 has never been used for its intended purpose and is not required for Council's road network, remains fenced into the adjoining property and is used for grazing. Further, the Road R1 forms part of developable land

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)**

identified in the Lake Narracan Precinct Structure Plan being zoned Urban Growth Zone, with an underlying zone of General Residential.

NBA Group, on behalf of landowners at Lot 1 Sullivans Track, Yallourn, have recently expressed interest in acquiring this land. Should Council wish to consider this request further, it will be necessary for Council to give public notice of its intention to consider the potential discontinuance of the road reserve and sale of the land, invite public comment concerning the matter.

SUPPORTING DOCUMENTS

Nil

Attachments

1. Certificate of Title Volume 10462 Folio 229 and Plan of Subdivision PS412576W
2. Aerial Photograph of Sullivans Road.

17.2

Potential Road Discontinuance and Sale of Land - Sullivans Track, Yallourn

- 1 Certificate of Title Volume 10462 Folio 229 and Plan of
Subdivision PS412576W 867**
- 2 Aerial Photograph of Sullivans Road..... 871**

Register Search Statement - Volume 10462 Folio 229

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32 of the Sale of Land Act 1962 or pursuant to a written agreement.
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from the LANDATA REGD TM System. The State of Victoria accepts no
responsibility for any subsequent release, publication or reproduction
of the information.

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10462 FOLIO 229

Security no : 124061428701C
Produced 25/07/2016 01:51 pm

LAND DESCRIPTION

Road R1 on Plan of Subdivision 412576W.
PARENT TITLE Volume 10394 Folio 801
Created by instrument W132603M 30/06/1999

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
LATROBE SHIRE COUNCIL
W132603M 30/06/1999

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section
24 Subdivision Act 1988 and any other encumbrances shown or entered on the
plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PS412576W FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

DOCUMENT END

**Delivered from the Landata ® System by SAI Global Property Division Pty Ltd
Delivered at 25/07/2016, for Order Number 38144361. Your reference: HJM Sullivans Track.**

as of Section 32 of the Sale of Land Act 1992 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LTA® System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

PLAN OF SUBDIVISION <small>UNDER SECTION 35 OF THE SUBDIVISION ACT 1988</small>	Stage No. <hr/>	LTO use only EDITION 2	Plan Number PS 412576W
---	--------------------	----------------------------------	----------------------------------

LOCATION OF LAND

PARISH: **NARRACAN**
 TOWNSHIP: _____
 SECTION: _____
 CROWN ALLOTMENT: **9T**
 CROWN PORTION: _____

LTO BASE RECORD: **LITHO (3273)**
 TITLE REFERENCES: _____
 VOL 10394 FOL 801

LAST PLAN REFERENCES: **TP 10813 N**

POSTAL ADDRESS: **SULLIVANS TRACK**
(At time of subdivision) **NEWBOROUGH 3825**

AMG CO-ORDINATES: **E 440600**
Of approx centre of plan **N 5775300** ZONE **55**

COUNCIL CERTIFICATION AND ENDORSEMENT

COUNCIL NAME: **LA TROBE SHIRE** REF: **98/0012/S2**

A. This is a plan under Section 35 of the Subdivision Act 1988 which does not create any additional lots.

B. This plan is exempt from Part 3 of the Subdivision Act 1988.

C. ~~This is a plan under Section 35 of the Subdivision Act 1988 which creates (or) additional lot(s).~~

D. It is certified under Section 6 of the Subdivision Act 1988.

E. ~~It is certified under Section 11(7) of the Subdivision Act 1988.~~

F. Date of original certification under Section 6 **16/2/98**

G. ~~This is a Statement of Compliance under Section 24 of the Subdivision Act 1988.~~

COUNCIL DELEGATE
~~COUNCIL SEAL~~

DATE OF CERTIFICATION **16/2/98**

RE-CERTIFIED UNDER SECTION 11(7) OF THE SUBDIVISION ACT 1988

COUNCIL DELEGATE
 COUNCIL SEAL

DATE OF CERTIFICATION **16/2/98**

VESTING OF ROADS AND/OR RESERVES

Roads and reserves vest in the council/body/person named when the appropriate vesting date is recorded or transfer registered

Identifier	Council/Body/Person
ROAD R1	LA TROBE SHIRE

NOTATIONS

STAGING: This ~~is~~ is not a staged subdivision
 Planning Permit No. Not Required

DEPTH LIMITATION: 300 METRES BELOW THE SURFACE

Land to be acquired by agreement : **ROAD R1**
 Land to be acquired by compulsory process : **NIL**
 All the land is to be acquired free from all encumbrances other than any easements specified on this plan.
 The land being subdivided is enclosed within thick continuous lines.
 Dimensions underlined are derived from title and are not the result of this survey.
 Area of Lot 1 obtained by deduction from title.

SURVEY: This plan is ~~is not~~ based on survey
 This survey has been connected to Permanent Marks No.(s)
 In Proclaimed Survey Area No. _____



EASEMENT INFORMATION

Easements marked (-) are existing easements
 Easements marked (+) are created upon registration of this plan.
 Easements marked (*) are created when the appropriate vesting date is recorded or transfer registered.
 Easements marked (R) are removed when the appropriate vesting date is recorded or transfer registered.

LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)

bol	Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour of
+	E-1	POWER LINE	See Diag.	THIS PLAN- SECTION 44 OF THE ELECTRICITY INDUSTRY ACT 1993	EASTERN ENERGY LTD

LTO USE ONLY

~~STATEMENT OF COMPLIANCE / EXEMPTION STATEMENT~~

RECEIVED

DATE **14/8/98**

VESTING DATES & TRANSFER REGISTRATION DATES OF ACQUIRED LAND

d ected	Land acquired by compulsory process prior to certification				Date of registration of transfer	LTD reference	Assistant Registrar of Titles Signature
	Vesting date	Government Gazette		Date of recording of vesting date			
		Page	Year				
R1	---	---	---	---	30-6-99	W132603M	COL

LTO USE ONLY

PLAN REGISTERED
 TIME
 DATE **29/9/98**

V. Sivagami

ASSISTANT REGISTRAR OF TITLES

SHEET **1** OF **2** SHEETS

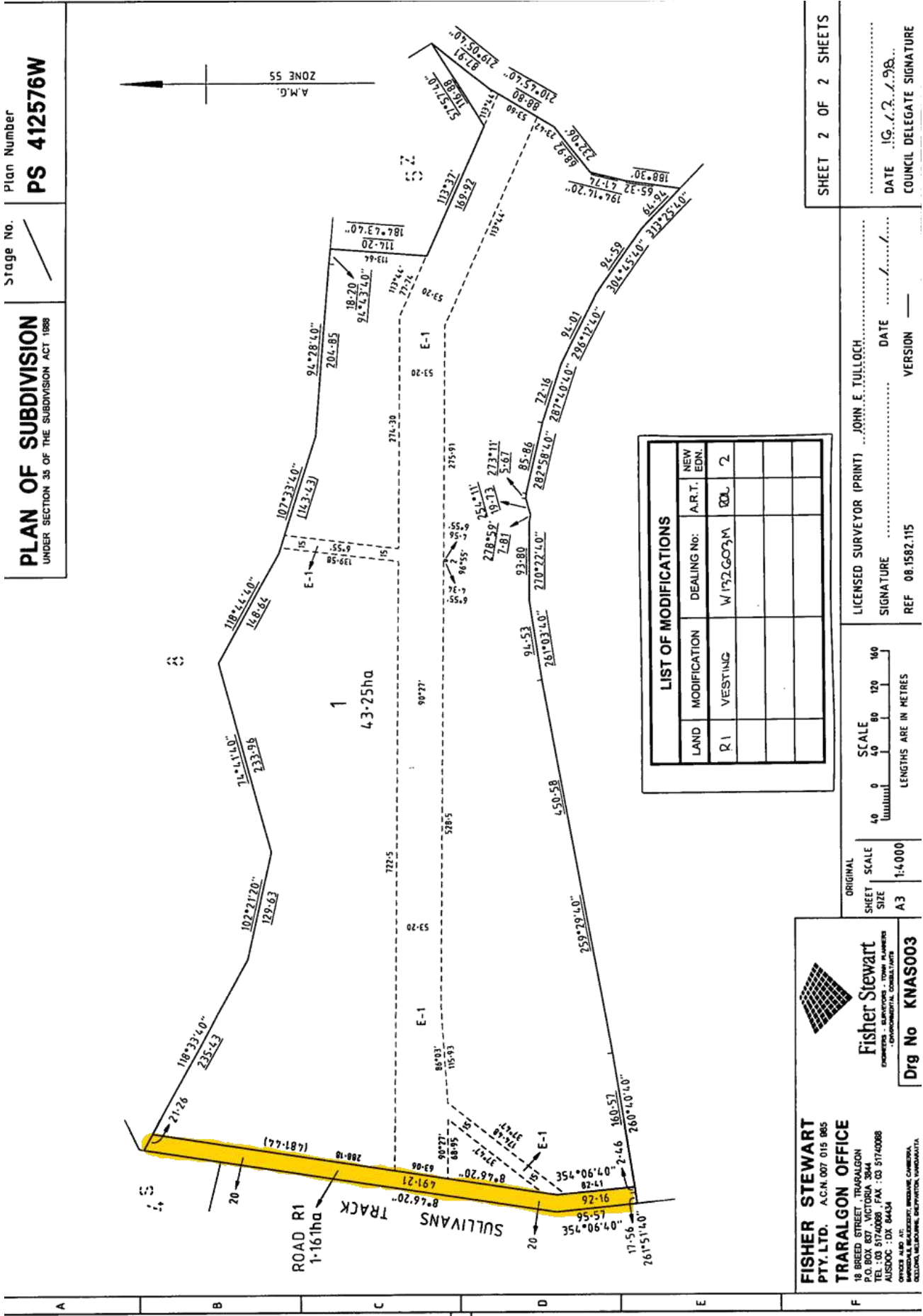
HER STEWART LTD. A.C.N. 007 015 065
TRARALGON OFFICE
 100 STREET, TRARALGON
 PO BOX 837, VICTORIA 3844
 D 51740088, FAX : 03 51740088
 C : DX 84434

Fisher Stewart
ENGINEERS - SURVEYORS - TOWN PLANNERS
 - ENVIRONMENTAL CONSULTANTS

LICENSED SURVEYOR (PRINT) **JOHN E. TULLOCH**

SIGNATURE _____ DATE **16/2/98**

DATE **16/2/98**
 COUNCIL DELEGATE SIGNATURE _____



Plan Number
PS 412576W

Stage No.

PLAN OF SUBDIVISION
UNDER SECTION 35 OF THE SUBDIVISION ACT 1989

LIST OF MODIFICATIONS		
LAND MODIFICATION	DEALING No.	NEW EDN.
R1 VESTING	W1326031A	2

ORIGINAL SHEET SCALE SIZE 1:4,000 A3

SCALE 40 0 40 80 120 160

LENGTHS ARE IN METRES

FISHER STEWART
PTY. LTD. A.C.N. 007 015 065

TRARALGON OFFICE
18 BREED STREET, TRARALGON
P.O. BOX 807, VICTORIA 3944
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AUSDOC: DX 84434

Drg No KNAS003

Fisher Stewart
ENGINEERS, ARCHITECTS, SURVEYORS
- ENVIRONMENTAL CONSULTANTS

SHEET 2 OF 2 SHEETS

LICENSED SURVEYOR (PRINT) **JOHN E. TULLOCH**

SIGNATURE _____ DATE _____

VERSION _____

DATE **19.12.2018**

COUNCIL DELEGATE SIGNATURE _____



ORDINARY COUNCIL MEETING AGENDA 22 AUGUST 2016 (CM488)

17.3 CONSIDERATION TO FORMALLY RETIRE THE CITY OF TRARALGON, CITY OF MOE AND CITY OF MORWELL MAYORAL CHAINS

General Manager

Corporate Services

For Decision

PURPOSE

This report presents to Council a proposal to formally retire the City of Traralgon, City of Moe, and City of Morwell Mayoral Chains from use.

EXECUTIVE SUMMARY

In recent times there has been a renewed desire to use a mayoral chain (chain) at ceremonial events.

Latrobe City Council has in its possession the City of Traralgon, City of Moe, and City of Morwell chains. However, at this point in time there is not any formal Latrobe City chain.

Anecdotal feedback suggests that when the three Councils amalgamated, an informal decision of the Councillors at that time was to retire the chains from use. This report seeks to formalise that retirement.

RECOMMENDATION

That Council retires from formal and ceremonial use the City of Traralgon, City of Moe and City of Morwell Mayoral Chains.

DECLARATION OF INTEREST

No officer declared a conflict of interest under the *Local Government Act 1989* in the preparation of this report.

STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

Latrobe 2026: The Community Vision for Latrobe Valley

Strategic Objective - Governance

Latrobe City Council Plan 2013 - 2017

Theme

Theme 3: Efficient, effective and accountable governance

BACKGROUND

Mayoral chains were originally part of mayoral regalia that became popular in Queen Victoria's reign in England, and subsequently here, in Victoria. The Mayoral chain was seen as an outward sign of authority, responsibility and power. Usually the chain had a drop medallion on which appeared the

ORDINARY COUNCIL MEETING AGENDA 22 AUGUST 2016 (CM488)

design of the council seal or insignia. The links of the chain were disks or medallions, which varied in design according to taste.

The chains signify an important element in the history of a Council, and most include on the links the names of previous Mayors of the Council.

In recent times, simpler and lighter chains, which consist of a drop medallion on a velvet collar have been developed by Councils for the Mayor to wear for ceremonial and formal events.

KEY POINTS/ISSUES

Latrobe City Council has in its possession the City of Traralgon, City of Moe, and City of Morwell chains. Each chain was worn by the Mayor of the day at ceremonial events.

Anecdotal feedback suggests that when the three Councils were amalgamated in 1994, the newly elected Councillors of La Trobe Shire agreed to retire the chains from use. However, officers have been unable to determine if a decision of Council has been made to this effect, although it has been the practice up until recent times.

Future display, or the possible creation of a new Latrobe City Council chain will be part of considerations of the newly elected Council after the Council elections to be held in October 2016, and once costings have been obtained to enable further consideration of this matter..

RISK IMPLICATIONS

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

FINANCIAL AND RESOURCES IMPLICATIONS

The City of Traralgon, City of Moe, and City of Morwell chains are insured assets of Latrobe City Council. Officers will investigate opportunities to display the chains securely for the community if the chains are formally retired from use.

INTERNAL/EXTERNAL CONSULTATION

Benchmarking with other Councils has occurred (detailed below) and Councillors have been consulted.

ORDINARY COUNCIL MEETING AGENDA 22 AUGUST 2016 (CM488)

Council	Mayoral Chain details
Horsham Rural City Council	A new mayoral chain was produced after amalgamation.
City of Ballarat Council	<p>The City of Ballarat uses the original Chains on prestigious occasions, and they are kept at the Gold Museum in Ballarat. The Museum has oversight over the use of these Chains.</p> <p>After amalgamation, a new drop (medallion on ribbon) was created which is used for other occasions (where the original chains are not used).</p>
City of Warrnambool	<p>Warrnambool advised that they were one of the only Council's not to go through an amalgamation, only some small townships were included in the new boundaries. The robes and large chain they have were retired in 1994.</p> <p>A smaller chain is currently in use which was donated by the family of a former Deputy Mayor.</p> <p>This does however have the old crest and links are no longer added to the chain.</p>
City of Greater Shepparton	<p>Shepparton are in a similar situation to Latrobe City, in that three areas were amalgamated forming Greater Shepparton. Each shire had their own chains and while Council is still in possession of these, they are no longer used formally (nor do they use any other chain).</p> <p>They have been kept as an item of interest for the community.</p>

OPTIONS

Council has the following options:

1. To support the recommendation;
2. To not support the recommendation, and provide an alternative position.

CONCLUSION

The City of Traralgon, City of Moe, and City of Morwell Mayoral Chains are historical items of those Councils and do not represent the amalgamated Latrobe City Council. Therefore, they are recommended to be formally retired from use.

SUPPORTING DOCUMENTS

Nil

Attachments
Nil

17.4 REVIEW OF COUNCIL COMMITTEES

General Manager

Corporate Services

For Decision

PURPOSE

This report presents to Council a proposal to abolish the Traralgon East Community Centre Advisory Committee and to adopt the Terms of Reference for the Tourism Advisory Board.

EXECUTIVE SUMMARY

A review of Council Committees and their structures has been in progress. In July 2015 Council adopted a new template and policy, and a number of Committees have now undergone the review process.

After consultation with the committee, the Tourism Advisory Board terms of reference is now provided for adoption by Council. The standard template has been used for the Terms of Reference, however, it has been individualised in sections two and three.

As part of the review, officers have identified that the Traralgon East Community Centre Advisory Committee is not currently meeting, and has not done so since February 2015. This Committee is recommended to be abolished.

RECOMMENDATION

That Council:

- 1. Adopts the Terms of Reference for the Tourism Advisory Board with an effective date of 22 August 2016;**
- 2. Notes that with the adoption of these Terms of Reference, that any previous versions, are rescinded;**
- 3. Abolishes the Traralgon East Community Centre Advisory Committee effective as of 22 August 2016;**
- 4. Notifies the Committees accordingly.**

DECLARATION OF INTEREST

No officer declared a conflict of interest under the *Local Government Act 1989* in the preparation of this report.

STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

Latrobe 2026: The Community Vision for Latrobe Valley

Strategic Objective - Governance

Latrobe City Council Plan 2013 - 2017

Theme

Theme 3: Efficient, effective and accountable governance

BACKGROUND

To assist Council in the delivery of a range of complex tasks, Committees are constituted to undertake specific delegated functions (Special Committees) or to provide expert advice on specific topics or projects (Advisory Committees). These Committees provide insight and information that Council may not otherwise receive either internally or externally. The role of a Committee is to inform and enhance, not replace the role or responsibilities of Council and individual Councillors.

At the Council Meeting held on 27 July 2015, Council resolved to adopt the *Establishment of Council Committee Policy* as well as a new Terms of Reference template for use through a review process of all Advisory Committees.

KEY POINTS/ISSUES

Tourism Advisory Board

Officers have redrafted the Terms of Reference based on feedback received from Councillors and the current members of the Tourism Advisory Board. The proposed Terms of Reference keeps the role focused on tourism, and no issues have been identified by members with the proposed terms as part of the review process.

The Committee is established to provide advice to Council on policies and strategies for furthering the development of tourism within Latrobe City and an avenue for consultation and exchange between Council and the tourism industry regarding issues and maximising tourism opportunities.

Membership is anticipated to consist of ten members, being

- Up to two Councillors (current members are Cr Sindt and Cr White)
- One representative from each of the following sectors:
 - Latrobe City Business Tourism Association Inc
 - Latrobe City Arts and Events
- Up to six of Community representatives appointed via expression of interest process.
- Latrobe City Council Officers as required to provide professional advice and administrative support

Traralgon East Community Centre Advisory Committee

The Traralgon East Community Centre Advisory Committee was established to '*guide the effective operation of the redeveloped community centre to increase community participation and meet current and future needs*'.

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)**

Council manages all venue booking aspects, as well as maintenance of the community centre. The last meeting of the Committee was on 27 February 2015, having previously met on Friday 22 November 2013.

The Committee had been focussing on operational issues when it was meeting, and the intent of why it was originally established became no longer relevant.

Officers are recommending that the Committee should be abolished due to its inactivity.

RISK IMPLICATIONS

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

Consistency of management of advisory committees and standard terms of references reduces the risk of non-compliance of committee management.

There is low reputational risk in relation to the recommendation to abolish the Traralgon East Community Centre Advisory Committee as the Committee has been inactive. The presence of Council and services is not being recommended to be changed.

FINANCIAL AND RESOURCES IMPLICATIONS

There are no financial or resource implications with the continuance of the committees under new Terms of Reference, as support is already provided for within resources and budgets.

INTERNAL/EXTERNAL CONSULTATION

Benchmarking on committee structures has occurred within the local government sector. Engagement has occurred within the organisation and with Councillors and Committee members in regards to the review of the Terms of Reference tabled.

OPTIONS

Council has the following options to consider:

1. Adopt the recommendation as presented; or
2. Do not adopt the recommendation as presented, but adopt an alternative.

CONCLUSION

Having undertaken a review process against the *Establishment of Council Committee Policy*, and consultation processes, the Terms of Reference are being presented to Council for adoption.

SUPPORTING DOCUMENTS

Establishment of Council Committee Policy

Attachments

1. Tourism Advisory Board

17.4

Review of Council Committees

- 1 Tourism Advisory Board..... 879**

Latrobe Tourism Advisory Committee

Terms of Reference



Draft July 2016





CONTENTS:

1. **Establishment of the Committee**
2. **Objectives**
3. **Membership**
 - Composition of the Committee
 - Length of appointment
 - Selection of members and filling of vacancies
 - Co-option of members
 - Attendance at meetings
 - Resignations
4. **Proceedings**
 - Chair
 - Meeting Schedule
 - Meeting procedures
 - Quorum
 - Voting
 - Minutes
 - Reports to Council
5. **Review of Committee and Duration of the Committee**
6. **Authority and Compliance Requirements**



1. Establishment of the Committee

- 1.1. The Latrobe Tourism Advisory Committee (hereinafter referred to as "the Committee"), is a formally appointed Advisory Committee of Latrobe City Council for the purposes of the *Local Government Act 1989*.
- 1.2. The membership of this Committee and these Terms of Reference will be adopted by resolution of Latrobe City Council at an Ordinary Council Meeting.

2. Objectives

- 2.1. The Committee's role is to report to the Council and provide appropriate advice, information and feedback on matters relevant to this Terms of Reference in order to facilitate decision making by the Council in relation to the discharge of its responsibilities.
- 2.2. The Committee is an advisory committee only and has no delegated decision making authority.
- 2.3. The Committee is established to:

To provide advice to Council on policies and strategies for furthering the development of tourism within Latrobe City and an avenue for consultation and exchange between Council and the tourism industry regarding issues and maximising tourism opportunities.
- 2.4. The Committee will carry out the following in order to achieve the objectives set:
 - 2.4.1. Develop Tourism within Latrobe City for economic growth and diversification of our employment base.
 - 2.4.1.1. Provide advice and support to Latrobe City and the tourism industry to establish and maintain positive working relationships with other Gippsland tourism agencies, organisations and State governing bodies such as Destination Gippsland, Visit Victoria and the Victorian Tourism Industry Council to ensure that tourism development in Latrobe City is in line and in partnership with regional, state and federal strategies.
 - 2.4.1.2. Provide strategic direction to Council in regard to tourism related issues.
 - 2.4.1.3. Provide guidance, support and an avenue for consultation and exchange between Council and the Latrobe City Business Tourism Association Inc.



2.4.2. Policy and Strategy Development

2.4.2.1. Provide advice as part of a policy, strategy (or other relevant document) review or development processes as required from time to time.

2.4.3. Perform other activities related to this Terms of Reference as requested by the Council.

3. Membership

Composition of the Committee

3.1. The Committee shall comprise of ten members, being:

3.1.1. Up to two Councillors

3.1.2. One representative from each of the following sectors:

3.1.2.1. Latrobe City Business Tourism Association Inc (LCBTA)

3.1.2.2. Latrobe City Arts & Events

3.1.3. Up to six of Community representatives appointed via expression of interest process.

3.1.4. Latrobe City Council Officers as required to provide professional advice and administrative support

Length of appointment

3.2. Whilst a Committee shall be in place for as long as Latrobe City Council sees fit, the appointment of members shall be for a term as deemed appropriate by Council but no longer than three years.

3.3. Prior to the expiration of each term, there will be a call for nominations for the next term. Current Committee members are able to re-nominate.

Selection of members and filling of vacancies

3.4. Latrobe City Council shall determine the original membership of a Committee based on expressions of interest received from members of the community and nominations received from organisations.

3.5. The Committee may fill any vacancies that occur within the determined year period of appointment, subject to the approval of the General Manager of the relevant division and endorsement of Council. Where a vacancy is filled in this way, the appointment shall be limited to the remainder of the period of the original appointment.



Co-option of members

- 3.6. With the approval of the Chair, the Committee may invite other individuals to participate in the proceedings of the Committee on a regular or an occasional basis and including in the proceedings of any sub-committees formed.

Attendance at meetings

- 3.7. All Committee members are expected to attend each meeting.
- 3.8. A member who misses two consecutive meetings without a formal apology may at the discretion of Latrobe City Council have their term of office revoked.
- 3.9. A member who is unable to attend the majority of meetings during the year may at the discretion of Latrobe City Council have their term of office revoked.

Resignations

- 3.10. All resignations from members of the Committee are to be submitted in writing to the General Manager of the relevant division, Latrobe City Council, PO Box 264, Morwell VIC 3840.

4. Proceedings

Chair

- 4.1. The nominated Councillor shall Chair the meetings.
- 4.2. If the Councillor delegate is unavailable he/she shall delegate to the other nominated Councillor to chair the meeting.
- 4.3. If neither Councillor is available, the Chair may nominate a replacement from the current membership of the Committee to chair the meeting.

Meeting schedule

- 4.4. The Committee will determine its meeting schedule and times for each of the meetings. The duration of each Committee meeting should generally not exceed two hours.
- 4.5. Meetings of the Committee will be held monthly initially or as may be deemed necessary by Latrobe City Council or the Committee to fulfil the objectives of the Committee. Special meetings may be held on an as-needs basis.

Meeting procedures

- 4.6. Meetings will follow standard meeting procedures as established in any guidance material and outlined in these terms of reference for Advisory Committees provided (see appendix one for the agenda template).



- 4.7. All Committee meetings and records are considered confidential and may be designated as confidential in accordance with Section 77 of the Act.
- 4.8. All recommendations, proposals and advice must be directed through the Chair.

Quorum

- 4.9. A majority of the members constitutes a quorum.
- 4.10. If at any Committee meeting a quorum is not present within 30 minutes after the time appointed for the meeting, the meeting shall be deemed adjourned.

Voting

- 4.11. There will be no official voting process, although all members shall have equal voting rights. Majority and minority opinions will be reflected in Committee minutes.

Minutes of the Meeting

- 4.12. A Latrobe City Officer or authorised agent shall take the minutes of each Committee meeting.
- 4.13. The minutes shall be in a standard format including a record of those present, apologies for absence, adoption of previous minutes and a list of adopted actions and resolutions of the Committee (see appendix two for the minutes template).
- 4.14. Where this meeting is also considered an Assembly of Councillors under the *Local Government Act 1989*, an Assembly of Councillors record must also be submitted in accordance with those requirements.
- 4.15. The minutes shall be stored in the Latrobe City Council corporate filing system (currently LCMS electronic document and records management system).
- 4.16. The agenda shall be distributed at least 48 hours in advance of the meeting to all Committee members, including alternative representatives.
- 4.17. A copy of the minutes shall be distributed to all Committee members (including alternative representatives) within 10 working days of the meeting.

Reports to Council

- 4.18. With the approval of the Chair, a report to Council may be tabled on the Committee's progress towards the objectives included in this Terms of Reference.



- 4.19. Reports to Council should reflect a consensus of view. Where consensus cannot be reached, the report should clearly outline any differing points of view.
- 4.20. Reports to Council will be co-ordinated through the General Manager of the relevant division that the Committee falls under.

5. Review of Committee and Duration of the Committee

- 5.1. The committee will cease to exist by resolution of the Council, or once the objectives at item 2.3 have been demonstrated that they have been met, whichever occurs first.
- 5.2. A review of the Committee will take place at least once every three years at which time the Terms of Reference will also be reviewed.
- 5.3. A review will be conducted on a self-assessment basis (unless otherwise determined by Council) with appropriate input sought from the Council, the CEO, all Committee members, management and any other stakeholders, as determined by Council.
- 5.4. The review must consider:
 - 5.4.1. The Committee's achievements
 - 5.4.2. Whether there is a demonstrated need for the Committee to continue, and
 - 5.4.3. Any other relevant matter.

6. Authority and Compliance Requirements

- 6.1. The Committee is a consultative committee only and has no executive powers nor does it have any delegated decision making or financial authority.
- 6.2. The Committee must comply with the Assembly of Councillor provisions provided for in the *Local Government Act 1989*.
- 6.3. Failure to comply with the provisions outlined in this Terms of Reference may result in termination of the Member's appointment.



Appendix 1: Agenda Template



[Name] Advisory Committee			
Meeting Day, XX Month Year			
Time Commencing: 00:00am/pm Expected Finish Time: 00:00am/pm			
Location: (include specific meeting room and address)			
<small>NOTE: In accordance with Section 80 of the Local Government Act 1989 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.</small>			
AGENDA ITEMS			
No.	Item	Responsible Officer	Attachment
1.	Welcome & introduction	Chair	N/a
2.	Apologies	All	
3.	Conflicts of Interest	All	
	<i>Members of the Committee are to declare any Conflicts of interest in matters listed on the agenda</i>		
4.	Matters arising from previous meeting	All	
	<i>Review of action progress from previous meetings</i>		
5.	Items for Consideration		
	<i>Matters being presented for discussion in accordance with the terms of reference</i>		
	•		
	•		
	•		
	•		
6.	General Business		
	•	All	
	•		
	•		



Appendix 2: Minutes Template



[Name] Advisory Committee Minutes

Meeting Day, XX Month Year
 Time Commenced: 00:00am/pm Finish Time: 00:00am/pm
 Location: (include specific meeting room and address)

Meeting Chair: < Name >

NOTE: In accordance with Section 80 of the Local Government Act 1999 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.

No.	Item	Responsible Person	Timeframe
1.	Present		
2.	Apologies		
3.	Conflicts of Interest Disclosures		
	<p><i>Members of the Committee declare any Conflicts of interest in matters discussed at the meeting.</i></p> <p>The following members of the Committee declared a Conflict of Interest at the meeting and left the meeting whilst the matter was being discussed:</p> <p><Name> ,Time left 00:00am/pm, Time returned 00:00am/pm</p> <p><Name> ,Time left 00:00am/pm, Time returned 00:00am/pm</p> <p><Name> ,Time left 00:00am/pm, Time returned 00:00am/pm</p>		





[Name] Advisory Committee Minutes

Meeting Day, XX Month Year
 Time Commenced: 00:00am/pm Finish Time: 00:00am/pm
 Location: (include specific meeting room and address)

Meeting Chair: < Name >

NOTE: in accordance with Section 80 of the Local Government Act 1989 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.

No.	Item	Responsible Person	Timeframe
4.	Matters arising from previous meeting		
	<i>List the item and action agreed and assign any follow up actions and expected timeframes</i> 1. Item Heading Action(s): • • 2. Item Heading Action(s): • •		
5.	Items for Consideration		
	<i>List the item and action agreed as per agenda and assign any follow up actions and expected timeframes</i> 1. Item Heading Action(s): • 2. Item Heading Action(s): • 3. Item Heading Action(s): •		





[Name] Advisory Committee Minutes

Meeting Day, XX Month Year
 Time Commenced: 00:00am/pm Finish Time: 00:00am/pm
 Location: (include specific meeting room and address)

Meeting Chair: < Name >

NOTE: In accordance with Section 80 of the Local Government Act 1989 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.

No.	Item	Responsible Person	Timeframe
6.	General Business		
	<i>List the item and action agreed and assign any follow up actions and expected timeframes</i> 1. Item Heading Action(s): • 2. Item Heading Action(s): •		

Next Meeting: <Provide details of the next meeting date, time and location>.



17.5 REVIEW OF COUNCIL POLICIES

General Manager

Corporate Services

For Decision

PURPOSE

This report is to present for consideration of Council, the following proposed policies for adoption:

- External Relations Policy;
- Gifts, Benefits and Hospitality Policy
- Procurement Policy

EXECUTIVE SUMMARY

Good governance principles establish that Council should determine its policy position and put in place a periodic review process. Council adopted a new *Council Policy Development Policy* at its meeting held on 29 February 2016. With the adoption of this policy, Council policy reviews have recommenced.

A review process has been undertaken on two policies, the *Gifts, Benefits and Hospitality Policy* and *Procurement Policy*. It is recommended that these two policies, as well as the new External Relations Policy are adopted by Council.

RECOMMENDATION

That Council:

- 1. Adopts the following policies with an effective date of 22 August 2016**
 - a. External Relations Policy;**
 - b. Gifts, Benefits and Hospitality Policy**
 - c. Procurement Policy**
- 2. Updates the Procurement Policy to reflect the updated financial delegations for the Chief Executive Officer if adopted by Council as part of the delegation review at the 22 August 2016 Ordinary Council Meeting;**
- 3. Notes that with the adoption of these Policies that any previous versions are now rescinded, and**
- 4. Makes these Policies available to the public on Council's website.**

ORDINARY COUNCIL MEETING AGENDA 22 AUGUST 2016 (CM488)

DECLARATION OF INTEREST

No officer declared a conflict of interest under the *Local Government Act 1989* in the preparation of this report.

STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

Latrobe 2026: The Community Vision for Latrobe Valley

Strategic Objectives - Governance

Latrobe City Council Plan 2013 - 2017

Theme and Objectives

Theme 3: Efficient, effective and accountable governance

BACKGROUND

The Policy Review Table set out below lists all policies presented for consideration, identifying the status assigned to each policy and the revisions made (if any) under the following headings:

Statutory Review	Policy review is a statutory requirement
No change	No change to current policy
Title change	Amendment to existing policy title
Minor change(s)	Minor amendment within policy content to reflect the passage of time; enhance language and/or correct grammatical errors
Significant change(s)	Significant amendments within policy content
Superseded / obsolete	Existing policy no longer required and /or superseded by another document or policy
New	New policy developed

ORDINARY COUNCIL MEETING AGENDA 22 AUGUST 2016 (CM488)

Adopted Policy Title	Statutory Review	No change	Title Change	Minor Change(s)	Significant Change(s)	Superseded / Obsolete	New
External Relations Policy							X
Gifts, Benefits and Hospitality Policy					X		
Procurement Policy				X			

KEY POINTS/ISSUES

External Relations Policy

At the Council meeting held on 11 July 2016, Council resolved for the Chief Executive Officer to develop a policy or protocol to identify when Council should appoint a Council representative to an organisation, or when we should be developing formal relationships as a Council. The proposed policy has been prepared to address the resolution of Council and to guide and enable consistent and objective decision making when committing to future external relationships.

The proposed policy provides for definitions of different relationships, as well as what needs to be addressed when considering relationships.

Gifts, Hospitality and Benefits Policy

Benchmarking has occurred with other Council policies, including Indigo Shire Council, Hobsons Bay City Council and the City of Casey. However, the Victorian Public Sector Commission has developed a Framework to be utilised by State Government entities, and this has been utilised more than the benchmarked policies to develop the proposed policy.

A number of changes have been proposed to the original policy. These include:

- Renaming of the Policy to be the Gifts, Benefits and Hospitality Policy
- Defining a token gift as a gift valued up to \$50
- Clarity in the policy regarding gift disclosure including hospitality
- Clarity that gift cards are to be treated the same as a gift of cash
- A clause which treats repeated gifts from the one source to the same person over a twelve month period and reaches \$100, to require gifts to be disclosed as a gift of value for at least the next six months
- Requirement for all gifts accepted to be declared, regardless of whether they are token or a gift of value

ORDINARY COUNCIL MEETING AGENDA 22 AUGUST 2016 (CM488)

- Requirement for all gifts that are not accepted over the value of \$50 to be disclosed
- Inclusion of a new section that specifies that no gift, benefit or hospitality can be accepted during a procurement activity (which aligns with the Procurement Policy)
- Inclusion of the role of the Audit and Risk Committee to review the gift register on an annual basis
- Clarify that refreshments which are part of a meeting/workshop with other agencies or government departments are not considered a gift
- New appendixes, which include examples, the GIFT test, the disclosure form and a bulk gift disclosure form

Whilst it can be argued that this is an operational policy and should be treated as such, the Policy is recommended to remain as a Council adopted policy because the scope covers councillors and contractors as well as staff.

Feedback was sought from councillors, management and staff, as well as Audit and Risk Committee members, and feedback has been incorporated into the proposed policy.

Procurement Policy

The Procurement Policy is required to be reviewed at least once in every financial year in accordance with Section 186A of the *Local Government Act 1989*. The statutory review of the current policy has been completed, and minor amendments have been proposed. These are:

- Item 2.5 – Exemption Approval Delegations: Proposing to change the maximum exemption amount for two written quotes from \$10,000 to \$15,000. This is to ensure that it is in line with other approval delegation limits
- Minor formatting and spelling changes
- Update to the current Council policy template.

RISK IMPLICATIONS

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework. Both the *Gifts, Benefits and Hospitality Policy* and the *Procurement Policy* are risk controls. The *External Relations Policy* serves to improve decision making about commitments.

FINANCIAL AND RESOURCES IMPLICATIONS

There are no anticipated additional financial or resource implications in relation to the adoption of these policies as outlined in this report.

INTERNAL/EXTERNAL CONSULTATION

As part of the review process, most policies will require a form of consultation where there is significant change, or where there are sensitivities around the subject matter.

The proposed *External Relations Policy* has undergone consultation with Councillors and staff.

The proposed *Gifts, Benefits and Hospitality Policy*, as well as the *Procurement Policy* have been the subject of consultation with the Audit and Risk Committee.

OPTIONS

Council has the following options:

1. To accept the officers recommendation; or
2. To not accept the recommendation and to provide an alternative position on each of the policies.

CONCLUSION

The *External Relations Policy* is a new proposed Policy, being presented for presented for adoption by Council following feedback and consideration by Councillors.

The reviews of the *Gifts, Benefits and Hospitality Policy*, and the *Procurement Policy* have been completed. The *Gifts, Benefits and Hospitality Policy* has undergone significant revision, and is presented for adoption by Council. The *Procurement Policy* has undergone minor amendments and is also presented for adoption by Council.

SUPPORTING DOCUMENTS

Council Policy Development Policy

Gifts and Hospitality Policy (current version)

Procurement Policy (current version)

Attachments

1. Proposed External Relations Policy
2. Proposed Gifts, Benefits and Hospitality Policy
3. Proposed Procurement Policy

17.5

Review of Council Policies

- 1 Proposed External Relations Policy 897**
- 2 Proposed Gifts, Benefits and Hospitality Policy..... 909**
- 3 Proposed Procurement Policy..... 927**



External Relations Policy

Version 1

Approval Date: DRAFT
Review Date: (insert date)



External Relations Policy

DOCUMENT CONTROL

Responsible Officer	Gary Van Driel	
Division	Chief Executive Officer	
Last Updated (who & when)	Susan Gillett, Manager Governance	July 2016
DOCUMENT HISTORY		
Authority	Date	Description of change
Council	(day, month & year)	(Insert detail of change to policy)
References	Refer to Section 8 and 9 of this policy	
Next Review Date	(Month & Year)	
Published on website	(Yes or No)	
Document Reference No		

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Responsible Division	Chief Executive Officer	Approved Date	DRAFT	Review Date	(month & year)
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External Relations Policy

1. Background

Latrobe City Council maintains a range of relationships on behalf of our community, for example:

- International sister city arrangements, which assist in understanding each other's cultures, traditions, society and people. Latrobe City has two formal sister city relationships with Takasago City, Japan and the City of Taizhou, China.
- The Gippsland Local Government Network (GLGN), an alliance between six Gippsland Councils being Bass Coast Shire, Baw Baw Shire, East Gippsland Shire, South Gippsland Shire, Wellington Shire and Latrobe City.
- Within the community the Latrobe City Council maintains a presence on a variety of Committees. Council currently has 25 formal relationships where a Councillor or staff member provides representation of Council to meetings and activities.
- Across the State, the Council has involvement in groups like the Public Galleries Association of Victoria and the Victorian Performing Arts Centres Association.

When considering international, Australian, Victorian or local relationships, it is appropriate that Council:

- establishes clear motives for forming the relationship;
- develops an understanding of the context within which the alliance will be formed;
- explores the "fit" between the two parties;
- understands the potential costs and benefits involved; and
- defines the form of relationship for example -Ad Hoc, Liaison, Council Representation, Alliance, Friendship City or Sister City.

2. Objectives

This policy seeks to:

- identify a range of relationship types and the criteria for engaging in particular relationship types;
- provide a basis for understanding and identifying the commitment of resources, both financial and administrative, to proposed relationships;

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Responsible Division	Chief Executive Officer	Approved Date	DRAFT	Review Date	(month & year)
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External Relations Policy

- provide Council with a basis for informed decision making with regard to various proposals; and
- facilitate monitoring of the costs, benefits and performance of endorsed relationships and assessing ongoing relevance.

3. Scope

The policy should be applied to any proposed relationship, which entails cost or effort on the part of Latrobe City Council to establish, participate and/or maintain a relationship with a domestic or international city, council or group. The policy also addresses defining or redefining the nature of the relationship, which may evolve over time.

The role of Council is defined in Section 3 D of the *Local Government Act 1989*.

3D What is the role of a Council?

(1) A Council is elected to provide leadership for the good governance of the municipal district and the local community.

(2) The role of a Council includes—

- acting as a representative government by taking into account the diverse needs of the local community in decision making;
- providing leadership by establishing strategic objectives and monitoring their achievement;
- maintaining the viability of the Council by ensuring that resources are managed in a responsible and accountable manner;
- advocating the interests of the local community to other communities and governments;
- acting as a responsible partner in government by taking into account the needs of other communities;
- fostering community cohesion and encouraging active participation in civic life.

This role should guide the establishment, maintenance and termination of relationships by the Council.

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Responsible Division	Chief Executive Officer	Approved Date	DRAFT	Review Date	(month & year)
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External Relations Policy

4. Principles of Management

Council has limited resources therefore support of relationships needs to be evaluated alongside other priorities. This policy proposes a number of relationship categories which have different benefits and funding implications.

Establishment and classification of relationships needs to consider:

- Current Support – what support does Council currently (or previously) provide?
- Precedent – is there any, or will this relationship give rise to a new precedent?
- Benefit – what benefit to Council (and the community) does entering into this type of relationship provide?
- Cost – what are the anticipated costs associated with the relationship including staff costs? Full consideration of the investment is required of time, personnel (including Councillor, staff or contractors), financial, materials or facilities in the calculations. An outline of likely costs (type not quantum) is listed below.
- Timeframe – is the timeframe of the new relationship at this point in time or an ongoing commitment?
- Alternative approaches – have the relative merits of all relationship options available been considered?
- Evaluation – A review tool has been developed to assist in the establishment and ongoing review of relationships (appendix one)

Resourcing

Ad hoc relationships are unlikely to have an ongoing budget provision and are most likely to be funded by displacement of staff time or funding of Councillor's expenses.

Liaison relationships are funded as part of the ongoing tasks of existing staff; this could add a significant cost to that work load in times of high demand.

Council Representation at either Councillor or officer level will involve resources of staff in support of Councillor attendance, officer time in attendance, preparation and actioning of tasks / issues associated with that relationship as well as funding of Councillor's expenses if applicable.

Alliance is likely to involve an ongoing relationship, unless it is time limited, for example, for the period of a project. There is an ongoing cost in terms of travel and officer time. However, the costs associated with an alliance may be less than required in the absence of the alliance.

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External Relations Policy

Friendship City travel may be undertaken, at the discretion of the Council and delegations may be received and managed. Generally it is not supported by an ongoing budget provision because it is more ad hoc in nature and will be considered on its merits, if opportunities arise.

Sister City will involve a program of activities and interchanges, which will require an ongoing budget to cover officer time, event organisation, hosting, international travel costs (internal and grants) and Councillor expenses..

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Characteristics of different Relationships

Criteria	Ad Hoc	Liaison	Council Rep	Alliance	Friendship City	Sister City
One off opportunity	✓✓	✓	✓	✓	✓✓	
Ongoing relationship		✓	✓	✓	✓	✓✓
One off cost	✓✓			✓	✓✓	
Ongoing cost		✓	✓	✓	✓	✓✓
Single benefit	✓✓			✓	✓✓	
Ongoing support		✓	✓✓	✓		✓
Potential Economic Benefit	✓✓			✓✓		✓✓
Social Benefits	✓✓	✓✓	✓	✓	✓	✓✓
Addressing Known Risks	✓	✓✓		✓		
Statutory Obligations			✓✓	✓		
Clear Goal(s)/Objectives	✓✓	✓✓	✓✓	✓✓	✓✓	✓✓
Demonstrable Outcomes	✓✓		✓	✓✓	✓	✓✓

Key:	✓✓	✓	
Characteristic	Strong likelihood	some likelihood	Not likely

5. Accountability and Responsibility

Accountability and responsibility for this policy is outlined below.

5.1. Council

- Responsibility to ensure this Policy is consistent with Latrobe City Council Strategic Direction and other Latrobe City Council Policy
- Responsibility for the decision to approve this Policy by Council Resolution
- Responsibility to make decisions from a strategic perspective and in accordance with this policy

5.2. Chief Executive Officer

- Overall responsibility for compliance with this policy
- Overall responsibility for enforcing accountability
- Overall responsibility for providing resources
- Overall responsibility for performance monitoring

5.3. General Manager

- Responsibility for compliance with this policy
- Responsibility for enforcing accountability
- Responsibility for providing resources
- Responsibility for performance monitoring

5.4. Manager

- Develop frameworks and procedures in compliance with this policy
- Enforce responsibilities to achieve compliance with frameworks and procedures
- Provide appropriate resources for the execution of the frameworks and procedures

5.5. Employees, Contractors and Volunteers

- Participate where required in the development of frameworks and procedures in compliance with this policy.
- Comply with frameworks and procedures developed to achieve compliance with this policy.



External Relations Policy

6. Evaluation and Review

This policy will be reviewed on request of Council, in the event of significant change in the Executive team, significant changes to legislation applicable to the subject matter of the policy or, in any other case, during each Council term (generally four years).

7. Definitions

This policy addresses a range of relationships:

- **Ad hoc relations:** Ad hoc relations may arise with an event focus and may be limited to short term or one-off interchange between community members. This might include one-off participation in a cultural or sporting event, where the Council opts to sponsor local involvement.
- **Liaison:** A contact within the Council Organisation is available to address issues and follow-up matters
- **Council Rep:** A Councillor or staff officer attends meetings representing the Council's interests
- **Alliance:** An alliance may be established where the communities can achieve mutual benefit from shared pursuit of objectives.
- **Friendship City:** A friendship city relationship is a more flexible relationship based on some common factors shared by the two cities from time to time – including cultural, educational, tourism, sporting, economic and business links. The relationship requires a lesser degree of commitment on both sides than a sister city arrangement, with some active involvement of both communities. The strength and nature of the relationship may fluctuate and there is no obligation on either party to actively pursue an ongoing relationship.
- **Sister City:** A sister city relationship is a formal, long term relationship based on diverse linkages between the two cities – including cultural, educational, tourism, sporting, economic and business links. The relationship requires a high degree of commitment on both sides, as well as the active involvement of both communities.

8. Related Documents

Related Latrobe City Council Policies, Frameworks and Procedures:

- Sister City Visits Policy
- Engagement Policy

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External Relations Policy

- Council Committee Policy

9. Reference Resources

Local Government Act 1989

10. Appendices

Appendix 1 Assessment checklist

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External Relations Policy

Appendix 1 Assessment checklist

	1 Strongly Disagree	2 Disagree	3 Not Sure	4 Agree	5 Strongly Agree	
Determine the need for the Relationship						
There is an alignment to the current Council Plan or key strategy of Council	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
There are clear (SMART) goals for the Relationship (eg established in the Terms of Reference)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
There is a shared understanding of, and commitment to these goals amongst all parties	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
The perceived benefits of the Relationship outweigh the perceived costs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	SUB TOTAL
SUBTOTAL						/20
Membership						
The parties share common ideologies, interests and approaches	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
The representatives see their role in the relationship includes providing advice to Council as requested or appropriate	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
The Council and representative agree that the relationship is not established to be a lobbying/activist group	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
There is a history of good relations between the parties and Council	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
The relationship brings added prestige and engagement to the parties individually as well as collectively	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	SUB TOTAL
SUBTOTAL						/25
Ensuring the Committee operates effectively						
The relationship operates on actions and agreements rather than verbatim minutes	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
The roles, responsibilities and expectations are clearly defined and understood by all members	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
The administrative, communication and decision making structure of the relationship is as simple and clear as possible	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Representatives operate within the constraints of the endorsed relationship structure	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
The relationship is achieving the goals that have been set through the Terms of Reference (if applicable)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	SUB TOTAL
SUBTOTAL						/25

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External Relations Policy

Minimising the barriers to effective relationships					
There is executive level support from the organisation at each relationship meeting	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There is a core group of skilled and committed staff that continue to support the relationship and its objectives	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There are formal structures for sharing information and resolving demarcation disputes	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There are strategies to ensure alternative views are expressed and considered within the relationship	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Representatives have the necessary skills for collaborative action	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
SUBTOTAL					SUB TOTAL
					/25
Reflecting on and continuing the relationship					
The relationship recognises and celebrates its achievements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The relationship documents the outcomes of its work and the representative reports to Council at least twice a year	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There is a clear need for and commitment to continue the collaboration in the medium term	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There are resources available from the organisation to continue to support the commitment	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The current relationship does not require invigoration or new membership	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
SUBTOTAL					SUB TOTAL
					/25

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Gifts, Benefits and Hospitality Policy

Version Draft 2.0

Approval Date: Draft
Review Date: July 2016



Gifts, Benefits and Hospitality Policy

DOCUMENT CONTROL

Responsible GM	Sarah Cumming, General Manager Corporate Services	
Division	Corporate Services	
Last Updated (who & when)	Coordinator Governance, Amy Phillips	2016
DOCUMENT HISTORY		
Authority	Date	Description of change
Administration Update	July 2016	Revision of existing policy against the Victorian Public Sector Commission applicable Framework, new template structure, renaming of Policy
Council		
References	Refer to Section 8 and 9 of this policy	
Next Review Date	May 2018	
Published on website	Yes	
Document Reference No	Not Applicable	

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Gifts, Benefits and Hospitality Policy

1. Background

The Latrobe City community trusts that Councillors, Council staff and contractors will perform their duties impartially. They can only do this if their personal interests do not conflict with their public duty.

Accepting gifts, benefits or hospitality can give the impression that a Councillor, Council staff member or contractor will favour a particular person or organisation when making decisions or taking action. This may not be the intention of the recipient or the donor, but perceptions are important.

The *Local Government Act 1989* (Act) (Section 95) stipulates that council staff in the course of their employment must act impartially; act with integrity including avoiding real or apparent conflicts of interest; and accept accountability for results.

It is also a primary principle of Councillor conduct (Section 76B) for any Councillor in the performance of that role to act with integrity; to impartially exercise his or her responsibilities in the interests of the local community; and not improperly seek to confer an advantage (or disadvantage) on any person.

2. Objectives

The purpose of this policy is –

- to ensure that council activities are conducted professionally and not influenced, or perceived to be influenced, by the receipt or prospect of some form of gift, benefit or hospitality;
- to provide clear guidelines to ensure that Councillors, staff and Council contractors are not compromised in the performance of their duties by accepting gifts or benefits which may result in a sense of obligation or could be construed as an attempt to influence;
- to regulate and monitor patterns of behaviour; and
- to provide a transparent and accountable process for gift, benefit or hospitality acceptance that promotes public confidence.

3. Scope

This Policy applies to all Councillors, Council employees and Council contractors and gives the minimum requirements for gift and hospitality management.

This policy is to be promoted externally and included in tender and expression of interest documents issued by Latrobe City Council.

4. Principles of Management

Councillors, Council employees and Council contractors are prohibited from soliciting gifts, favours or hospitality, whether for their own benefit or the benefit of another Councillor, staff member, family member or client.

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Gifts, Benefits and Hospitality Policy

All reasonable steps must be taken to ensure that immediate family members of Councillors, staff and Council contractors do not receive gifts or benefits that could be perceived to be an attempt to influence the behaviour of the Councillor, staff member or contractor in question.

Accepting or declining a gift

- Acceptance of a token gift or hospitality (being a gift or hospitality valued up to \$50.00) shall be at the discretion of the Councillor, employee or Council contractor and does not require approval.
- If two or more token gifts (including hospitality) are accepted from the same source (person or organisation) over a twelve month period and together those gifts reach the total value of \$100.00, any gift offer (including hospitality) made to that recipient from that source in the next six months, regardless of value, is to be treated as a gift of value and disclosed under this policy. The purpose of this provision is to ensure that undue influence is not exerted through the habitual giving and receiving of nominal or token gifts or hospitality.

Example

An officer receives a gift at Christmas from a new Council contractor of a bottle of wine. The wine is valued at \$40, and was accepted as a token gift. The officer again receives a gift for Australia Day from the Council contractor, being merchandise to the value of \$40. A further gift was received by the Council officer from the Council contractor for a Christmas in July event that the contractor was running, which had a token value of \$20. The accumulated value of token gifts is \$100, and any gifts received in the next six months are to be declared and treated as a gift of value.

Again, the officer receives a gift from the Council contractor at Christmas of a bottle of wine worth \$40. As the accumulated gifts have reached the \$100 value, and it is within six months of the last gift, the bottle of wine is now treated as a gift of value regardless of its token value, and approved and disclosed appropriately. (Approval requirements are followed as if the token value was over \$50).

- Corporate hospitality should be accepted only where there is a clear value to council. It cannot be seen to advantage the host company.
- Consideration should be given to declining any offer of a gift if it could reasonably be perceived as undermining the integrity and impartiality of the Council or themselves, particularly when:
 - the gift appears to be more than of a token/nominal nature in the circumstances, or
 - there would be a sense of obligation to the person offering the gift; or
 - a reasonable person could consider that there may be influence applied as a consequence of acceptance of the gift.

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Gifts, Benefits and Hospitality Policy

If a gift meets any of the above, then approval (as per *Situations where approval is required Section*) should be sought prior to accepting the gift.

- A gift of money, gift cards or items easily converted to money such as shares cannot be accepted, regardless of the amount, and any such offer must be reported to the Chief Executive Officer immediately.
- Councillors, Council employees and Council contractors are required to refuse bribes and report any bribery attempts to the Chief Executive Officer immediately.
- In determining whether to accept a gift, consideration may be given as to whether refusal of the gift offered could cause offence to the person offering the gift if not taken e.g. presentation in a public forum where refusal would cause embarrassment.

Acceptance of Gifts, Benefits or Hospitality during a Procurement Activity

- No gift, benefit, or hospitality from any actual or potential supplier or contractor shall be solicited or accepted during a Procurement activity in accordance with the Procurement Policy, and all offers must be declared regardless of value.

Disclosure of Gifts, Benefits or Hospitality

- Any accepted gift must be disclosed, irrespective of whether it is a gift of value or a token/nominal gift.
- All offers of a gift of value (being a gift valued at \$50.00 or more) must be disclosed, whether or not the gift is actually accepted.
- Following an offer and / or acceptance of a gift, Councillors, Council employees and Council contractors are required to complete the prescribed Gift Disclosure Form and submit the form to the Governance Officer within seven (7) business days of being offered the gift.

Situations where approval is required

- All gifts of value must be approved in accordance with this policy and remain the property of the Council until determined.
- Acceptance of any gift of value (gift of \$50.00 or more) is subject to authorisation as follows:
 - a gift offered to and/or taken by a member of staff must be approved by their General Manager;
 - a gift offered to and/or taken by a Council contractor must be approved by the Council Contract Supervisor;
 - a gift offered to and/or taken by a General Manager must be approved by the Chief Executive Officer;

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Gifts, Benefits and Hospitality Policy

- a gift offered to and/or taken by a Councillor is to be disclosed in writing to the Chief Executive Officer;
- a gift offered to and/or taken by the Chief Executive Officer is to be declared to the Mayor of the day.
- In the event that the designated officer considers either the gift and/or the circumstances in which it is given to be inappropriate, and for some reason the gift cannot be returned, the Chief Executive Officer must decide on whether to retain the item as corporate property or a suitable method for its disposal. The decision of the Chief Executive Officer is to be recorded on the relevant Gift Disclosure Form.

Breaches of the Policy

- Where an officer fails to comply with this policy, the issue shall be dealt with in accordance with Latrobe City Council's *Code of Conduct*, and the Counselling, Discipline and Termination Procedure.
- Where a Councillor fails to comply with this policy, the issue shall be dealt with in accordance with the Councillor Code of Conduct and *Local Government Act 1989* requirements.
- Where a contractor fails to comply with this policy, the issue shall be dealt with in accordance with the contract provisions specified.

Gifts Register

- Governance will maintain a Gifts Register for all gifts, benefits and hospitality.
- The Register is to contain:
 - the person or organisation offering the gift, benefit or hospitality;
 - the employee or group to whom the offer was made;
 - the date of (and time – if available) on which the offer was made;
 - the date of disclosure;
 - what was offered;
 - its face value or estimated retail value;
 - date of approval or non-acceptance;
 - who approved the acceptance;
 - any comment or disclosure relevant to acceptance or non-acceptance, the approval process, gift return or disposal.
- The Gifts Register may be made available for public inspection upon request. However, consideration will be given to maintaining reasonable confidentiality

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Gifts, Benefits and Hospitality Policy

in situations where public disclosure will prejudice a proposed development or proposed business venture, legal advice or legal proceedings.

Reporting

- Quarterly reports will be provided to the Executive Management team to ensure that unacceptable cultures do not develop within sections of the Council.
- A report will be provided annually to the Audit and Risk Committee to ensure that there is transparent reporting of accepted gifts, benefits and hospitality, and that there is no evidence of attempts to improperly influence the decisions or actions of Councillors, Council employees or Council contractors.
- Councillors, Council employees and Council contractors are able to request an extract of their own gift disclosures from the Gift Register via a written request to the Governance team via the egovernance@latrobe.vic.gov.au email address.

5. Accountability and Responsibility

Accountability and responsibility for this policy is outlined below.

5.1. Individuals

- Comply with this policy, as well as any framework, process or procedure developed to achieve compliance with this policy.
- Ensure that any gift, benefit or hospitality is provided for a business purpose in that it furthers the conduct of official business or other legitimate organisational goals, or promotes and supports Council policy objectives and priorities.
- Ensure that any costs are proportionate to the benefits obtained for the Council, and would be considered reasonable in terms of community expectations.

5.2. Chief Executive Officer and Executive Management Team

- Establish and regularly review policies and processes to respond to offers of gifts, benefits and hospitality, including multiple offers from the same source.
- Establish and regularly review policies and processes to provide guidance on the provision of gifts or hospitality, both internally to staff and externally to business partners and other stakeholders.
- Publicise and establish awareness and compliance with this policy from all members of the organisation.
- Reinforce to all members that a breach of this policy could constitute a breach of the Code of Conduct and result in disciplinary action.

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Gifts, Benefits and Hospitality Policy

- Ensure that records are kept of gifts, benefits and hospitality in accordance with this policy and that such records are subject to regular scrutiny, including review by the organisation's Audit & Risk Committee (if applicable).
- Ensure that any gift, benefit or hospitality is provided for a business purpose in that it furthers the conduct of official business or other legitimate organisational goals, or promotes and supports Council policy objectives and priorities.

5.3. Audit and Risk Committee

- Ensure that the Committee reviews the Gift Register on an annual basis.

6. Evaluation and Review

This policy will be reviewed on request of Council, in the event of significant change in the Executive team, significant changes to legislation applicable to the subject matter of the policy or, in any other case, during each Council term (generally four years).

7. Definitions

In this policy –

Asset Register	Is the register of assets held or managed by Council. Significant gifts accepted on behalf of Council should be recorded on the asset register.
Audit & Risk Committee	Means the Committee appointed under the <i>Local Government Act 1989</i> by Council providing surety of the adequacy of the Council's risk management framework and integrity of management reporting.
Benefit	Something which is believed to be of value to the receiver, such as a service e.g. discounts, access to a sporting event, preferential treatment, access to confidential information, accommodation, personal services, pleasure or vacation trips.
Bribes	Are money or other inducements given to Councillors, or Council staff or Contractors to corruptly influence the performance of their role.

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Gifts, Benefits and Hospitality Policy

Conflict(s) of Interest	<p>As described within Sections 77A-80 of the <i>Local Government Act 1989</i>.</p> <p>Conflict of Interest occur when a Councillor's, Council Officer's or Contractor's private interests conflict with their public duty. A Councillor, Council Officer and Contractor have a duty to always resolve a conflict in the public interest, not their own.</p>
Gift(s)	<p>Is defined as free or heavily discounted items, intangible benefits or hospitality exceeding common courtesy that are offered to employees in association with their work.</p> <p>Gifts may also be provided by organisations to, for example, a visiting delegation from another jurisdiction. They may be enduring such as a work of art or consumables such as a box of chocolates. They range in value from token gifts to significant gifts of value and may be given for different reasons.</p> <p>Gestures which are not considered gifts:</p> <ul style="list-style-type: none"> • A token gift received from a person or company as a result of attending a seminar or conference held, conducted or sponsored by them, for which an appropriate fee was paid to attend. • Non-alcoholic refreshments offered by a customer, consultant, contractor or developer whilst attending their place of business to discuss, conduct or undertake current Council business. • Hospitality provided by another part of Council. • Light refreshments (such as Non-alcoholic refreshments, sandwiches and fruit) provided by State, Federal or Local Government entities, or other agencies that staff, councillors or contractors are attending for workshops and meetings where they are the appointed person.
Gifts Declaration	Is the form used to declare reportable gifts. Information on the form is transferred to the gifts register.
Gift(s) of value	<p>Gifts, hospitality or benefits to the estimated amount or value over the value of \$50.00.</p> <p>Examples:</p> <ul style="list-style-type: none"> • Tickets to major sporting events, • Corporate hospitality at a corporate facility or at a sporting

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Gifts, Benefits and Hospitality Policy

	<p>venue,</p> <ul style="list-style-type: none"> • Discounted products for personal use, • Use of holiday homes, • Free or discounted travel, • Free training excursions, • Gift vouchers, and • Major prizes at conferences and events.
Gifts register	Is a register of gifts declared. It records the date a gift was offered, information about the donor and recipient, the nature of the gift, its estimated value and how it was handled. Governance maintains the register, which is reviewed on a regular basis. The register is protected from unauthorised changes.
Hospitality	Is the friendly reception and treatment of guests, ranging from offers of light refreshment at a business meeting to restaurant meals and sponsored travel and accommodation.
Reportable Gift(s)	Are those that must be recorded, typically on a gifts declaration form and the gifts register. At a minimum, reportable gifts include accepted gifts, benefits and hospitality that exceed a nominal/ token value. They could also include gift offers of any value, whether they are accepted or not. The gifts may have been offered to a Councillor, Council Officer or Contractor directly, or extended to them as a guest of their partner or other close relation.

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Nominal/Token gift	<p>Gifts, hospitality or benefits to the estimated amount or value of up to the value of \$50.00.</p> <p>Examples:</p> <ul style="list-style-type: none"> • Gifts of single bottles of reasonably priced alcohol to individual Council officials at end of year functions, public occasions or in recognition of work done (e.g. address at meeting), • Free or subsidised meals of a modest nature and/or beverages provided to Council officials who formally represent Council at work related events, • Souvenirs and mementos of a modest nature e.g. ties, scarves, coasters, tie pins, pens, diaries, notepads, key rings, chocolates, flowers and small amounts of beverages, • Invitations to appropriate out of hours “cocktail parties” or social functions organised by groups, such as community organisations, • Door prizes at conferences, trade shows, etc
Value	Is the estimated or actual value of a gift in Australian dollars.

8. Related Documents

- Councillor Code of Conduct
- Latrobe City Staff Code of Conduct
- Latrobe City Procurement Policy

9. Reference Resources

- *Local Government Act 1989*
- Victorian Public Sector Commission, ‘*Gifts, Benefits and Hospitality Policy Framework*’

10. Appendices

- Appendix 1: Examples of Policy Application
- Appendix 2: Take the GIFT test
- Appendix 3: Gift Disclosure Form

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Gifts, Benefits and Hospitality Policy

Appendix 1: Examples of Policy Application

A coordinator attends a seminar related to his work duties. Latrobe City Council has paid a fee for the attendance. At the seminar, the coordinator is given a corporate satchel from the sponsor with an estimated value of \$25.00.

The estimated value of the corporate satchel equates to a token gift, but because it was received during the course of attending a seminar, for which a fee was paid, the gift is considered a part of that fee and therefore does not need to be disclosed.

The same coordinator wins the door prize whilst at the seminar. The prize is valued at \$60.00.

Because the prize is not considered part of the fee paid for the seminar, it must be disclosed. Because the prize is valued at \$50.00 or above, the prize has been accepted on behalf of Latrobe City Council and the coordinator must seek permission from his manager to keep it. The manager will not unreasonably refuse permission.

A manager meets with a developer at a local restaurant at lunchtime. The developer offers to pay for lunch. The manager declines the offer and buys his own lunch.

As the manager did not accept the offer of a token gift, it does not need to be disclosed.

A manager meets with a developer at a local coffee shop. The developer offers to buy the drinks. The manager accepts the Developer's offer.

The Manager is required to disclose the gift.

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Gifts, Benefits and Hospitality Policy

Appendix 2: Take the GIFT Test

The GIFT test is a good reminder of what to think about when deciding whether to accept or decline a gift, benefit or hospitality. Take the GIFT test and when in doubt, ask your manager.

Giver

Who is providing the gift, benefit or hospitality, and what is their relationship to me?

Does my role require me to select contractors, award grants, regulate industries or determine Council policies?

Could the person or organisation benefit from a decision I make?

Influence

Are they seeking to influence my decisions or actions?

Has the gift, benefit or hospitality been offered to me publicly or privately?

Is it a courtesy, a token of appreciation or highly valuable?

Does its timing coincide with a decision I'm about to make?

Favour

Are they seeking a favour in return for the gift, benefit or hospitality?

Has the gift, benefit or hospitality been offered honestly?

Has the person or organisation made several offers over the last 12 months?

Would accepting it create an obligation to return a favour?

Trust

Would accepting the gift, benefit or hospitality diminish public trust?

How would I feel if the gift, benefit or hospitality became public knowledge?

What would my colleagues, family, friends or associates think?

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Gifts, Benefits and Hospitality Policy

Appendix 3: Gift Disclosure form



Gift Disclosure Form

In the first instance, all gifts, benefits and hospitality should be reported to your Manager.

Please refer to the Gifts, Benefits and Hospitality Policy for detail. Further information and advice may be obtained from the Governance team.

The following information is to be completed by the recipient/refuser of gift, benefit or hospitality.

This form must be approved and lodged to Governance within seven days of the offer of the reportable gift being made.

Recipient/Refuser	Date Gift(s) offered:	Time:
	Councillor/Staff member or Contractor's Name:	
Offered from	Position:	Division:
	Name:	
	Organisation (if applicable):	
Description of gift/benefit/hospitality	Contact Details:	
Reason/circumstances gift/benefit/hospitality was offered		
	Estimate or face value of gift/benefit/hospitality: \$	
	Initial response to offer: Accepted: <input type="checkbox"/> Refused: <input type="checkbox"/>	
	First time offer <input type="checkbox"/>	
	Retained by individual <input type="checkbox"/> or Transferred to organisation's ownership <input type="checkbox"/>	
	Cumulative value of gifts offered by this individual within the last twelve months:	
Signature of Councillor/Staff Member or Contractor:		
Date		

Once the above is completed, please send this form to the applicable approver.

Note: All gifts of value (over \$50) must be approved in accordance with the Gifts, Benefits and Hospitality Policy and remain the property of the Council until determined.

Approvals table:

<i>gift offered to a Council contractor</i>	<i>to be approved by the Council Contract Supervisor</i>
<i>gift offered to a member of staff</i>	<i>to be approved by their General Manager</i>
<i>gift offered to a General Manager</i>	<i>to be approved by the CEO</i>
<i>gift offered to a Councillor or the Mayor</i>	<i>to be declared to the CEO</i>
<i>gift offered to the CEO</i>	<i>to be declared to the Mayor</i>

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Gifts, Benefits and Hospitality Policy



Gift Disclosure Form

The following information is to be completed by the authorised delegate.

In the event that the designated officer considers either the gift and/or the circumstances in which it is given to be inappropriate, and for some reason the gift cannot be returned, the Chief Executive Officer must decide on whether to retain the item as corporate property or a suitable method for its disposal. The decision of the Chief Executive Officer is to be recorded on this form.

Decision	Approved to be retained by individual	<input type="checkbox"/> or
	Gift to be Returned to Giver	<input type="checkbox"/> or
	Inappropriate gift/not approved	<input type="checkbox"/> or
	Transfer Gift to organisation's ownership	<input type="checkbox"/> or
	Noted (Declarations only)	<input type="checkbox"/> or
	Other (please specify in the comments section)	<input type="checkbox"/>
Comments including details of gift return (e.g. ECM number of letter sent) or registration details		
Signature of Authorised Delegate:		
Date		

The below approval of the CEO is only required if the designated officer considers either the gift and/or the circumstances in which it is given to be inappropriate, and for some reason the gift cannot be returned. The Chief Executive Officer must decide on whether to retain the item as corporate property or what a suitable method for its disposal is.

CEO Decision	Gift to be retained by the organisation	<input type="checkbox"/> or
	Dispose of Gift	<input type="checkbox"/>
Please specify disposal requirements and any justification for decision		
Signature of CEO:		
Date		

Once completed, this form is to be sent to the Governance team at egovernance@latrobe.vic.gov.au for registering on the gifts register.

Governance Use Only	Gifts Register Updated: <input type="checkbox"/> Date:
	ECM Document Number:

Gift Disclosure Form Version 2016.01

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Gifts, Benefits and Hospitality Policy

Appendix 4: Bulk Gift Disclosure form

Bulk Gift Disclosure Form



In the first instance, all gifts, benefits and hospitality should be reported to your Manager. Please refer to the Gifts, Benefits and Hospitality Policy for detail. Further information and advice may be obtained from the Governance team. The following information is to be completed by the recipient/refuser of gift, benefit or hospitality. This form must be approved and lodged to Governance within seven days of the offer of the gifts being made.

Name of Recipient/Refuser who received the offer		Position	Division

Date and time of gift(s) offered	Offer or gift was made by (Name/Company/Contact details)	Brief Description of gift/benefit/hospitality	Face Value or estimated value	Reason/circumstances gift/benefit/hospitality was offered	Action Taken
					Initial response to offer: Accepted <input type="checkbox"/> Refused <input type="checkbox"/> First time offer <input type="checkbox"/> Retained by individual <input type="checkbox"/> Transferred to organisation's ownership <input type="checkbox"/> Cumulative value of gifts offered by this individual within the last twelve months:
					Initial response to offer: Accepted <input type="checkbox"/> Refused <input type="checkbox"/> First time offer <input type="checkbox"/> Retained by individual <input type="checkbox"/> Transferred to organisation's ownership <input type="checkbox"/> Cumulative value of gifts offered by this individual within the last twelve months:
					Initial response to offer: Accepted <input type="checkbox"/> Refused <input type="checkbox"/> First time offer <input type="checkbox"/> Retained by individual <input type="checkbox"/> Transferred to organisation's ownership <input type="checkbox"/> Cumulative value of gifts offered by this individual within the last twelve months:
					Initial response to offer: Accepted <input type="checkbox"/> Refused <input type="checkbox"/> First time offer <input type="checkbox"/> Retained by individual <input type="checkbox"/> Transferred to organisation's ownership <input type="checkbox"/> Cumulative value of gifts offered by this individual within the last twelve months:

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Gifts, Benefits and Hospitality Policy

Bulk Gift Disclosure Form



In the first instance, all gifts, benefits and hospitality should be reported to your Manager. Please refer to the Gifts, Benefits and Hospitality Policy for detail. Further information and advice may be obtained from the Governance team. The following information is to be completed by the recipient/refuser of gift, benefit or hospitality. This form must be approved and lodged to Governance within seven days of the offer of the gifts being made.

Date and time of gift(s) offered	Offer or gift was made by (Name/Company/Contact details)	Brief Description of gift/benefit/hospitality	Face Value or estimated value	Reason/circumstances gift/benefit/hospitality was offered	Action Taken
				Initial response to offer: Accepted <input type="checkbox"/> Refused <input type="checkbox"/> First time offer <input type="checkbox"/> Retained by individual <input type="checkbox"/> Transferred to organisation's ownership <input type="checkbox"/> Cumulative value of gifts offered by this individual within the last twelve months:	
				Initial response to offer: Accepted <input type="checkbox"/> Refused <input type="checkbox"/> First time offer <input type="checkbox"/> Retained by individual <input type="checkbox"/> Transferred to organisation's ownership <input type="checkbox"/> Cumulative value of gifts offered by this individual within the last twelve months:	
				Initial response to offer: Accepted <input type="checkbox"/> Refused <input type="checkbox"/> First time offer <input type="checkbox"/> Retained by individual <input type="checkbox"/> Transferred to organisation's ownership <input type="checkbox"/> Cumulative value of gifts offered by this individual within the last twelve months:	
				Initial response to offer: Accepted <input type="checkbox"/> Refused <input type="checkbox"/> First time offer <input type="checkbox"/> Retained by individual <input type="checkbox"/> Transferred to organisation's ownership <input type="checkbox"/> Cumulative value of gifts offered by this individual within the last twelve months:	
Signature of Councillor/Staff Member or Contractor:					
Date					

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Gifts, Benefits and Hospitality Policy

Bulk Gift Disclosure Form



In the first instance, all gifts, benefits and hospitality should be reported to your Manager. Please refer to the Gifts, Benefits and Hospitality Policy for detail. Further information and advice may be obtained from the Governance team. The following information is to be completed by the recipient/refuser of gift, benefit or hospitality. This form must be approved and lodged to Governance within seven days of the offer of the gifts being made.

The following information is to be completed by the authorised delegate. In the event that the designated officer considers either the gift and/or the circumstances in which it is given to be inappropriate, and for some reason the gift cannot be returned, the Chief Executive Officer must decide on whether to retain the item as corporate property or a suitable method for its disposal. The decision of the Chief Executive Officer is to be recorded on this form.

Decision	Approved to be retained by individual <input type="checkbox"/> or Gift to be Returned to Giver <input type="checkbox"/> or Inappropriate gift/not approved <input type="checkbox"/> or Transfer Gift to organisation's ownership <input type="checkbox"/> or Noted (Declarations only) <input type="checkbox"/> or Other (please specify in the comments section) <input type="checkbox"/>	Comments including details of gift return (e.g. ECM number of letter sent) or registration details
Signature of Authorised Delegate:		Date
The below approval of the CEO is only required if the designated officer considers either the gift and/or the circumstances in which it is given to be inappropriate, and for some reason the gift cannot be returned. The Chief Executive Officer must decide on whether to retain the item as corporate property or what a suitable method for its disposal is.		
CEO Decision	Gift to be retained by the organisation <input type="checkbox"/> or Dispose of Gift <input type="checkbox"/>	Please specify disposal requirements and any justification for decision
Signature of CEO:		Date
Once completed, this form is to be sent to the Governance team at governance@latrobe.vic.gov.au for registering on the gifts register.		
Governance Use Only		ECM Document Number:
Gifts Register Updated: <input type="checkbox"/>		Date:

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Procurement Policy

Version 16 – POL – 9

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Review Date: 27 July 2016



(Title of Policy) Procurement Policy

DOCUMENT CONTROL

<u>Responsible GM</u>	<u>Sarah Cumming</u>	
<u>Division</u>	<u>Corporate Services</u>	
<u>Last Updated (who & when)</u>	<u>Matthew Rogers – Manager Finance</u>	<u>2016</u>
DOCUMENT HISTORY		
<u>Authority</u>	<u>Date</u>	<u>Description of change</u>
<u>Council</u>	<u>(day, month & year)</u>	<u>(Insert detail of change to policy)</u>
<u>References</u>	<p>Legislative References</p> <ul style="list-style-type: none"> • <u>Local Government Act 1989</u> • <u>Competition and Consumer Act 2010</u> • <u>Trade Practices Act 1974</u> • <u>Goods Act 1958</u> • <u>New Tax System (Goods and Services Tax) Act 1999</u> • <u>OHS Safety Act 2004</u> • <u>Environmental Protection Act 1994</u> • <u>National Competition Policy</u> • <u>Competitive Neutrality Policy Victoria 2000</u> <p>Related Policies</p> <ul style="list-style-type: none"> • <u>Purchasing Card Policy</u> • <u>Grants Policy</u> • <u>Instrument of Delegations</u> • <u>Sponsorship Policy</u> • <u>Fraud Policy</u> • <u>Disposal of Assets Operational Framework</u> • <u>Conflict of Interest Guidelines</u> • <u>OHS Purchasing of Goods</u> • <u>Wood Encouragement Policy</u> • <u>Disability Action Plan</u> 	

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	<ul style="list-style-type: none"> Gifts and Hospitality Policy <p>Other Associated Documents</p> <ul style="list-style-type: none"> Procurement Operational Framework Councillor Code of Conduct Employee Code of Conduct Occupational Health and Safety State and National Regulations
Next Review Date	July 2017
Published on website	Yes
Document Reference No	

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Latrobe City Council acknowledges the assistance of the Municipal Association Victoria through the provision of a Model Procurement Policy

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Approved by Latrobe City Council

For further information about this document, please contact:

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1. Principles

1.1 Background

Latrobe City Council:

- Recognises:
 - Developing a procurement policy strategy and adopting appropriate best practice contracting and procurement principles, policies, processes and procedures for all goods, services and works by Latrobe City Council, will enhance achievement of objectives. These objectives include such as sustainable and social procurement, bottom-line cost savings, supporting the local economy ies, achieving innovation and better services for communities.
 - The elements of best practice applicable to local government procurement incorporate:
 - Broad principles covering ethics, value for money, responsibilities and accountabilities;
 - Guidelines giving effect to those principles;
 - A system of delegations (i.e. the authorisation of officers to approve and undertake a range of functions in the procurement process); and
 - The Procurement Operational Framework, covering the appropriate procedures of minor, simple procurement to high value, more complex for all procurement activities and is approved. All Operational Frameworks are will be approved by the Chief Executive Officer.
- Contracting, purchasing and contract management activities endeavour to:
 - Achieve value for money and quality in the acquisition of goods, services and works;
 - Support Latrobe City Council’s corporate strategies, aims and objectives;
 - Take a long term strategic view of its procurement needs while continually assessing, reviewing and auditing its procedures, strategy and objectives;
 - Provide a robust and transparent audit trail which ensures that procurement projects are delivered on time, within cost constraints and that the needs of end users are fully met;

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- Are conducted, and are seen to be conducted, in an impartial, fair and ethical manner;
- Ensure that risk is identified, assessed and managed at all stages of the procurement process;
- Use strategic procurement practices and innovative procurement solutions to promote sustainability and best value, in particular making use of collaboration and partnership opportunities; and
- Comply with legislation, corporate policies or other requirements, ensuring that all staff responsible for procurement and contract management are aware of and adhere to the legislative requirements, Latrobe City Council standards and best practice.

1.2 Scope

This Procurement Policy is made under Section 186A of the *Local Government Act 1989*, (the Act) which is the key legislative framework that regulates the process of all local government procurement in Victoria.

Section 186A of the Act requires Victorian councils to prepare, approve and comply with a Procurement Policy encompassing the principles, processes and procedures applied to all purchases of goods, services and works.

Latrobe City Council's Procurement Policy applies to all contracting and procurement activities and is binding upon Councillors, Council officers, ~~and~~ temporary employees, contractors and consultants while engaged by Latrobe City Council.

1.2.1 Other Acts and Policies

The *Competition and Consumer Act 2010* - protects businesses and its customers from unfair trading practices. Latrobe City Council officers are to ensure that they are operating fairly, transparently and competitively in the marketplace.

- The National Competition Policy - extends the Australian Consumer Law to councils and introduces Competitive Neutrality Policy.
- *Competitive Neutrality Policy Victoria 2000* - promotes efficient competition between public and private businesses operating in the same market.

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1.2.2 Procurement during Council Elections

The *Local Government Act 1989* stipulates that councils are prohibited from making certain prescribed decisions during an election period¹. This includes a decision to enter into a contract that has a total value which exceeds the threshold amounts or 1% of Latrobe City Council's revenue from rates in the preceding year, whichever is greater. Any decision which does not follow this requirement is deemed to be invalid. Latrobe City Council is liable to pay compensation as a result of acting on a major policy decision made in contravention of the legislation. The decision also applies to special committees or persons acting under a delegation from Council.

1.3 Purpose

The purpose of this policy is to:

- Provide policy and guidance to the Council to allow consistency and control over procurement activities;
- Demonstrate accountability to rate payers;
- Provide guidance on ethical behaviour in public sector purchasing;
- Demonstrate how to apply best practice principles when purchasing; and
- Increase the probability of obtaining the right outcome when purchasing goods, ~~and~~ services and works.

1.4 Integration with Council Strategy

This policy supports the following Strategic Objectives contained within *Latrobe 2026: The Community Vision for Latrobe Valley* and the *Council Plan 2013-2017*:

Latrobe 2026

Governance:

In 2026, Latrobe Valley has a reputation for conscientious leadership and governance, strengthened by an informed and engaged community, committed to enriching local decision making.

Regulation and Accountability:

¹ Section 93A of the Local Government Act 1989

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In 2026, Latrobe Valley demonstrates respect for the importance of rules and laws to protect people’s rights outline obligations and support community values and cohesion.

Council Plan 2013-2017

Theme:

Efficient, Effective & Accountable Governance

Objectives:

- To achieve the highest standards of financial probity and meet all statutory obligations.
- To provide open, transparent and accountable governance.
- Work to minimise rate increases for our community.

Strategic Directions:

- Continuously review our policies and processes to increase efficiency and quality of our facilities and the service we provide.
- Increase local procurement of goods and services received by Latrobe City Council where feasible.
- Establish and maintain rigorous policies that comply with legislation and respond to community expectations.
- Increase community awareness and satisfaction with Latrobe City Council’s services and facilities.
- Continuously improve financial management and reporting.
- Continuously improve decision-making structures and processes.

1.5 Treatment of GST

All monetary values stated in this policy include GST except where specifically stated otherwise.

1.6 Definitions and Abbreviations

Term	Definition
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Term	Definition
The Act	Local Government Act 1989 (as amended)
CEO	Chief Executive Officer
Commercial in Confidence	Information that, if released, may prejudice the business dealings of a party (for example discounts rebates, profits, methodologies and process information). It is information provided for a specific purpose that is not to be used for any other purpose than set out in the initial document.
Conflict of Interest	Refer to Section 77A of the Local Government Act 1989 Act .
Contract Management	The process that ensures both parties to a contract that fully meet their respective obligations as efficiently and effectively as possible, in order to deliver the business and operational objectives required from the contract and in particular, to provide value for money.
Corporate Social Responsibility (CSR)	Corporate Social Responsibility (CSR) is about taking positive action to demonstrate Latrobe City Council's commitment to the local community and environment on which it impacts.
<u>The Council / Council</u>	<u>The Latrobe City Councillor's as the governing body</u>
<u>Council officers</u>	<u>Includes temporary, full-time and part-time Latrobe City Council employees, as well as contractors and consultants while engaged by Latrobe City Council.</u>
Delegation	A power handed down by the Council or Chief Executive Officer in an instrument to enable a delegate to act on Council's behalf.
Expression of Interest (EOI)	An invitation for potential persons suppliers to submit an EOI for the provision of the goods, and/or services and works generally set out in the overview of requirements contained in the document. This invitation is not an offer or a contract. It is usually the first stage of a multi-stage tender procurement process.
e-Procurement	Refers to the use of electronic methods at any stage of the procurement process from identification of a requirement through to any to -contract management and possibly procured asset management. Electronic tendering procurement is the undertaking of the tendering procurement process stage by electronic methods.
GM	General Manager

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(Title of Policy) Procurement Policy

Term	Definition
The Council / Council	The Latrobe City Councillor's as the governing body
Council officers	Includes temporary, full-time and part-time Latrobe City Council employees, as well as contractors and consultants while engaged by Latrobe City Council.
MECC	Municipal Emergency Coordination Centre
MRM	Municipal Recovery Manager
MERC	Municipal Emergency Response Coordinator
MERO	Municipal Emergency Resource Officer
MRM	Municipal Recovery Manager
Probity	Within Local Government, the word "probity" is often used in a general sense to mean "good process." A procurement process that conforms to the expected standards of probity is one in which clear procedures that are consistent with Council's policies and legislation are established, understood and followed from the outset. These procedures need to consider the legitimate interests of suppliers and ensure that all potential suppliers are treated equitably.
Probity Advisor	Reviews dealings with tenderers and the evaluation panel at presentations and interviews. Probity advisors provide advice to the evaluation team and/or steering committee.
Probity Auditor	Reviews all processes and documentation throughout the procurement process and provides a report on their findings at the conclusion of the process.
Procurement	Procurement is the whole process of acquisition of external goods, services and works. This process spans the whole life cycle from initial concept through to the end of the useful life of an asset (including disposal) or the end of a service contract.
RERC	Regional Emergency Response Coordinator
SERC	State Emergency Response Coordinator
<u>Social Procurement</u>	<u>Social Procurement uses procurement processes and purchasing power to generate positive social outcomes in addition to the delivery of efficient goods, services and works.</u>

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(Title of Policy) Procurement Policy

Term	Definition
Sustainability	Activities that meet the needs of the present without compromising the ability of future generations to meet their needs.
Social Procurement	Social Procurement uses procurement processes and purchasing power to generate positive social outcomes in addition to the delivery of efficient goods, services and works.
Tender Process	The process of inviting parties-suppliers to submit a quotation by tender using public advertisement, followed by evaluation of submissions and selection of a successful bidder or tenderer.
Value for Money	Value for money in procurement is about selecting the supply of goods, services and works taking into account both cost and non-cost factors including: <ul style="list-style-type: none"> • contribution to the advancement of Latrobe City Council's priorities; • non-cost factors such as fitness for purpose, quality, service and support; and • cost-related factors including whole of life costs and transaction costs associated with acquiring, using, holding, maintaining and disposing of the goods, services and works.

2. Effective Legislative and Policy Compliance and Control

2.1 Ethics and Probity

2.1.1 Requirement

Latrobe City Council's procurement activities shall be performed with integrity and in a manner able to withstand the closest possible audit scrutiny.

All staff involved in procurement should be skilled in probity fundamentals, their application and be familiar with Latrobe City Council's Conflict of Interest Guidelines.

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2.1.2 Conduct of Councilors and Council Officers

2.1.2.1 General

Councillors and Council officers shall at all times conduct themselves in ways that are, and are perceived to be, ethical and of the highest integrity and will:

- Treat potential and existing suppliers with equality and fairness;
- Not seek or receive personal gain;
- Maintain confidentiality of Commercial in Confidence information such as competing ~~companies-suppliers~~ information, pricing, specifications, quotations, tender ~~bids~~ or any other sensitive information;
- Present the highest standards of professionalism and probity;
- Deal with suppliers in an honest and impartial manner that does not allow conflicts of interest;
- Invite quotations and tenders only where there is a clear intent to procure the goods, services and works in the near future;
- Not behave in a fraudulent or criminal manner as detailed in Latrobe City Council's Fraud Policy;
- Not use Latrobe City Council's purchasing system or purchasing card for the purchase of personal items;
- Provide all suppliers ~~and tenderers~~ with the same information and equal opportunity;
- Be able to account for all decisions and provide feedback on them;
- Maintain fair, equitable and non-discriminatory procedures for addressing complaints and concerns raised by suppliers or members of the community regarding Latrobe City Council's procurement activities; and
- Report matters if they are concerned that improper conduct is being undertaken, this includes:
 - Corrupt conduct;
 - A substantial mismanagement of public resources;
 - A substantial risk to public health or safety; and

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- o A substantial risk to the environment.

2.1.3 Procurement Activity Processes

All procurement activity processes shall be conducted in accordance with the requirements of this policy, Latrobe City Council’s Procurement Operational Framework and any associated procedures, relevant legislation, relevant Australian Standards and the *Local Government Act 1989*.

2.1.4 Probity Advisors/Auditors

An independent probity advisor or auditor must be appointed in the following circumstances:

- If the procurement activity exceeds the probity excess limit of \$10M; or
- If the relevant General Manager or Chief Executive Officer requests the inclusion of a probity auditor or advisor.

2.1.5 Conflict of Interest

Councillors and Council officers shall at all times adhere to the Latrobe City Council Conflict of Interest Guidelines.

2.1.6 Fair and Honest Dealing

All prospective contractors and suppliers must be afforded an equal opportunity to participate in a procurement activity.

Impartiality must be maintained throughout the procurement process so it can withstand public scrutiny.

The commercial interests of existing and potential suppliers must be protected.

Confidentiality of information provided by existing and prospective suppliers must be maintained at all times, particularly commercially sensitive material such as, but not limited to individual rates or prices, discounts, rebates, profit, manufacturing and product information.

2.1.7 Gifts and Hospitality

Councillors and Council officers shall at all times adhere to the Gifts and Hospitality Policy.

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2.1.8 Disclosure of Information

Commercial in Confidence information received by Latrobe City Council must not be disclosed and is to be stored in a secure location.

Councillors and Council officers are to protect Commercial in Confidence information, by refusing to release or discuss the following:

- Allocated Council budgets for proposed tenders procurement activities;
- Information disclosed by organisations-suppliers in tenders, quotations or during tender negotiations;
- All information that is Commercial in Confidence information; and
- Pre-contract information including but not limited to information provided in procurement activities or subsequently provided in pre-contract negotiations.

Discussion with potential suppliers during tender evaluations should not go beyond the extent necessary to resolve doubt on what is being offered by that supplier. At no stage should any discussion be entered into which could have potential contractual implications prior to the contract approval process being finalised.

Summary information relating to contracts entered into with an estimated expenditure which exceeds the compulsory tender thresholds pursuant to Section 186 of the *Local Government Act 1989* will be published on Latrobe City Council's external website.

2.1.9 Non-Compliance

Non-compliance to the Procurement Policy or the Procurement Operational Framework will be recorded and actions will be taken as per the procedures detailed in the Procurement Operational Framework.

2.2 Governance

2.2.1 Structure

Latrobe City Council shall:

- Establish formal procurement approvals and a delegations structure that is nominated in the Instrument of Delegations and detailed in the Procurement Operational Framework. This will ensure accountability and auditability of all procurement decisions made over the lifecycle of all goods, services and works;
- Ensure that Latrobe City Council's procurement structure:

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- Obtains value for money;
- Is flexible enough to purchase the diverse range of material, goods, works and services required by Council in a timely manner;
- Ensures that prospective contractors and suppliers are afforded an equal opportunity to participate in procurement activities; and
- Encourages competition.

2.2.2 Standards

Procurement activities shall be carried out to the professional standards required by Local Government Best Practice Guidelines and in compliance with:

- *Local Government Act 1989*;
- Latrobe City Council's policies, frameworks and procedures;
- Latrobe City Council's Procurement Operational Framework;
- Councillor Code of Conduct;
- Latrobe City Council's Employee Code of Conduct;
- Occupational Health and Safety State and National Regulations; and
- Other relevant legislative requirements such as but not limited to the *Competition and Consumer Act 2010*, *Trade Practices Act 1974*, *Goods Act 1958*, *New Tax System (Goods and Services Tax) Act 1999*, *OHS Safety Act 2004* and the *Environmental Protection Act 1994*.

2.2.3 Latrobe City Council Procurement Related Policies, Frameworks and Guidelines

Latrobe City Council's policies, frameworks and guidelines relating to procurement that must also be complied with are:

- Purchasing Card Policy;
- Grants Policy;
- Instrument of Delegations;
- Sponsorship Policy;

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- Fraud Policy;
- Disposal of Assets Operational Framework;
- Conflict of Interest Guidelines;
- OHS Purchasing of Goods;
- Wood Encouragement Policy; and
- Disability Action Plan.

2.2.4 Methods

Latrobe City Council’s standard methods for purchasing goods, services and works shall be by some or all of the following methods:

- Purchasing card;
- Purchase order following the quotation process in accordance with section 2.3.2.2;
- Under contract following a [procurement activity tender](#) process;
- Using aggregated purchasing arrangements with other councils, MAV Procurement, Procurement Australia, Victorian Government, the Construction Suppliers Register or other bodies; and
- Other arrangements authorised by the Council or the Chief Executive Officer on a needs basis as required by abnormal circumstances such as emergencies.

2.2.5 Responsible Financial Management

Responsible financial management shall be applied to all procurement activities.

To give effect to this principle, the availability of existing funds within an approved budget, or source of funds, shall be established prior to the commencement of any procurement activity for the supply of goods, services or works.

Council officers must not authorise the expenditure of funds in excess of their financial delegations.

Council officers must not disclose allocated [procurement activity tender](#) budgets to suppliers.

Latrobe City Council funds must be used efficiently and effectively to procure goods, services and works and every attempt must be made to contain the costs of the

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procurement process without compromising any of the procurement principles set out in this policy.

2.3 Procurement Processes and Thresholds

2.3.1 Process

Latrobe City Council's procurement processes are based on a number of principles:

- **Best Value**

The benefits of the purchase are weighted against the costs necessary for the optimum result for Latrobe City Council and the local community. Latrobe City Council is not required to accept the lowest tender. Instead, Latrobe City Council is required to take into account issues of quality, cost, the accessibility of the service and other factors relevant to the overall objectives of the *Local Government Act 1989*.

Best value is often mistaken for meaning the lowest price, however, in terms of the contracting process, best value requires Latrobe City Council to balance quality and price with as much transparency as is reasonably achievable. In this context price should take into account the whole life cost of the provision so far as is practicable. It follows that the delivery of best value is dependent upon Latrobe City Council's priorities.

Achieving best value also requires challenging the need for the procurement and the way in which the service may be reconfigured to achieve improvements in service delivery, comparing service provision options against all those available, consulting with key stakeholders and ensuring competition in the open market.

Achieving best value for money must be the basis of all procurement decisions within Latrobe City Council.

- **Open and Fair Competition**

All suppliers are treated fairly in an open and transparent manner and have access to the same information.

- **Accountability**

Accountability in procurement means being able to explain and provide evidence on the process followed. The test of accountability is that an independent third party must be able to see clearly that a process has been followed and that the process is fair and reasonable.

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Therefore the processes by which all procurement activities are conducted will be in accordance with this Procurement Policy and associated Latrobe City Council's policies, frameworks and procedures. Additionally:

- All Council officers are required to comply with the Employee Code of Conduct and accordingly they must be able to account for all procurement decisions they have been involved in that were made over the lifecycle of all goods, services and works purchased by Latrobe City Council and provide feedback on them;
- All procurement activities are to leave an audit trail for monitoring and reporting purposes; and
- Councillors must not direct or influence Council officers in the exercise of any power in the performance of any procurement related duty or function.

• **Risk Management**

Strategies for managing risks associated with all procurement processes are in place and consistent.

• **Probity and Transparency**

All procurement processes must be conducted in a fair, honest and open manner, with the highest levels of integrity and in the public interest.

2.3.2 Minimum Spend Competition Thresholds

All Latrobe City Council procurement activities must comply with this policy and in accordance with Latrobe City Council's documented authorised delegations schedule/instrument and [the](#) Procurement Operational Framework. The only exception to this is when a critical incident is declared invoking emergency incident procurement policies at 2.5.1.

Procurement activities must not be split into smaller amounts to circumvent the thresholds or financial delegate levels and must be calculated on total cost of ownership (options to extend the contract, contingency and travel or out of pocket expenses).

Latrobe City Council's minimum spend competition thresholds are listed below.

2.3.2.1 Tenders

Purchase of all goods, services and works for which the estimated expenditure exceeds the compulsory tender thresholds pursuant to Section 186 of the *Local Government Act 1989*, must be undertaken by public tender. There is no specific time limit applicable to the length of a contract which is subject to the thresholds.

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Latrobe City Council may undertake a public tender process where the value of goods, works and services and works does not reach the threshold sums. These may be situations where a public tender is preferred or prudent, managing risk considerations are paramount, or there is a desire for greater transparency of the procurement.

As a general rule Latrobe City Council will not accept late tenders, the exception being where it can be substantiated that there was a Latrobe City Council related system failure / interruptions in the case of submission of an electronic tender.

Where it can be determined that the above circumstance prevailed at the time of attempted lodgement, Latrobe City Council may accept the late tender, this is to be approved by the Chief Executive Officer or a General Manager.

The tenders will be evaluated against the mandatory and discretionary selection criteria which are detailed in the Procurement Operational Framework. The selection criteria for each tender will be stated in the tender document.

An exemption can be obtained to not go to public tender. This must be discussed and documented with the Coordinator Procurement and endorsed by the Manager Finance, the Chief Executive Officer and Council. Exemptions from public tender must then be approved by the Minister for Local Government.

2.3.2.2 Quotations

Purchase of goods, services and works having a total valuation of less than the compulsory tender threshold and do not require a contract, may be undertaken using the procurement by quotation method as described in Table 1 below:

Table 1 Quotation Requirements

Purchasing Amount	Quotation Requirement
Less than or equal to \$500	One verbal quote must be recorded
\$501 - \$1,000	Minimum of one written quote must be recorded
\$1,001 - \$10,000	Minimum of two written quotes must be recorded
\$10,001 - \$150,000	Minimum of three written quotes must be recorded
>\$150,000	Public tendering process undertaken

The definition of a verbal and written quote is specified in the Procurement Operational Framework.

2.3.2.3 Purchasing Cards

Purchasing cards are available for Council officers which must be used in accordance with Latrobe City Council's Purchasing Card Policy and are not to be used for personal use.

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2.3.2.4 Petty Cash

A petty cash system operates to reimburse legitimate, urgent and operational business expenses incurred by Council [staff officers](#) in the conduct of Latrobe City Council activities.

The maximum claim for petty cash is \$75 and must be authorised by the requesting officer's supervisor.

2.4 Delegation of Authority

2.4.1 Requirement

Delegations define the limitations within which Council officers are permitted to work. Delegation of procurement authority allows specified Council officers to approve certain purchases, quotation, tender and contractual processes without prior referral to the Council. This enables council officers to conduct procurement activities in an efficient and timely manner whilst maintaining transparency and integrity.

2.4.2 Delegations

2.4.2.1 Council [Staff Officers](#)

Council's Instrument of Delegations and Procurement Operational Framework outline the authorised procurement delegations, identifying Council officers authorised to make procurement commitments in respect of goods, services and works on behalf of Latrobe City Council.

The delegations for all purchasing at Latrobe City Council are in accordance with Table 2:

Table 2 Purchasing Approval Delegations

Purchase Amount*	Approving Delegate
Purchasing Card	As per Purchasing Card Policy
Up to \$1,000	Coordinator / Team Leader
Up to \$15,000	Manager
Up to \$100,000	General Manager
Up to \$500,000	Chief Executive Officer
Greater than \$500,000	Council

The requisition and authorisation of purchases cannot be processed by the same [Council](#) officer. Council officers are not permitted to authorise expenditure which directly benefits them or they are the recipient of the goods, [or service and works](#).

The delegations to award a contract at Latrobe City Council are in accordance with Table 3:

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Table 3 Contract Award Delegations

Purchasing Amount	Power to Award
<\$500,000	Chief Executive Officer
>\$500,000	The Council

The delegations for contract variations at Latrobe City Council are in accordance with Table 4:

Table 4 Contract Variation Approval Delegations (per contract)

Individual Variation Amount	Cumulative Percentage of Contract Sum	Cumulative Variation Amount	Endorsed by	Approving Delegate
<\$15,000	<10%	\$15,000	Procurement Team Member	Manager
	>10%	\$100,000		General Manager
>\$15,000 - \$100,000	<20%			\$500,000
	>20%	Council		
>\$100,000 - \$500,000	N/A	>\$500,000		
>\$500,000				

2.4.2.2 Delegations Reserved for the Council

Commitments and processes which exceed the Chief Executive Officer's delegation must be approved by Council. See Tables 2, 3 and 4 for Council officer's delegations to approve purchasing, award contracts and approve contract variations.

2.5 Exemptions from Procurement Levels and Procedures

Acceptable justifications for exemptions to the procurement methods that were detailed in clause 2.3 are specified in the Procurement Operational Framework.

The delegations for endorsing and approving exemptions are in accordance with Table 5:

Table 5 Purchasing Exemption Approval Delegations

Exemption Form*	Purchasing Amount	Endorsed by	Approved by
Two written quotations	\$1,000 - \$150,000	Procurement Team	Manager
Three written quotations	\$105,000 - \$100,000	Coordinator Procurement / Manager Finance	General Manager
	\$100,000 - \$150,000		Chief Executive Officer

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Public Tendering Process	>\$150,000	Coordinator Procurement; Manager Finance; and Chief Executive Officer	Minister
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2.5.1 Emergency/Critical Incidents

Emergency Management policies and processes are invoked when a relevant Incident Controller, State Emergency Response Coordinator (SERC), Regional Emergency Response Coordinator (RERC) or Municipal Emergency Response Coordinator (MERC) (if not already self-activated by the Municipal Emergency Resource Officer (MERO) / Municipal Recovery Manager (MRM)) contacts Council requesting Council assistance in relation to:

- An emergency within the meaning of the *Emergency Management Act 1986* and the *Emergency Management Act 2013*;
- Latrobe City Council's Municipal Emergency Management Plan being activated;
- An emergency impact that requires activation of Council resources through the MERO/MRM via the Municipal Emergency Coordination Centre (MECC);
- An incident that activates the Council's Business Continuity Plan;
- An incident that represents a serious threat to health, safety, security of person or property; or
- A situation that represents a serious or urgent disruption to Latrobe City Council services.

In recognition that full compliance with existing Latrobe City Council procurement policies may not support the requirements during an emergency incident, an alternative procurement process is in place to operate during a critical incident. Emergency procurement aims to accommodate urgent procurement needs whilst ensuring that procurement processes adopted are reasonable and conducted with appropriate consideration of the standard procurement principles. In the event of an emergency being declared, the process for procuring ~~works~~, goods, ~~and~~ services ~~and works~~ is to:

- Take into account value for money, accountability and probity to the extent that they can be applied given the severity and urgency of the incident;
- ~~To a~~ adopt minimum record keeping processes through the Crisisworks Emergency Management System for relief, response and recovery;
- ~~Ensure~~ records of all procurements and decisions are ~~to be~~ documented in Crisisworks and disclosure of the value of goods, ~~and~~ services ~~and works~~ procured for the emergency are reported to Council upon request;
- ~~Ensure~~ a procurement team member is to be part of the Emergency Management team to manage all procurement activities; and

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- Ensure emergency incident approval processes are activated through the MERO via delegated authority of the Chief Executive Officer.

2.6 Public Advertising

All public tenders procurement activities are to be published on Latrobe City Council's e-tendering portal and advertised in a local newspaper and state wide newspaper to ensure compliance with the *Local Government Act 1989*.

All procurement activities which are to be advertised must be approved by the Executive Team prior to being publicly released.

2.7 Internal Controls

Latrobe City Council will establish and maintain the Procurement Operational Framework which will detail the internal controls over procurement processes and will ensure:

- A minimum of three people are involved in and are responsible for a transaction end to end;
- Transparency in the procurement process;
- A clearly documented audit trail exists for procurement activities;
- Appropriate authorisations are obtained and documented; and
- Systems are in place for appropriate monitoring and performance measurement.

2.8 Risk Management

2.8.1 General

Risk management is to be appropriately applied at all stages of procurement activities. This will be properly planned and carried out in a manner that will protect and enhance capability to prevent, withstand and recover from interruption to the supply of goods, services and ~~of~~ works.

Risk management will be carried out in accordance with the stated requirements in the Risk Management Policy and the Guidelines for Occupational Health and Safety, Management of Contract and any Federal or State regulatory requirements.

2.8.2 Supply by Contract

The provision of goods, services and works by contract potentially exposes risk.

Latrobe City Council will minimise its risk exposure by measures such as:

- Standardising contracts to include current, relevant clauses;

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- Requiring security deposits where appropriate;
- Referring specifications to relevant experts;
- Requiring contractual agreement before allowing the commencement of work;
- Use of or reference to relevant Australian Standards (or equivalent); and
- Effectively managing the contract including monitoring and enforcing performance.

2.9 Contract Terms

All contractual relationships must be documented in writing based on standard terms and conditions unless changes to this are supported by the Procurement and Legal Teams.

To protect the best interests of Latrobe City Council, terms and conditions must be settled in advance of any commitment being made with a supplier.

2.10 Endorsement

Council officers and Councillor's must not endorse any products or services.

2.11 Dispute Resolution

All Council contracts shall incorporate dispute management and alternative dispute resolution provisions to minimise the potential for legal action.

2.12 Contract Management

The purpose of contract management is to ensure that Latrobe City Council, and where applicable its clients/contractors, receive the goods, services or/and works provided to the required standards of quality and quantity as intended by the contract by:

- Establishing a system monitoring and achieving the responsibilities and obligations of both parties' under the contract;
- Providing a means for the early recognition of issues and performance problems and the identification of solutions;
- Goods, services or/and works have been completed to council officers satisfaction prior to payment occurring;
- Contract variations are approved prior to any work commencing;
- Contract variations are reported to Council on a quarterly basis; and

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- Adhering to Latrobe City Council's Risk Management Operational Framework and adhering to relevant Occupational Health and Safety Contractor Compliance Procedures.

All Council contracts are to include contract management requirements. Furthermore, contracts are to be proactively managed by the Council officer responsible for the delivery of the contracted goods, services and works to ensure Latrobe City Council receives value for money.

2.13 e-Procurement

e-Procurement is integral to the overall development of procurement processes and involves the use of an electronic system/s to acquire and pay for supplies goods, services and works.

By utilising e-Procurement Latrobe City Council aims to:

- Reduce transaction costs;
- Make processes more efficient;
- Improve management information and visibility of spend;
- Increasing control and consistency of processes; and
- Improve spend compliance.

For these reasons Latrobe City Council will only be accepting tender submissions electronically via the electronic Tender Box, unless otherwise approved prior to the closing time and date by the Coordinator of Procurement. The electronic Tender Box is a free service.

3. Demonstrate Sustained Value

3.1 Achieving Best Value

3.1.1 Requirement

Latrobe City Council's procurement activities will be carried out on the basis of obtaining best value (as defined in 1.6 Definitions and Abbreviations and detailed in 2.3.1 Process – Best Value).

This means minimising the total cost of ownership over the lifetime of the requirement, consistent with acceptable quality, reliability and delivery considerations. Lowest price is not the sole determinate of value for money.

3.1.2 Approach

This will be facilitated by:

- Developing, implementing and managing procurement strategies that support the co-ordination and streamlining of activities throughout the lifecycle;

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- Developing and implementing a variety of standard selection criteria and weightings which will be detailed in the Procurement Operational Framework. Criteria and weightings will be established at the beginning of a tendering process to ensure value for money is achieved;
- Effective use of competition;
- Using a schedule of rates and panel contract arrangements where appropriate;
- Identifying and rectifying inefficiencies in procurement processes;
- Placing emphasis on the procurement activity planning process;
- Developing a more cost efficient [tender procurement](#) processes including appropriate use of e-solutions;
- Council officers responsible for providing procurement services or assistance within Latrobe City Council and providing competent advice in terms of available products and agreements;
- Working with suppliers to create relationships that are professional and productive, and are appropriate to the value and importance of the goods, services and works being acquired;
- Undertaking analysis of Council's category spending patterns; and
- Ensuring procurement effort corresponds with risk and expected return.

3.1.3 Role of Specifications

Specifications used in quotations, tenders and contracts are to support and contribute to Latrobe City Council's Value for Money objectives by being written in a manner that:

- Ensures impartiality and objectivity;
- Clearly defines Latrobe City Council's requirements;
- Encourages the use of standard products;
- Encourages sustainability; and
- Eliminates unnecessarily stringent requirements.

3.2 Performance Measures and Continuous Improvement

Latrobe City Council will establish appropriate performance measures and reporting systems to monitor performance and compliance with procurement policies, procedures and controls which will be reported to Latrobe City Council's [Management Senior Leadership Team and / or Executive Team](#).

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Procurement procedures, practices and costs may be benchmarked externally.

The performance measurements developed will be used to:

- Highlight trend and exceptions where necessary to enhance performance;
- Improve the internal efficiency of the procurement process and where relevant the performance of suppliers; and
- Facilitate programs to drive improvement in procurement to eliminate waste and inefficiencies.

3.3 Corporate Social Responsibility

Corporate Social Responsibility is about taking positive action to demonstrate Latrobe City Council's commitment to the local community and the environment on which it impacts. This means maximising the benefits of the services we provide across the community and minimising the negative aspects of activities.

Latrobe City Council's integrates Corporate Social Responsibility into its organisational policies and practices through social procurement, sustainability and diversity.

3.3.1 Social Procurement

Social Procurement generates positive outcomes by building on initiatives already undertaken by Latrobe City Council in enhancing sustainable and strategic procurement practices, further enabling procurement to effectively contribute towards building stronger communities and meeting the social objectives.

Latrobe City Council's is committed to Social Procurement by:

- Ensuring all procurement practices are sustainable and strategically aligned with wider Council objectives;
- Achieving greater value for money across the community through the use of effective procurement;
- Ensuring all businesses have the same opportunity to tender for Council contracts;
- Enhancing partnerships with other councils, suppliers and community stakeholders;
- Building and maintaining a strong community by exploring ways to generate local employment (particularly among disadvantaged residents) and further strengthening the local economy;
- Purchasing ethical and fair trade goods to support equitable, local, national and international trade; and

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- Ensuring business meets its obligations to its employees under applicable industrial instruments and legislation.

3.3.1.1 Local Business

Latrobe City Council's is committed to buying from local businesses where purchases can be justified against Value for Money, while remaining compliant with the *Competition and Consumer Act 2010* and other fair trading legislation requirements.

Wherever practicable, Council will fully examine the benefits available through purchasing goods, services ~~or~~ works from suppliers/~~contractors~~ within Latrobe City.

Latrobe City Council will also seek from prospective tenderers what economic contribution they will make to the Latrobe City region. A weighting percentage will be assigned to this selection criteria, ~~and~~ which will be detailed in the Procurement Operational Framework.

3.3.2 Sustainable Procurement

Latrobe City Council recognises it has an implicit role in furthering sustainable development, through its procurement of goods, services and works.

In addition, Latrobe City Council recognises the potential impact this spend has on the environment and where applicable will integrate sustainability, environmental and social issues into the procurement process. Latrobe City Council aims to achieve this by:

- Taking into account the need to minimise emissions and reducing the negative impacts of transportation when purchasing goods, ~~and~~ services ~~and~~ works;
- Taking steps to minimise carbon dioxide and other greenhouse gas emissions through the detailed consideration of products and services procured;
- Considering the environmental performance of all suppliers and contractors, and encouraging them to conduct their operations in an environmentally sensitive manner;
- Considering the basic life cycle analysis of products to minimise the adverse effects on the environment resulting directly or indirectly from products;
- Selecting products ~~/and~~ services that have minimal effect on the depletion of natural resources and biodiversity;
- Working more effectively with local suppliers to ensure they are encouraged to bid for Latrobe City Council's business in line with the Procurement Policy;
- Ensuring all relevant procurement ~~contracts and tenders~~ activities contain sustainability specifications as appropriate to the product or service being procured;
- Comply with all Australian regulations and legislation and ensuring our suppliers do the same; and

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Responsible Division	(Insert Division Name)Corporate Services	Approved Date	(day, month, Year)	Review Date	(month & year)27 July 2016
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(Title of Policy) Procurement Policy

- Training all Council [staff officers](#) on sustainability considerations within the procurement process.

3.3.3 Diversity and Inclusion

Promoting equality through procurement can improve competition, best value, the quality of public services, satisfaction among users, and community relations. It should be a consideration in every procurement [project activity](#) and reflect corporate commitment to diversity and equal opportunities wherever possible.

Latrobe City Council's recognises the importance of having a diverse supplier base that reflects the breadth of our clients and the Victorian community.

Diversity and inclusion in procurement can refer to diverse suppliers, for example indigenous, culturally diverse, disability or gender diverse suppliers or can refer to generic suppliers providing consideration of the needs of diverse groups.

Latrobe City Council's [policy Procurement Policy](#) is to look at including diverse enterprises in [purchasing procurement](#) processes and that the legislative requirements of Latrobe City Council's Disability Action Plan are considered to ensure that procurement processes and decisions do not directly or indirectly discriminate against people with a disability.

3.3.4 Occupational Health and Safety

Latrobe City Council [will](#) undertake due diligence assessments on all suppliers to ensure compliance to legislative and business requirements. Latrobe City Council requires all contractors, service providers and volunteers to comply with all Occupational Health and Safety legislative requirements. These are mandatory requirements and non-compliance will disqualify prospective suppliers. Suppliers will be required to provide evidence of insurances in providing goods, services [and](#) works.

4. Apply a Consistent and Standard Approach

Latrobe City Council will provide effective and efficient commercial arrangements for the acquisition of goods, [and](#) services [and](#) works.

4.1 Standard Processes

Latrobe City Council will provide effective commercial arrangements covering standard products and provision of standard services to enable [employees-Council officers](#) to source requirements in an efficient manner.

This will be achieved via a combination of the following:

- Use of Latrobe City Council's approved suppliers;
- Pricing where relevant;

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Responsible Division	(Insert Division Name)Corporate Services	Approved Date	(day, month, Year)	Review Date	(month & year)27 July 2016
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(Title of Policy) Procurement Policy

- Processes, procedures and techniques;
- Tools and business systems (e.g. [e-Tendering](#), [e-Evaluation](#); [e-Sourcing](#); [Procurement arrangements](#));
- Reporting requirements; and
- Application of standard contract terms and conditions.

5. Build and Maintain [Supplier](#) Relationships

Latrobe City Council recognises that in order to achieve sustainable value, appropriate relationships must be developed and maintained with suppliers.

5.1 Developing and Managing Suppliers

Developing and managing suppliers is essential to achieving a competitive market capable of delivering Latrobe City Council services and works requirements. Latrobe City Council recognises the importance of effective and open working relationships with its suppliers and is committed to the following:

- Managing existing approved suppliers, to ensure the benefits are delivered;
- Maintaining approved [suppliers](#) and compliance with Latrobe City Council's [council's](#) requirements for insurances, Occupational Health and Safety, etc.; and
- Developing new suppliers and improving the capability of existing suppliers where appropriate.

All suppliers have a responsibility to follow and comply with the principles outlined in Latrobe City Council's [Supplier](#) Code of Conduct and be read in conjunction with Latrobe City Council's Purchase Order Terms and Conditions.

5.2 Communication

External communication is very important in ensuring a positive interest from potential suppliers and [partners](#). Latrobe City Council's website will be updated and provide:

- Information about Council and how to become an approved supplier;
- A list of open Public [Tenders](#) [Procurement Activities](#);
- Summary information relating to [Latrobe City Council](#) contracts with a total estimate value exceeding \$100,000 (including GST);
- Purchase Order Terms and Conditions;

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Responsible Division	(Insert Division Name) Corporate Services	Approved Date	(day, month, Year)	Review Date	(month & year) 27 July 2016
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Latrobe City

a new energy

(Title of Policy) Procurement Policy

- Supplier Code of Conduct;
- Guidelines for 'Doing Business with [Latrobe City Council](#)';
- Standard documentation used in the procurement process; and
- Links to other relevant sites.

6. Review Process

Latrobe City Council endeavours to continually improve its procurement performance such that the Procurement Policy and Operational Framework are reviewed annually, while guidance and templates are continually reviewed and then updated every 12 months to ensure compliance with Section 186A of the *Local Government Act 1989*.

Signed: _____ Date: _____
Chief Executive Officer

DRAFT

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Responsible Division	(Insert Division Name)Corporate Services	Approved Date	(day, month, Year)	Review Date	(month & year)27 July 2016
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17.6 REPORT INTO GRANT ACQUITTAL PRACTICES**General Manager****Corporate Services****For Decision****PURPOSE**

This report is in relation to an item held over from the Ordinary Council Meeting 23rd May 2016 requesting a progress report on the designing of a new Grants and Sponsorship Framework.

EXECUTIVE SUMMARY

This report is produced to provide an interim report on the progress of the project undertaking the development of the Grants and Sponsorship Framework

This project commenced on 18th July 2016.

In order to design a Grants and Sponsorship Framework the following steps are being taken:

- Document and review the current process for each Grant / Sponsorship
- Re-engineer those processes, where necessary, to meet the objectives of the Audit report
- Introduction of those new processes into common practice
- Identify improved and further use of an electronic system for applications, assessments and approvals for all Grants / Sponsorships and record management

It has been identified that there are 8 more Grants / Sponsorships / Funding than were included in the Pitcher Partners Audit Report. These are being included in the Project to ensure their coverage within the final Framework. This brings the number of Grants / Sponsorships / Funding to 43.

All the processes have been documented in an "As-Is" state.

Work on the "To-Be" state has commenced.

Further steps to be undertaken include:

- Completion of the "To-Be" processes
- Creation of the Framework from the "To-Be" processes including business rules developed for those processes
- Adoption of the Framework and supporting Processes
- Addressing the required improvements on acquittals with the community

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- Extension of the current Smarty Grants system use as the electronic system as soon as possible

RECOMMENDATION

That Council:

- 1. Receives and notes this progress report into grant acquittal practices;**
- 2. Notes the management actions contained within the Community Grants and Sponsorships internal audit report; and**
- 3. A further report to be presented by 2 December 2016 detailing the progress of designing the new Grants and Sponsorship Framework and demonstrating how it addresses the Audit objectives.**

DECLARATION OF INTEREST

No officer declared a conflict of interest under the *Local Government Act 1989* in the preparation of this report.

STRATEGIC FRAMEWORK

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

Latrobe 2026: The Community Vision for Latrobe Valley

Strategic Objectives - Governance

Latrobe City Council Plan 2013 - 2017

Theme and Objectives

Theme 3: Efficient, effective and accountable governance

BACKGROUND

At the Council meeting held on 23 March 2015, Council resolved the following:

That Council Officers conduct a review and prepare a report for Council detailing:

- 1. The methods of acquittal currently used for all Council grants and other funds dispersed through Council to external entities or individuals on behalf of the State or Federal Government;*
- 2. Internal and external Legislation, Regulations and Policy Requirements around acquittal of such funds; and*

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3. *Council compliance obligations and best practice in regard to the acquittal of the above.*

The motion originated from a Notice of Motion tabled by Cr Middlemiss.

As part of the internal audit program an audit into Community Grants and Sponsorships was conducted by Councils internal auditors, Pitcher Partners.

This audit work commenced in July 2015 (planning and scoping), and fieldwork commenced in September 2015.

For efficiency and to ensure unbiased results of the review, officers considered that the motion requirements were covered under the scope of the internal audit.

The scope of the internal audit included the assessment of the effectiveness and efficiency of processes, policies, procedures and internal controls that were in place for the management of Community Grants and Sponsorships.

The Community Grants and Sponsorships internal audit report was tabled at the 3 March 2016 Audit and Risk Committee for their consideration and review of findings and management responses.

Implementation of the actions identified are monitored by the Executive Management Team as well as the Audit and Risk Committee.

The project to undertake the development of the Grants and Sponsorship Framework commenced on 18th July 2016.

KEY POINTS/ISSUES

In order to design a Grants and Sponsorship Framework the following steps are being taken:

- Document and review the current process for each Grant / Sponsorship,
- Re-engineer those processes, where necessary, to meet the objectives of the Audit report,
- Introduction of those new processes into common practice,
- Identify improved and further use of an electronic system for applications, assessments and approvals for all Grants / Sponsorships and record management.

It has been identified that there are 8 more Grants / Sponsorships / Funding than were included in the Pitcher Partners Audit Report. These are being included in the Project.

All the processes have been documented in an "As-Is" state.

Work on the "To-Be" has commenced. The "To-Be" processes will address the controls identified in the Audit Report:

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- Development of a Program scope, Objectives and Key Performance Indicators
- Establishment of Eligibility Criteria
- Establishment of Application Processes
- Development of Assessment Processes and recommendations
- Conflict of Interest Management
- Approval of Grant of Sponsorships
- Development of a Funding Agreement
- Approval of Payments in line with Financial delegation Limits
- Acquittal of Funding
- Program Reporting
- Management of Grants and Sponsorship records

Further steps to be undertaken include:

- Completion of the “To-Be” processes,
- Creation of the Framework from the “To-Be” processes including business rules developed for those processes,
- Adoption of the Framework and supporting Processes,
- Addressing the required improvements on acquittals with the community,
- Extension of the current Smarty Grants system use as the electronic system as soon as possible.

RISK IMPLICATIONS

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

FINANCIAL AND RESOURCES IMPLICATIONS

A project position has been resourced to undertake the development of the new Grants and Sponsorship Framework.

Oversight and monitoring of the development of the new Grants and Sponsorship Framework and the internal audit actions planned rests with the Executive Management Team and the Audit and Risk Committee.

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)****INTERNAL/EXTERNAL CONSULTATION**

Engagement Method Used: One on One meetings to outline project methodology then follow up meetings to elicit current process steps.

The project has engaged stakeholders across all Divisions who have an active role in the Grants / Sponsorship processes.

It is expected that Councillors, the Audit and Risk Committee and any other key stakeholders will be engaged as the project proceeds through the development of the Framework.

OPTIONS

Council has the following options:

1. Receive and note the report;

This option allows for the actions identified in the internal audit to be implemented.

2. Do not receive and note the report.

This option would require a further report to Council and potential additional actions to be developed to address the issues identified by Council at the 23 March 2015 meeting.

CONCLUSION

The work of the project to continue with a final report to be presented by 2nd December 2016 outlining the implementation of the Framework and demonstrate how it addresses the Audit objectives.

SUPPORTING DOCUMENTS

Nil

Attachments
Nil

ORDINARY COUNCIL MEETING AGENDA 22 AUGUST 2016 (CM488)

17.7 ASSEMBLIES OF COUNCILLORS

General Manager

Corporate Services

For Information

PURPOSE

The purpose of this report is to present to Council the Assembly of Councillor forms submitted since the Ordinary Council Meeting held on 01 August 2016.

EXECUTIVE SUMMARY

The following Assemblies of Councillors took place:

Date	Assembly Details	In Attendance	Confidential	Conflicts of Interest Declared
25 July 2016	Councillor Briefing	<p>Councillors: Cr Sindt, Cr Middlemiss, Cr Gibbons, Cr Harriman, Cr O'Callaghan, Cr Kam, Cr White, Cr Rossiter</p> <p>Officers: Gary Van Driel, Sarah Cumming, Steve Piasente, Phil Stone, Susan Gillett, Amy Phillips, Sara Rhodes-Ward, Stuart Simmie, Gail Gatt, Michael Bloyce</p>	<p>Confidential under section 89(2)</p> <p>(a) personnel matters</p> <p>(e) proposed developments</p> <p>(h) any other matter which the Council or Special Committee considers would prejudice the Council or any person</p>	Cr Gibbons
25 July 2016	Public Presentations	<p>Councillors: Cr Sindt, Cr Middlemiss, Cr Gibbons, Cr Harriman, Cr O'Callaghan, Cr White, Cr Rossiter</p> <p>Officers: Gary Van Driel, Sarah Cumming, Steve Piasente, Phil Stone, Susan Gillett, Amy Phillips, Kylie Stockdale, Natalie Tanner</p>	Not confidential	Nil

**ORDINARY COUNCIL MEETING AGENDA
22 AUGUST 2016 (CM488)**

Date	Assembly Details	In Attendance	Confidential	Conflicts of Interest Declared
04 August 2016	Morwell & Districts Community Recovery Committee	Councillors: Cr Middlemiss Officers: Sara Rhodes-Ward, Stuart Simmie, Andrea Smith, Linda Bulner, Christine Body	No	Nil

RECOMMENDATION

That Council receives and notes the Assemblies of Councillors records submitted which have been held within the period 25 July – 04 August 2016 .

DECLARATION OF INTEREST

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

Attachments

1. Councillor Briefing 25 July 2016
2. Public Presentations 25 July 2016
3. Morwell & Districts Community Recovery Committee 04 August 2016

17.7

Assemblies of Councillors

1	Councillor Briefing 25 July 2016	969
2	Public Presentations 25 July 2016	971
3	Morwell & Districts Community Recovery Committee 04 August 2016	973



Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

Assembly details:	Councillor Briefing
Date:	25 July 2016
Time:	6.03pm - 10:43pm
Assembly Location:	Nambur Wariga Meeting Room, Council Headquarters, Morwell

In Attendance

Councillors:	<input checked="" type="checkbox"/> Cr Christine Sindt	<input checked="" type="checkbox"/> Cr Graeme Middlemiss	<input checked="" type="checkbox"/> Cr Peter Gibbons
	<input checked="" type="checkbox"/> Cr Dale Harriman	<input checked="" type="checkbox"/> Cr Kellie O'Callaghan via phone from 7:04pm	<input checked="" type="checkbox"/> Cr Sandy Kam
	<input checked="" type="checkbox"/> Cr Darrell White	<input checked="" type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
Arrival / Departure Time:			
Officer/s:	Gary Van Driel, Sarah Cumming, Steve Piasente, Phil Stone, Susan Gillett, Amy Phillips, Sara Rhodes-Ward, Stuart Simmie (out 7:04pm), Gail Gatt (8:45pm - 9:27pm), Michael Bloyce (8:45pm - 9:35pm)		
Matters discussed:	VicForests Timber Release Plan Roof Cavity - Ash Future Presentations Matters Arising from Presentations Review of the Council Meeting agenda for the 01 August 2016 Upcoming Significant Items Update from the Mayor Update from the CEO Latrobe City Council Submission to Infrastructure Victoria's 30 year Strategy options paper Visitor Information Centre options for Future Operations Confidential under Section 89 (2) (a) personnel matters Outdoor Pool Operations - 2015/16 Summer Season Tarwin Pop Up Park Latrobe City Paper Planes Competition Our Future Our Place Confidential under Section 89(2) (e) proposed		



	developments Major Initiatives and Annual Actions Deliverables Procedural Breaches Advisory Committee Report Confidential under Section 89(2) (h) consider would prejudice the Council or any person Mayoral Chain - Next Steps, Further Options Councillor Issues for General Discussion Strategic Issues for Future Briefings
<p>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>	

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No
Cr Peter Gibbons	Yes

Record Completed by: Amy Phillips, Coordinator Governance



Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

Assembly details:	Public Presentations
Date:	25 July 2016
Time:	5:04pm - 5:43pm
Assembly Location:	Nambur Wariga Meeting Room, Council Headquarters, Morwell

In Attendance

Councillors: Arrival / Departure Time:	<input checked="" type="checkbox"/> Cr Christine Sindt	<input checked="" type="checkbox"/> Cr Graeme Middlemiss	<input checked="" type="checkbox"/> Cr Peter Gibbons
	<input checked="" type="checkbox"/> Cr Dale Harriman (from 5:25pm)	<input checked="" type="checkbox"/> Cr Kellie O'Callaghan via phone	<input type="checkbox"/> Cr Sandy Kam
	<input checked="" type="checkbox"/> Cr Darrell White	<input checked="" type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
Officer/s:	Gary Van Driel, Sarah Cumming, Steve Piasente, Phil Stone, Susan Gillett, Amy Phillips, Kylie Stockdale, Natalie Tanner		
Matters discussed:	Improving Customer Service Traralgon Tennis Association – Funding for a new fence		
Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No

Record Completed by: Amy Phillips, Coordinator Governance



Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

Assembly details:	Morwell & Districts Community Recovery Committee
Date:	4 August 2016
Time:	4.30 pm to 5.47 pm
Assembly Location:	Latrobe City Council Headquarters, 144 Commercial Road, Morwell

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr Christine Sindt	<input checked="" type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Peter Gibbons
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input type="checkbox"/> Cr Sandy Kam
	<input type="checkbox"/> Cr Darrell White	<input type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
Officer/s:	Sara Rhodes-Ward, General Manager Community Services Stuart Simmie, Coordinator Community Resilience Andrea Smith, Community Resilience Officer Linda Bulner, Community Resilience Officer Christine Body, Community Resilience Administration Officer		
Matters discussed:	<ol style="list-style-type: none"> 1. CRC Communication Plan 2. Future Guest Speakers 3. Ash in Morwell Roof Cavities 4. Health Study Review 5. Activities currently underway in response to the Mine Fire Inquiry recommendations 6. Updates for the Future Morwell Project, Health Study, Coal Mine Fire Task Force and Health Innovation Task Force 7. Community Resilience Team Report 8. Victorian Premier's Volunteer Champions Awards 9. Infrastructure Victoria's Citizen Jury proposal for Gippsland V-Line trains 10. Research paper titled "The Roles of General Practitioners in Disasters" and request to meet with the CRC members. 		





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Are any of the matters discussed, considered confidential under the *Local Government Act 1989*?

Yes No

Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No

Record Completed by: Christine Body, Administrative Officer Community Resilience on 8 August 2016.



URGENT BUSINESS

18. URGENT BUSINESS

Business may be admitted to the meeting as urgent business in accordance with clause 26 of the Meeting Procedure Local Law by resolution of the Council, if it relates to a matter which has arisen since distribution of the agenda and:

- 1. cannot safely or conveniently be deferred until the next Ordinary meeting; or*
- 2. involves a matter of urgent community concern.*

MEETING CLOSED TO THE PUBLIC

ORDINARY COUNCIL MEETING AGENDA 22 AUGUST 2016 (CM488)

19. MEETING CLOSED TO THE PUBLIC

Section 89(2) of the *Local Government Act 1989* enables the Council to close the meeting to the public if the meeting is discussing any of the following:

- (a) Personnel matters;
- (b) The personal hardship of any resident or ratepayer;
- (c) Industrial matters;
- (d) Contractual matters;
- (e) Proposed developments;
- (f) Legal advice;
- (g) Matters affecting the security of Council property;
- (h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;
- (i) A resolution to close the meeting to members of the public.

RECOMMENDATION

That the Ordinary Meeting of Council closes this meeting to the public to consider the following items which are of a confidential nature, pursuant to section 89(2) of the *Local Government Act 1989* for the reasons indicated:

- 19.1 CONFIDENTIAL ITEMS HELD OVER**
Agenda item 19.1 *Confidential Items Held Over* is designated as confidential as it relates to a matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)
- 19.2 2016/17 COMMUNITY GRANTS PROGRAM**
Agenda item 19.2 *2016/17 Community Grants Program* is designated as confidential as it relates to a matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)
- 19.3 NAMING RIGHTS VICTORY PARK SOUNDSHELL TRARALGON**
Agenda item 19.3 *Naming rights Victory Park Soundshell Traralgon* is designated as confidential as it relates to contractual matters (s89 2d)
- 19.4 LCC-319 RECONSTRUCTION OF TENNIS COURTS AT THE MOE TENNIS CLUB OFF BOTANIC DRIVE, MOE**
Agenda item 19.4 *LCC-319 Reconstruction of Tennis Courts at the Moe Tennis Club off Botanic Drive, Moe* is designated as confidential as it relates to contractual matters (s89 2d)
- 19.5 LCC-324 PROVISION OF INTERNAL AUDIT SERVICES**
Agenda item 19.5 *LCC-324 Provision of Internal Audit Services* is designated as confidential as it relates to contractual matters (s89 2d)