



WELLINGTON
SHIRE COUNCIL
The Heart of Gippsland

Council Meeting Agenda

Meeting to be held at

Port Of Sale Civic Centre

Foster Street, Sale

Tuesday 18 March 2014, commencing at 6pm

**or join Wellington on the Web:
www.wellington.vic.gov.au**

ORDINARY MEETING OF COUNCIL – 18 MARCH 2014

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Council Meeting Information

Members of the Public Gallery should note that the Council records and publishes Council meetings via Webcast to enhance the accessibility of Council meetings to the broader Wellington community. These recordings are also archived and may be published on Council's Website for viewing by the public or used for publicity or information purposes. At the appropriate times during the meeting, members of the gallery may address the Council at which time their image, comments or submissions will be recorded.

Members of the public who are not in attendance at the Council meeting but who wish to communicate with the Council via the webcasting chat room should lodge their questions or comments early in the meeting to ensure that their submissions can be dealt with at the end of the meeting.

Please could gallery visitors and Councillors ensure that mobile phones and other electronic devices are turned off or in silent mode for the duration of the meeting.



A - PROCEDURAL



STATEMENT OF ACKNOWLEDGEMENT

***“We acknowledge the traditional custodians
of this land the Gunaikurnai people,
and pay respects to their elders past and present”***



PRAYER

***“Almighty God, we ask your blessing upon the Wellington
Shire Council, its Councillors, officers, staff and their families.
We pray for your guidance in our decisions so that the
true good of the Wellington Shire Council may result to
the benefit of all residents and community groups.”***

Amen



A - PROCEDURAL

A4 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING/S

ITEM A4**ADOPTION OF MINUTES OF PREVIOUS MEETING/S**

ACTION OFFICER:

GENERAL MANAGER GOVERNANCE

DATE:

18 MARCH 2014

OBJECTIVE

To adopt the minutes of the Ordinary Council Meeting of 4 March 2014 as tabled.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 4 March 2014 as tabled.



A - PROCEDURAL

A5 BUSINESS ARISING FROM PREVIOUS MEETING/S

ITEM A5

BUSINESS ARISING FROM PREVIOUS MEETING/S

ACTION OFFICER

CHIEF EXECUTIVE OFFICER

DATE:

18 MARCH 2014

ITEM	FROM MEETING	COMMENTS	ACTION BY
Nil			



A - PROCEDURAL

A6 ACCEPTANCE OF LATE ITEMS



A - PROCEDURAL

A7 NOTICE/S OF AMENDMENT OR RESCISSION



A - PROCEDURAL

A8 NOTICE/S OF MOTION



A - PROCEDURAL

A9 RECEIVING OF PETITIONS OR JOINT LETTERS

ITEM A9(1)

OUTSTANDING PETITIONS

ACTION OFFICER

GOVERNANCE

DATE:

18 MARCH 2014

ITEM	FROM MEETING	COMMENTS	ACTION BY
Nil			



A - PROCEDURAL

A10 INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS

ITEM A11

GALLERY COMMENTS

DIVISION:

CHIEF EXECUTIVE OFFICER

ACTION OFFICER:

CHIEF EXECUTIVE OFFICER

DATE:

18 MARCH 2014



A - PROCEDURAL

A12 QUESTIONS ON NOTICE

ITEM A12(1)**OUTSTANDING QUESTIONS ON NOTICE**

ACTION OFFICER

CHIEF EXECUTIVE OFFICER

DATE:

18 MARCH 2014

ITEM	FROM MEETING	COMMENTS	ACTION BY
Nil			



A - PROCEDURAL

A13 MAYOR'S REPORT

ITEM A13**MAYOR'S REPORT**

OFFICER:

COUNCILLOR ROSSETTI

DATE:

18 MARCH 2014

Gippsland Emergency Relief Fund Launch

I was joined at the Esso BHP Billiton Wellington Entertainment Centre by Mayors, Councillors and staff from East Gippsland Shire, Baw Baw Shire and Latrobe City Councils on Friday 28 February at the launch of the Gippsland Emergency Relief Fund's 2014 campaign.

The Gippsland Emergency Relief Fund has been active in the Gippsland Region since it was established in 1978 and has raised and provided more than \$5million to the Gippsland community over the last 15 years. The fund operates without any overhead costs and all donations raised go back into supporting the Gippsland community.

Please also remember that the Recovery Lines are open across each Shire, manned by local people who are in the best position to help. If we can't provide an answer to your questions, we'll put you in touch with an agency that can.

Our Cultural Precinct

On Monday 25 February I formally launched the consultation period for our Cultural Precinct Vision.

This involves our proposed redevelopment of the Port of Sale Civic Centre into a new Sale Library, Wellington Shire Library Headquarters, Gippsland Art Gallery including specific storage areas for the Gallery's sizeable collection, and potentially broader use community space.

We're very pleased that many people so far have chosen to share their feedback, ideas and questions with Council. Consultation is open until April 18, so if you haven't yet had your say, you've still got plenty of time to do so. This new space will be your space so we want to hear from you!

L2P Donation

The L2P Program has been active across Wellington Shire since 2009. Funded by VicRoads, Council is responsible for its delivery which is undertaken by Mission Australia.

Trained mentor drivers have donated over 1,800 hours of time, providing access for learners who would otherwise face significant barriers to gaining supervised on the road experience to achieve their 120 hours.

On 17 February, on behalf of Council, I handed over a car to Mission Australia, providing more vehicle access to help even more young people through the program. The vehicle was funded by the state government and previously used for Council's Transport Connections Program, which came to an end in late 2013.

Military Training Centre and Meeting with the Minister for Defence

On Wednesday 19 February I met with the Minister for Defence, the Hon David Johnston, and Parliamentary Defence Secretary, Darren Chester, to discuss Wellington's bid for the AIR 5428 fixed wing flight training program.

The Minister was in Sale for the opening of CAE's Sale Military Training Centre which includes a new King Air 359 Full Flight Simulator that will help Australian Defence Force pilots complete and update their training locally here in Wellington.

Our meeting was a positive one and we look forward to hearing the results of the request for tender for 5428 in the coming weeks.

Scott Rossetti
MAYOR

RECOMMENDATION

That the Mayor's report be noted.



A - PROCEDURAL

A14 YOUTH COUNCIL REPORT

Youth Council will present a report to Council quarterly.



B –REPORT

DELEGATES



C1 - REPORT

CHIEF EXECUTIVE OFFICER

ITEM C1.1**CHIEF EXECUTIVE OFFICER'S REPORT**

OFFICER: CHIEF EXECUTIVE OFFICER
DATE: 18 MARCH 2014

- 13 February** Met with senior staff members including Chief Executive Officer, Ian Hunt of **George Gray Centre**, along with Manager Community Wellbeing, Frances Ford to discuss their programs and specifically opportunities around a Social Enterprise Café. This will be presented to Council in a workshop on 18 March 2014.
- 14 February** **Gippsland Local Government Network (GLGN) Forum for Mayors, Councillors and CEOs – Morwell**
This session was also attended by Damian Drum MLC, Parliamentary Secretary for Regional and Rural Development, Gary Blackwood, Parliamentary Secretary for Transport and Russell Northe, Member for Morwell,
- 14 February** **Municipal Association of Victoria (MAV) Strategic Planning Session**
Morwell,
- 17 February** **Meeting with Nick Anderson, NBA**
Discussed a number of developments Nick was working on in Wellington.
- 19 - 21 February** **Attended the Local Government Chief Executive Officers' Forum**
- 24 February** Attended the **Season launch at the Esso BHP Billiton Wellington Entertainment Centre (EBBWEC)**
- 25 February** **Audit Committee Meeting**
- 27 February** **Regional Development Australia (Gippsland) Board Meeting**
Meeting with Trent Fairweather and Mandy Gerard from the Sale Business Tourism Association
General Manager Development, John Websdale was also in attendance, and we discussed Christmas decorations, parade, voucher scheme update, among a range of other things.
- 28 February** **Meeting with Developers regarding potential Wellington Waters project**
Councillors Rossetti and McCubbin also in attendance, the proponents discussed their vision for this project.
- 5 March** **Meeting with Annemieke Mein**
With Mayor Rossetti to discuss the new Library and Gallery project and how Annemieke may be involved.
- 7 March** **Meeting with John Leslie OBE**
With Mayor Rossetti to discuss the new Library and Gallery project.
- 17 March** **Department of Environment Primary Industries Interdepartmental Stakeholders Reference Group**
Re the Victorian Floodplain Management Strategy.

RECOMMENDATION

That the Chief Executive Officer's Report be received.



C2 - REPORT

GENERAL MANAGER GOVERNANCE

ITEM C2.1**ASSEMBLY OF COUNCILLORS**

DIVISION:

GOVERNANCE

ACTION OFFICER:

GENERAL MANAGER GOVERNANCE

DATE:

18 MARCH 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
		✓		✓					

OBJECTIVE

To report on all assemblies of Councillors records received during the period 18 February 2014 to 2014 to 25 February 2014.

BACKGROUND

Section 80A of the *Local Government Act 1989* requires a written record to be kept of all assemblies of Councillors, stating the names of all Councillors and Council staff attending, the matters considered and any conflict of interest disclosures made by a Councillor. These records must be reported, as soon as practicable, at an ordinary meeting of the Council and recorded in the minutes.

Below is a summary of all assembly of Councillors records received during the period 18 February 2014 to 25 February 2014.

Assembly of Councillors summary of reports received between 18 February 2014 to 25 February 2014		
Date	Matters considered	Councillors and officers in attendance
18 February 2014	1. Councillor Library 2. Councillors Diary Meeting	Councillors Rossetti, Crossley, Cleary, McCubbin, Wenger, Hole, Davine, Mclvor David Morcom, Chief Executive Officer Vanessa Ebsworth, Manager Organisation Development (Item 1) Gail Hogben, Executive Assistant (Items 1 & 2) Sharon Willison, Mayor & Councillor Support Officer (Items 1 & 2)
18 February 2014	1. Strategic Land Use Planning Projects Agenda	Councillors McCubbin, Mclvor, Wenger Chris Hastie, General Manager Built & Natural Environment John Websdale, General Manager Development Joshua Clydesdale, Manager Land Use Planning Robyn Olsen, Strategic Planner Sabine Provily, Strategic Planner Barry Hearsey, Coordinator Strategic Planning Sharyn Bolitho, Manager Economic Development Dean Morahan, Manager Assets & Projects

Assembly of Councillors summary of reports received between 18 February 2014 to 25 February 2014		
Date	Matters considered	Councillors and officers in attendance
18 February 2014	<ol style="list-style-type: none"> 1. Pre Council Meeting Agenda review (11.30am to 12.10pm) 2. January 2014 Performance Report (1.00pm to 1.30pm) 3. Community Planning Update (1.30pm to 2.00pm) 4. Amendment C89 Update (2.00pm to 2.30pm) 5. Tour of former Shire Avon office work - Stratford (2.30pm to 4.00pm) 6. Environmental Sustainability Strategy Implementation Update (4.00pm) 	<p>Councillors Crossley, Rossetti, Cleary, McCubbin, Davine, Mclvor, Wenger, Hole David Morcom, Chief Executive Liz Collins, General Manager Governance (not Items 5 & 6) John Websdale, General Manager Development (not Item 5) Glenys Butler, General Manager Liveability (not Item 2) Dean Morahan, Manager Assets & Projects Vanessa Ebsworth, Manager Organisation Development (Item 1) Frances Ford, Manager Community Wellbeing (Item 3) Sabine Provily, Strategic Planner (Item 4) Joshua Clydesdale, Manager Land Use Planning (Item 4) Tim Rowe, Manager Natural Environment & Parks (Item 6) Meg Capurso, Community Planning Officer (Item 3) Karen McLennan, Coordinator Social Planning & Policy (Item 3) Barry Hearsey, Coordinator Strategic Planning (Item 4) Dave Butler, Coordinator Built Environment Facilities (Item 5) Jo Caminiti, Coordinator Sustainability (Item 6)</p>
25 February 2014	<ol style="list-style-type: none"> 1. Budget 2014/15 Capital Works Program and Draft Fess and Charges 	<p>Councillors Crossley, Rossetti, Cleary, McCubbin, Davine, Mclvor, Wenger, Hole David Morcom, Chief Executive Liz Collins, General Manager Governance John Websdale, General Manager Development Glenys Butler, General Manager Liveability Chris Hastie, General Manager Built & Natural Environment Lesley Fairhall, Manager Finance Brian Gibson, Capital Program Officer Dean Morahan, Manager Assets & Projects Shana Jonny, Accountant</p>

OPTIONS

Council has the following options:

1. Note and receive the attached assembly of Councillors records; or
2. Not receive the attached assembly of Councillors records.

PROPOSAL

That Council note and receive the attached assembly of Councillors records received during the period 18 February 2014 to 25 February 2014.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

LEGISLATIVE IMPACT

The reporting of written records of assemblies of Councillors to the Council in the prescribed format complies with Section 80A of the *Local Government Act 1989*.

COUNCIL PLAN IMPACT

The Council Plan 2013-17 Theme 2 Organisational states the following strategic objective and related strategy:

Strategic Objective

"An organisation that is responsive, flexible, honest, accountable and consistent."

Strategy 2.3

"Ensure sound governance processes that result in responsive, ethical, transparent and accountable decision making."

This report supports the above Council Plan strategic objective and strategy.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council note and receive the attached assembly of Councillors records received during the period 18 February 2014 to 25 February 2014.

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

18/02/2014

2. ATTENDEES:

Councillors:

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Cr Crossley	√		Cr McCubbin	√	
Cr Rossetti	√		Cr Mclvor	√	
Cr Cleary	√		Cr Wenger	√	
Cr Davine	√		Cr Hole	√	
Cr Duncan		√			

Officers In Attendance:

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
D Morcom, CEO	√		G Butler, GML		
L Collins, GMG			J Websdale, GMD		
C Hastie, GMB&NE					

Others in attendance: (list names and item in attendance for)

Name	Item No.	Name	Item No.
Vanessa Ebsworth	1		
Sharon Willison	1 & 2		

3. Matters/Items considered at the meeting (list):

1. Councillor Library

2. Councillors Diary Meeting

4. Conflict of Interest disclosures made by Councillors:

Nil

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

18/02/2014

2. ATTENDEES:

Councillors

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Cr Crossley			Cr McCubbin	✓	
Cr Rossetti			Cr Mclvor	✓	
Cr Cleary			Cr Wenger	✓	
Cr Davine			Cr Hole		
Cr Duncan					

Officers In Attendance

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
D Morcom, CEO			G Butler, GML		
L Collins, GMG			J Websdale, GMD	✓	
C Hastie, GMB&NE		✓			

Others in attendance (list names and item in attendance for)

Name	Item No.	Name	Item No.
Joshua Clydesdale	✓	Dean Morahan	✓
Robyn Olsen	✓	Sabine Provily	✓
Barry Hearsey	✓		
Sharyn Bolitho	✓		

3. Matters/Items considered at the meeting (list):

1. SLUPP Agenda – 18/02/14

4. Conflict of Interest disclosures made by Councillors:

Nil

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

18/02/2014

2. ATTENDEES:

Councillors

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Cr Rossetti (Not 5)	✓		Cr McCubbin	✓	
Cr Davine	✓		Cr Mclvor	✓	
Cr Cleary (Not 5)	✓		Cr Wenger (Not 5)	✓	
Cr Crossley	✓		Cr Hole (Not 5)	✓	
Cr Duncan		✓			

Officers In Attendance

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
D. Morcom CEO	✓		G Butler, GML (not 2)	✓	
L Collins, GMG (Not 5 & 6)	✓		J Websdale, GMD (not 5)	✓	
C Hastie, GMB&NE		✓	D. Morahan, Manager Assets & Projects	✓	

Others in attendance (list names and item in attendance for)

Name	Item No.	Name	Item No.
Vanessa Ebsworth, Manager Org Dev	1	Meg Capurso, Community Planning Officer	3
Frances Ford, Manager Community Wellbeing	3	Karen McLennan, Coord Social Planning & Policy	3
Sabine Provily, Strategic Planner	4	Barry Hearsey, Coord Strategic Planning	4
Josh Clydesdale, Manager Land Use Planning	4	Dave Butler, Coord Built Environment Facilities	5
Tim Rowe, Natural Environment & Parks	6	Jo Caminiti, Coordinator Sustainability	6

3. Matters/Items considered at the meeting (list):

1. Pre Council Meeting Agenda review (11.30am to 12.10pm)
2. January 2014 Performance Report (1.00pm to 1.30pm)
3. Community Planning Update (1.30pm to 2.00pm)
4. Amendment C89 Update (2.00pm to 2.30pm)
5. Tour of former Shire Avon office work - Stratford (2.30pm to 4.00pm)
6. Environmental Sustainability Strategy Implementation Update (4.00pm)

4. Conflict of Interest disclosures made by Councillors and Officers:

No Conflicts of Interests were declared.

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

25/02/2014

2. ATTENDEES:

Councillors

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Cr Rossetti	✓		Cr McCubbin	✓	
Cr Davine	✓		Cr Mclvor	✓	
Cr Cleary	✓		Cr Wenger	✓	
Cr Crossley	✓		Cr Hole	✓	
Cr Duncan		✓			

Officers In Attendance

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
D. Morcom CEO	✓		G Butler, GML	✓	
L Collins, GMG	✓		J Websdale, GMD	✓	
C Hastie, GMB&NE	✓				

Others in attendance (list names and item in attendance for)

Name	Item No.	Name	Item No.
Lesley Fairhall, Manager Finance	1	Dean Morahan, Manager Assets & Projects	1
Brian Gibson, Capital Program Officer	1	Shana Jonny, Accountant	1

3. Matters/Items considered at the meeting (list):

1. Budget 2014/15 Capital Works Program and Draft Fees and Charges Workshop

4. Conflict of Interest disclosures made by Councillors and Officers:

Cr McCubbin declared a Direct Conflict of Interest in item EBBWEC Projector and Screen Capital project and left the meeting room during discussion on this project.

ITEM C2.2**AUDIT COMMITTEE MINUTES**

DIVISION: GOVERNANCE
 ACTION OFFICER: GENERAL MANAGER GOVERNANCE
 DATE: 18 MARCH 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
		✓		✓					✓

OBJECTIVE

To receive and note the minutes of the Audit Committee meeting held on 25 February 2014.

BACKGROUND

Council maintains an Audit Committee in accordance with Section 139 of the *Local Government Act 1989*. The Audit Committee is an independent advisory Committee to Council and its primary objective is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisation's ethical development. Minutes of the Audit Committee are reported direct to Council. A copy of the minutes in brief from the Audit Committee meeting of 25 February 2014 can be found at Attachment 1 of this report and is provided for the information of Council and the public in general.

OPTIONS

Council has the following options:

1. To receive and note the minutes from the Audit Committee Meeting of 25 February 2014; or
2. To seek further information and consider the minutes at a future meeting.

PROPOSAL

To receive and note the minutes of the Audit Committee meeting held on 25 February 2014.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

LEGISLATIVE IMPACT

The *Local Government Act 1989*, section 139(1) requires Council to establish an audit committee. Council's Audit Committee is an Advisory Committee to Council and operates within the Terms of Reference and Charter adopted by Council.

The Audit Committee Terms of Reference require the minutes of the Audit Committee to be forwarded to an ordinary meeting of the Council, including a report explaining any specific recommendations and key outcomes. The Audit Committee is also required to report annually to the Council summarising the activities of the Committee during the previous financial year.

This report complies with the legislative requirements and the Audit Committee Terms of Reference requirements.

COUNCIL PLAN IMPACT

The Council Plan 2013–2017 Theme 2 Organisational states the following strategic objective and related strategy:

Strategic Objective

“An organisation that is responsive, flexible, honest, accountable and consistent.”

Strategy 2.3

“Ensure sound governance processes that result in responsive, ethical, transparent and accountable decision making.”

This report supports the above Council Plan strategic objective and strategy.

RISK MANAGEMENT IMPACT

The Audit Committee Charter identifies the management of risk as one of the primary objectives of the Audit Committee. The Audit Committee monitors the risk exposure of Council by determining if management has appropriate risk management processes and adequate management information systems in place.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That:

- 1. Council receive and note the minutes in brief (Attachment 1) and the confidential attachment at item F1.1 Audit Committee Minutes of 25 February 2014; and***
- 3. The information contained in the confidential attachment Item F1.1 of this Council meeting agenda, Audit Committee Minutes of 25 February 2014, and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Governance on 3 March 2014 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: e) proposed developments; f) legal advice; and h) any other matter which the Council considers would prejudice the Council or any person be designated confidential information under Section 77 Clause (2)(b) of the Local Government Act 1989.***

**MINUTES IN BRIEF OF AUDIT COMMITTEE MEETING HELD ON
TUESDAY 25 FEBRUARY 2014 AT 12.30PM**

Present: Mr Peter Craighead (Chair)
Mr. Alan Hall
Councillor Peter Cleary
Councillor Patrick McIvor

In attendance: Mr David Morcom (Chief Executive Officer)
Ms Liz Collins (General Manager Governance)
Mrs Lesley Fairhall (Manager Finance)
Mr Mark Peters (HLB Mann Judd)
Mrs Sheryl Saynor (Executive Support Officer)

1. **Welcome**
2. **Apologies** - Cr John Duncan, Mr. Graeme Coull

3. **Closure of Meeting to Public:-**

Alan Hall/Councillor McIvor

That the meeting be closed to the public under Section 89(2) of the Local Government Act 1989 to discuss personnel matters, legal advice and any other matter which the Council or special committee considers would prejudice the Council or any person.

CARRIED

4. **Declaration of Conflict(s) of Interest:- Nil**

5. **Adoption of Minutes:-**

Alan Hall/Councillor Cleary

That the Committee adopt the minutes of the previous meeting held on 22 November 2013.

CARRIED

6. **Internal Audit - Review of Rates Revenue**

Alan Hall/Councillor McIvor

That the Audit Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 12 February 2014 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

7. Status of Internal Audit Recommendations

Councillor Cleary/Councillor McIvor

That the Audit Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 12 February 2014 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

8. Victorian Auditor-General's Report: Local Government: Results of the 2012-13 Audits

Councillor Cleary/Alan Hall

That the Audit Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 12 February 2014 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person.

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

9. Follow up report on Corporate Credit Card Review

Alan Hall/Councillor Cleary

That the Audit Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 12 February 2014 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person.

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

10. Audit Planning Update

Councillor McIvor/Alan Hall

That the Audit Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Acting Chief Executive Officer on 12 February 2014 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

11. Human Rights Checklist

Alan Hall/Councillor Cleary

That the Audit Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Acting Chief Executive Officer on 12 February 2014 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

12. Fraud Report

Councillor McIvor/Councillor Cleary

That the Audit Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 12 February 2014 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

13. Information Services Update

Alan Hall/Councillor McIvor

That the Audit Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 12 February 2014 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person.

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

14. Financials

Councillor Cleary/Alan Hall

That the Audit Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 12 February 2014 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

15. Excessive Staff Leave

Councillor McIvor/Alan Hall

That the Audit Committee recommend to Council that it receive the Report.

That the information, contained in the attached document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 12 February 2014 because it relates to the following grounds under Section 89(2) of the Act:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person

be designated confidential information under Clause 77 (2) (b) of the Local Government Act 1989.

CARRIED

16. Sale Livestock Exchange

Councillor Cleary/Councillor McIvor

That the Audit Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 12 February 2014 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

(e) proposed development;

(h) any other matter which the Council or special committee considers would prejudice the Council or any person.

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

17. Current Key Risk Matters

Alan Hall/Councillor Cleary

That the Audit Committee recommend to Council that it receive the report.

That the information, contained in the attached document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 12 February 2014 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

f) legal advice;

h) any other matter which the Council or special committee considers would prejudice the Council or any person;

be designated confidential information under Clause 77 (2) (b) of the Local Government Act 1989.

CARRIED

18. Risk Report

Councillor McIvor/Alan Hall

That the Audit Committee recommend to Council that it receive the report.

That the information, contained in the attached document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 12 February 2014 because it relates to the following grounds under Section 89(2) of the Act:

*h) any other matter which the Council or special committee considers would prejudice the Council or any person;
be designated confidential information under Clause 77 (2) (b) of the Local Government Act 1989.*

CARRIED

19. Register of Commissioned Reports

Alan Hall/Councillor Cleary

That the Audit Committee recommend to Council that it receive the report.

That the information, contained in the attached document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 12 February 2014 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

*h) any other matter which the Council or special committee considers would prejudice the Council or any person;
be designated confidential information under Clause 77 (2) (b) of the Local Government Act 1989.*

CARRIED

20. Key Strategic Activity Report

Alan Hall/Councillor McIvor

That the Audit Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 12 February 2014 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person.

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

21. General Business

1. Enterprise Bargaining Agreement

David Morcom advised the Committee that Council has signed off on a new 3 year Enterprise Bargaining Agreement with a 3.5% per annum pay increase.

2. Purchase of Office Accommodation in Desailly Street, Sale

David reiterated to the Committee that settlement has taken place on Council's purchase of office accommodation in Desailly Street, Sale which will become Council's headquarters. Public consultation has now commenced on the future use of the Port of Sale Civic Centre as the Gippsland Art Gallery and Sale Library. Thus far, community feedback has been reasonably positive.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 2.07PM.

ITEM C2.3**INSTRUMENT OF DELEGATION TO MEMBERS OF COUNCIL STAFF**

DIVISION: GOVERNANCE
 ACTION OFFICER: MANAGER ORGANISATION DEVELOPMENT
 DATE: 18 MARCH 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
		✓		✓	✓				

OBJECTIVE

For Council to adopt an updated Instrument of Delegation to Members of Council Staff, as attached.

BACKGROUND

Section 98(1) of the *Local Government Act 1989* provides Council with the ability to delegate power, duties and functions of the Council to a member of its staff. A summary of the updates/amendments made are attached. There have been a number of changes to the *Planning and Environment Act 1987* which require the current Instrument of Delegation to be updated.

OPTIONS

Council has the following options:

1. To adopt the attached updated Instrument of Delegation to Members of Council Staff; or
2. To amend the attached updated Instrument of Delegation to Members of Council Staff prior to adoption.

PROPOSAL

It is proposed that Council adopt the updated Instrument of Delegation to Members of Council Staff, as attached.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

LEGISLATIVE IMPACT

Section 98(1) of the *Local Government Act 1989* provides Council with the authority to delegate to a member of Council staff certain powers and duties.

COUNCIL PLAN IMPACT

The Council Plan 2013-17 Theme 2 Organisational states the following strategic objective and related strategy:

Strategic Objective

“An organisation that is responsive, flexible, honest, accountable and consistent.”

Strategy 2.3

“Ensure sound governance processes that result in responsive, ethical, transparent and accountable decision making.”

This report supports the above Council Plan strategic objective and strategy.

RESOURCES AND STAFF IMPACT

Upon notification of the legislative changes, all relevant staff were consulted and have contributed to the updating of this Instrument of Delegation. Following adoption, our processes ensure that all staff with altered or new delegations are notified.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council adopt the updated Instrument of Delegation to Members of Council Staff, as attached.

Wellington Shire Council

Instrument of Delegation

to

Members of Council Staff

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 the attached Schedule, the Council:

1. Delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. records that a reference in the Schedule to;
3. Declares that:
 - 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 18 March 2014 and
 - 3.2 the delegation:
 - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 3.2.2 remains in force until varied or revoked;
 - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 2.3, and the Schedule; and
 - 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 3.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - a) policy; or
 - b) strategyadopted by Council; or
 - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
 - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

SCHEDULE

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CEMETERIES AND CREMATORIA ACT 2003

[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii), as though it were a cemetery trust (see section 53)

Provisions Not Delegated – Wellington Shire Council not appointed as a cemetery trust.

CEMETERIES AND CREMATORIA REGULATIONS 2005

[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the *Cemeteries and Crematoria Act 2003*, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Provisions Not Delegated – Wellington Shire Council not appointed as a cemetery trust.

DOMESTIC ANIMALS ACT 1994			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.41A(1)	power to declare a dog to be a menacing dog	General Manager Development Manager Municipal Services Coordinator Local Laws	Council may delegate this power to an authorised officer

ENVIRONMENT PROTECTION ACT 1970

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.53M(3)	power to require further information	General Manager Development Manager Municipal Services Coordinator Environmental Health Environmental Health Officer	
s.53M(4)	duty to advise applicant that application is not to be dealt with	General Manager Development Manager Municipal Services Coordinator Environmental Health Environmental Health Officer	
s.53M(5)	duty to approve plans, issue permit or refuse permit	General Manager Development Manager Municipal Services Coordinator Environmental Health Environmental Health Officer	refusal must be ratified by Council or it is of no effect
s.53M(6)	power to refuse to issue septic tank permit	General Manager Development Manager Municipal Services Coordinator Environmental Health Environmental Health Officer	refusal must be ratified by Council or it is of no effect
s.53M(7)	duty to refuse to issue a permit in circumstances in (a)-(c)	General Manager Development Manager Municipal Services Coordinator Environmental Health Environmental Health Officer	refusal must be ratified by Council or it is of no effect

FOOD ACT 1984

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	Coordinator Environmental Health Environmental Health Officer	If section 19(1) applies
s.19(2)(b)	power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	Coordinator Environmental Health Environmental Health Officer	If section 19(1) applies
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 Environmental Health Environmental Health Officer	If section 19(1) applies
s.19(4)(b)	duty to notify the Department of the making of the order	Coordinator Environmental Health Environmental Health Officer	If section 19(1) applies
s.19(4)(c)	duty to notify the registration authority of the making of the order and any appeal and the outcome of the appeal	Coordinator Environmental Health Environmental Health Officer	If section 19(1) applies and if Council is not the registration authority
s.19(6)(a)	duty to revoke any order under s.19 if satisfied that an order has been complied with	Coordinator Environmental Health Environmental Health Officer	If section 19(1) applies
s.19(6)(b)	duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	Coordinator Environmental Health Environmental Health Officer	If section 19(1) applies
s.19A(4)(b)	function of receiving notice from authorised officer	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.19BA(3)	duty to give notice of the variation or revocation of	Coordinator Environmental Health Environmental Health Officer	must be done by the same person

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	the order to the general public in the same manner as the original notice		as gave the original notice
S19.CB(4)(b)	power to request copy of records	Coordinator Environmental Health Environmental Health Officer	Where council is the registered authority
s.19E(1)(d)	power to request a copy of the food safety program	Coordinator Environmental Health Environmental Health Officer	where Council is the "registration authority"
s.19EA(3)	function of receiving a copy of any significant revision made to the food safety program	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.19GB	power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.19H(5)(a) & (5)(b)	duty to take into account (a) the food safety performance of the food business; and (b) any guidelines issued by the Secretary in determining the frequency and intervals of the assessments and audits	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.19I	duty to conduct a food safety assessment as required under section 19H	Coordinator Environmental Health Environmental Health Officer	Subject to section 19J where council is the registration authority
s.19IA(2)	duty to give written notice to proprietor if food safety requirements or section 19DC(2) have not been complied with unless subsection (3) applies	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.19M(4)(a) &	power to conduct a food safety audit and take	Coordinator Environmental Health	where council is the registration

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
(5)	actions where deficiencies are identified	Environmental Health Officer	authority
s.19N	function of receiving information from a food safety auditor	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.19NA(1)	power to request food safety audit reports	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.19U(3)	power to waive and vary the costs of a food safety audit if there are special circumstances	Coordinator Environmental Health Environmental Health Officer	
s.19U(4)	duty to ensure that information relating to costs of a food safety audit are available for inspection by the public	Coordinator Environmental Health Environmental Health Officer	
s.19UA	power to charge fees for conducting a food safety assessment or inspection	Coordinator Environmental Health Environmental Health Officer	except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39
s.19UA(4)	duty to consider proprietor's history of compliance in deciding whether to charge the fee	Coordinator Environmental Health Environmental Health Officer	
s.19UA(5)	duty to ensure that the method of determining a fee under subsection (3)(a) and the considerations that apply under subsection (4) are available for inspection by the public	Coordinator Environmental Health Environmental Health Officer	
s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	Coordinator Environmental Health Environmental Health Officer	power of registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19W(3)(a)	power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	Coordinator Environmental Health Environmental Health Officer	power of registration authority
s.19W(3)(b)	power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	Coordinator Environmental Health Environmental Health Officer	power of registration authority
	power to register, renew or transfer registration	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council (see section 58A(2))
s.35A(2)	function of receiving notice of operation from the proprietor of a food premises	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.37	function of receiving application, information and documents required under section 36 from the proprietor of a food business	Coordinator Environmental Health Environmental Health Officer	
s.38(3)	duty to consult with the Secretary about the proposed exemption under section 38(2)	Coordinator Environmental Health Environmental Health Officer	
s.38AA(2)	function of being notified of operation	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.38AA(4)	duty to determine whether the food premises are exempt from the requirement of registration	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority

FOOD ACT 1984

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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 Environmental Health Environmental Health Officer	where council is the registration authority
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 Environmental Health Environmental Health Officer	where council is the registration authority
s.38A(4)	power to request a copy of a completed food safety program template	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.38A(5) & (6)	function of receiving a food safety audit certificate from a proprietor	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.38B(1)(c)	duty to inspect	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority

FOOD ACT 1984

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.38D(3)	power to request copies of any audit reports	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.38E(1)(c)	function of assessing the requirement for a food safety program	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.38E(2)	power to register the food premises on a conditional basis	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority not exceeding the prescribed time limit defined under subsection (5).
s.38E(3)(a)	function of receiving certificates	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.38E(4)	duty to register the food premises when conditions are satisfied	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.38F(3)(a)	duty to note the change to the classification of the food premises on the certificate of registration	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.39(2)	duty to inspect within 12 months before renewal of registration	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.39(3)	duty to inspect within 3 months before renewal of	Coordinator Environmental Health Environmental Health Officer	where council is the registration

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	registration if circumstances in section 39(3)(a)-(d) apply		authority
s.39A	power to register renew or transfer food premises despite minor defects	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority only if satisfied of matters in subsections (2)(a)-(c)
s.39A(6)	duty to comply with direction of Secretary	Coordinator Environmental Health Environmental Health Officer	
s.40(1)	duty to issue a certificate of registration in the prescribed form	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.40D(1)	power to suspend or revoke the registration of food premises	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.40D(2)	duty to specify how long a suspension is to last under s.40D(1)	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.40E(4)	duty to comply with direction of Secretary	Coordinator Environmental Health Environmental Health Officer	
s.43(1) and (2)	duty to keep register of all registrations, renewals	Coordinator Environmental Health Environmental Health Officer	where council is the registration

FOOD ACT 1984

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	or transfers of registration		authority
s.43(3)	duty to make available information held in records, free of charge, on request	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.43F(6)	duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
S.43F(7)	power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
S.43I	function of receiving a statement of trade of a proprietor of a food business	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority
s.46(5)	power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	Coordinator Environmental Health Environmental Health Officer	where council is the registration authority

HERITAGE ACT 1995			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.84(2)	power to sub-delegate Executive Director's functions	General Manager Development Manager Land Use Planning	must obtain Executive Director's written consent first.

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.4B	power to prepare an amendment to the Victoria Planning Provisions	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	if authorised by the Minister
s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner	
s.4H	duty to make amendment etc available	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.4I	duty to keep Victoria Planning Provisions and other documents available	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.84(2)	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.8A(3)	power to apply to Minister to prepare an amendment to the	General Manager Development Manager Land Use Planning	Council must apply to

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	planning scheme	Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	Minister for authorisation to prepare amendment
s.11(3)(b)	duty to submit amendment to planning scheme to Minister for approval if the Minister withdraws authorisation	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
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 Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s 12A (1)	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under section 19 of the Planning and Environment (Planning Schemes) Act 1996)	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner	
s.12(3)	power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure coordination of planning scheme with these persons	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner	
s.12B(1)	duty to review planning scheme	General Manager Development Manager Land Use Planning	Deletion to wording of

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		Coordinator Strategic Planning Strategic Planner	provision
s.12B(2)	duty to review planning scheme at direction of Minister	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	General Manager Development Manager Land Use Planning, Coordinator Strategic Planning Strategic Planner	
s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Coordinator Strategic Planning Strategic Planner	
s.17(1)	duty of giving copy amendment to the planning scheme	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.17(2)	duty of giving copy s.173 agreement	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.18	duty to make amendment etc. available	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
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 section 19 to a planning scheme	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.20(1)	power to apply to Minister for exemption from the requirements of s 19	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.21 (2)	duty to make submissions available	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.21A(4)	duty to publish notice	General Manager Development Manager Land Use Planning Project Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.22	duty to consider all submissions	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.23(2)	power to refer submissions to a panel	General Manager Development Manager Land Use Planning, Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in s 96D)	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.26(1)	power to make report available for inspection	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.26(2)	duty to keep report of panel available for inspection	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.27 (2)	power to apply for exemption if panel's report not received	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.28	duty to notify the Minister if abandoning an amendment	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	Note: the power to make a decision to abandon an amendment cannot be delegated
s.30(4)(a)	duty to say if amendment has lapsed	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.30(4)(b)	duty to provide information in writing upon request	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.31	duty to submit adopted amendment to Minister and, if applicable, details under s.19(1B)	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.32(2)	duty to give more notice if required	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.33(1)	duty to give more notice of changes to an amendment	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.35A(2)	duty to not approve an amendment under s.35B unless the amendment has been certified by the Secretary	General Manager Development Manager Land Use Planning, Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.35B(1)	power to approve amendment in form certified under section 35A	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.35B(2)	duty to give to Minister notice of approval, copy of approved amendment and other documents	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.36(2)	duty to give notice of approval of amendment	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.38(5)	duty to give notice of revocation of an amendment	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.40(1)	function of lodging copy of approved amendment	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.40(1A)	duty to lodge prescribed documents and copy of approved amendment with the relevant authorities	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.41	duty to make approved amendment available	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.42	duty to make copy of planning scheme available	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
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 Development Manager Land Use Planning Coordinator Statutory Planning	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		Senior Statutory Planner Statutory Planner	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	General Manager Development Manager Land Use Planning	
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	General Manager Development	
s.46Q(1)	duty to keep proper accounts of levies paid	General Manager Development Manager Land Use Planning	
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	General Manager Development Manager Land Use Planning	
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 Development Manager Land Use Planning	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	General Manager Development Manager Land Use Planning	Only applies when levy is paid to Council as a 'development agency'
s.46Q(4)(c)	duty to pay amount to current owners of land in the area	General Manager Development Manager Land Use Planning	must be done within six months of the end

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	General Manager Development Manager Land Use Planning	must be done in accordance with Part 3
s46Q(4)(e)	duty to expend that amount on other works etc.	General Manager Development Manager Land Use Planning	with the consent of, and in the manner approved by, the Minister
s.46QC	power to recover any amount of levy payable under Part 3B	General Manager Development Manager Land Use Planning General Manager Governance Manager Finance	
s.46V(3)	duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	Not delegated	
s.46Y	duty to carry out works in conformity with the approved strategy plan	Not delegated	
s.47	power to decide that an application for a planning permit does not comply with that Act	Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.49(2)	duty to make register available for inspection	Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.50(4)	duty to amend application	Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.50(5)	power to refuse to amend application	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.50(6)	duty to make note of amendment to application in register	Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.50A(1)	power to make amendment to application	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.50A(4)	duty to note amendment to application in register	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.51	duty to make copy of application available for inspection	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
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 Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
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 Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.52(1)(cb)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.52(1A)	power to refuse an application	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.52(3)	power to give any further notice of an application where appropriate	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.54(1)	power to require the applicant to provide more information	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.54(1A)	duty to give notice in writing of information required under section 54(1)	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.54(1B)	duty to specify the lapse date for an application	Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.54A(4)	duty to give written notice of decision to extend or refuse to extend time und section 54A(3)	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.55(1)	duty to give copy application, together with the prescribed	General Manager Development Manager Land Use Planning	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	information, to every referral authority specified in the planning scheme	Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.57(5)	duty to make available for inspection copy of all objections	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to section 57A(5)	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.57A(5)	power to refuse to amend application	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.57A(6)	duty to note amendments to application in register	General Manager Development Manager Land Use Planning Coordinator Statutory Planning	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		Senior Statutory Planner Statutory Planner	
s.57B(1)	duty to determine whether and to whom notice should be given	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.57C(1)	duty to give copy of amended application to referral authority	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.58	duty to consider every application for a permit except for a development assessment committee application	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.58A	power to request advice from the Planning Application Committee	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.60	duty to consider certain matters	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		Statutory Planner	
s60(1A)	power to consider certain matters before deciding on application	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.61(1)(a)	power to decide to grant a permit	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>
s.61(1)(b)	power to decide to grant a permit with conditions	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	he permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>
s.61(1)(c)	power to refuse the permit	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.61(2)	duty to decide to refuse to grant a permit if a relevant referral authority objects to grant of permit	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without Minister's consent	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.61(3)(b)	duty to refuse to grant the permit without the Minister's consent	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.62(1)	duty to include certain conditions in deciding to grant a permit	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.62(2)	power to include other conditions	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.62(4)	Duty to ensure conditions are consistent with subsections (a), (b) and (c)	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
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 section 173 agreement	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
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 .62(5) or s.46N	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
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 Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.64(3)	duty not to issue a permit until after the specified period	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.64(5)	duty to give each objector a copy of an exempt decision	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
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	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under Section 57	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.66(1)	duty to give notice under s.64 or s.65 and copy permit to relevant determining referral authorities	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s.66(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s.66(6)	duty to give a recommending referral authority a copy of any	General Manager Development Manager Land Use Planning	If the recommending

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	permit which Council decided to grant and a copy of any notice given under section 64 or 64	Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	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
s.69(1)	function of receiving application for extension of time of permit	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.69(1A)	function of receiving application for extension of time to complete development	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.69(2)	power to extend time	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.70	duty to make copy permit available for inspection	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.71(1)	power to correct certain mistakes	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.71(2)	duty to note corrections in register	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.73	power to decide to grant amendment subject to conditions	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.74	duty to issue amended permit to applicant if no objectors	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	General Manager Development Manager Land Use Planning; Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner 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 recommending referral authority
s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner 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
s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decided to grant and a copy of any notice given under section 64 or 76	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	If the recommending referral authority did not object to the amendment of the

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			permit or the recommending referral authority did not recommend a condition to be included on the amended permit
s.76D	duty to comply with direction of Minister to issue amended permit	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.83	function of being respondent to an appeal	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.83B	duty to give or publish notice of application for review	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
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 Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
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 Development Manager Land Use Planning Coordinator Statutory Planning	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		Senior Statutory Planner Statutory Planner	
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 Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.84(6)	duty to issue permit on receipt of advice within 3 working days	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.86	duty to issue a permit at order of Tribunal within 3 working days	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.91(2)	duty to comply with the directions of the VCAT	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		Statutory Planner	
s.91(2A)	Duty to issue amended permit to owner if Tribunal so directs	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.93(2)	duty to give notice of VCAT order to stop development	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.95(3)	function of referring certain applications to the Minister	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.95(4)	duty to comply with an order or direction	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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 Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Coordinator Strategic Planning Strategic Planner	
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Coordinator Strategic Planning Strategic Planner	
s.96F	Duty to consider the panel's report under section 96E	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Coordinator Strategic Planning Strategic Planner	
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 <i>the Planning and Environment (Planning</i>	General Manager Development Manager Land Use Planning; Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	<i>Schemes) Act 1996)</i>	Coordinator Strategic Planning Strategic Planner	
s.96H(3)	power to give notice in compliance with Minister's direction	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Coordinator Strategic Planning Strategic Planner	
s.96J	power to issue permit as directed by the Minister	General Manager Development Manager Land Use Planning; Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Coordinator Strategic Planning Strategic Planner	
s.96K	duty to comply with direction of the Minister to give notice of refusal	General Manager Development Manager Land Use Planning; Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Coordinator Strategic Planning Strategic Planner	
s.97C	power to request Minister to decide the application	General Manager Development Manager Land Use Planning	
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Coordinator Strategic Planning	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		Strategic Planner	
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 Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Coordinator Strategic Planning Strategic Planner	
s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Coordinator Strategic Planning Strategic Planner	
s.97L	duty to include Ministerial decisions in a register kept under section 49	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Coordinator Strategic Planning Strategic Planner	
s.97MCA(2)	function of consulting with advisory committee regarding the areas for which the Development Assessment Committee is to be established	General Manager Development Manager Land Use Planning	
s.97MG	duty to provide documents and information to development assessment committee	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Coordinator Strategic Planning	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		Strategic Planner	
s.97MH	duty to provide assistance to the development assessment committee	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Coordinator Strategic Planning Strategic Planner	
s.97MJ(2)	duty to ensure that the register of applications specifies whether the development assessment committee has made the decision	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Coordinator Strategic Planning Strategic Planner	
s.97MK	function of nominating member of the development assessment committee	General Manager Development Manager Land Use Planning; Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Coordinator Strategic Planning Strategic Planner	
s.97ML(4)	power to nominate alternate members of the development assessment committee	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Coordinator Strategic Planning Strategic Planner	
s.97O	duty to consider application and issue or refuse to issue	General Manager Development Manager Land Use Planning	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	certificate of compliance	Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
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 Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	General Manager Development Manager Land Use Planning; Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.97Q(4)	duty to comply with directions of VCAT	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	General Manager Development Manager Land Use Planning Coordinator Statutory Planning	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		Senior Statutory Planner Statutory Planner	
s.101	function of receiving claim for expenses in conjunction with claim	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.103	power to reject a claim for compensation in certain circumstances	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.107(1)	function of receiving claim for compensation	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.107(3)	power to agree to extend time for making claim	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Compliance Officer	
s.114(1)	power to apply to the VCAT for an enforcement order	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Compliance Officer	
s.117(1)(a)	function of making a submission to the VCAT where objections	General Manager Development Manager Land Use Planning	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	are received	Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Compliance Officer	
s.120(1)	power to apply for an interim enforcement order where s.114 application has been made	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Compliance Officer	
s.123(1)	power to carry out work required by enforcement order and recover costs	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Compliance Officer	
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	General Manager Development	To be ratified by Council Except Crown Land
s.125	Power to apply for an injunction restraining a person from contravening an enforcement order or interim enforcement order	General Manager Development Manager Land Use Planning Coordinator Statutory Planning	
s.129	function of recovering penalties	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Compliance Officer	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.130(5)	power to allow person served with an infringement notice further time	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Compliance Officer	
s.149A(1)	power to refer a matter to the VCAT for determination	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretations of a s.173 agreement	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
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 2(B) power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner	
s.171(2)(f)	power to carry out studies and commission reports	General Manager Development Manager Land Use Planning Project Manager Wellington Coast Subdivision Strategy Coordinator Strategic Planning Strategic Planner Coordinator Statutory Planning	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		Senior Statutory Planner Statutory Planner	
s.171(2)(g)	power to grant and reserve easements	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	With the exception of proposals for reservation of easements on third party properties
s.173	power to enter into agreement covering matters set out in section 174	Not delegated	
---	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
---	power to give consent on behalf of Council, where an agreement made under section 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 Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.177(2)	power to end a section 173 agreement by agreement with all persons who are bound by any covenant in the agreement	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.178A(1)	function of receiving application to amend or end an agreement	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.178A(5)	power to propose to amend or end an agreement	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
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 Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178C(4)	function of determining how to give notice under s.178C(2)	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.178E(1)	duty not to make decision until after 124 days after notice has been given	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	If no objections are made under s.178D Must consider matters in s.178B
s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	If no objections are made under s178D Must consider matters in s.178B
s.178E(2)(C)	power to refuse to amend or end an agreement	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	If no objections are made under s.178D Must consider matters in s.178B
s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	After considering objections, submissions and matters in s.148B

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	After considering objections, submissions and matters in s.148B
s.178E(3)(C)	power to amend or end the agreement in a manner that is substantively different from the proposal	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	After considering objections, submission and matters in s.148B
s.178E(3)(d)	power to refuse to amend or end the agreement	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	After considering objections, submission and matters in s.148B
s.178F(1)	duty to give notice of its decision under s.178E(3)(a)or(b)	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.178F(2)	duty to give notice of its decision under s.178E(s)(c)or (3)(d)	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
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 Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178G	duty to sign amended agreement and give copy to each other party to the agreement	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
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 Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
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 Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.178	power to amend a section 173 agreement by agreement with all persons who are bound by an covenant in the agreement	Not delegated	
s.179(1)	duty to lodge agreement with Minister	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.179(2)	duty to make available for inspection copy agreement	Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.181	duty power to apply to the Registrar of Titles for registration of to record the agreement and to deliver a memorial to Registrar-General	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		Statutory Planner	
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.182	power to enforce an agreement	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Compliance Officer	
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
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	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
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	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		Statutory Planner	
s.184F(3)	duty to inform the principal registrar if the responsible authority decided to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
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	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.184G(2)	duty to comply with a direction from the Tribunal	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.184G(3)	Duty to give notice as directed by the Tribunal	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.198(1)	function to receive application for planning certificate	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.199(1)	duty to give planning certificate to applicant	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.201(1)	function of receiving application for declaration of underlying zoning	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.201(3)	duty to make declaration	General Manager Development Manager Land Use Planning; Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
-	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	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
-	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	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
-	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	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
-	power to give written authorisation in accordance with a provision of a planning scheme	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.201UAB(1)	function of providing the Growth Areas Authority with	General Manager Development	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	information relating to any land within municipal district	Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	

Planning and Environment Act 1987 – Also see list containing powers not delegated

PLANNING AND ENVIRONMENT REGULATIONS 2005

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	COMMENTS
r 6	duty of responsible authority to provide copy of matter considered under section 60(1A)(g) for inspection free of charge	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Coordinator Strategic Planning Strategic Planner	
r7	duty of responsible authority to provide copy information or report requested by Minister	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Coordinator Strategic Planning Strategic Planner	
r22	power of responsible authority to require verification of information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in application for permit or to amend a permit or any information provided under section 54 of the Act	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
r 55	duty of responsible authority to tell Registrar of Titles under r 183 of the Act of the cancellation or amendment of an agreement	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	

PLANING AND ENVIRONMENT (FEES) IN INTERIM REGULATIONS 2011

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.16	power to waive or rebate fee in prescribed circumstances	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	where Council is the responsible authority
r.17	power to waive or rebate fee for amendment to a planning scheme in prescribed circumstances	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner	where Council is the planning authority
r.18	duty if fee waived or rebated to record in writing the matters taken into account and which formed the basis of the decision	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	where Council is the responsible authority or planning authority

RAIL SAFETY ACT 2006

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATED	CONDITIONS & LIMITATIONS
s.33	duty to comply with a direction of the Safety Director under this section	Not delegated	Duty of council as a utility under section 3
s.33A	duty to comply with a direction of the Safety Director to give effect to arrangements under this section	Not delegated	Duty of council as a road authority under the <i>Road Management Act 2004</i>
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 section 33(1)	Not delegated	Duty of council as a utility under section 3
s.34C(2)	function of entering into safety interface agreements with rail infrastructure manager	Not delegated	where council is the relevant road manager
s.34D(1)	function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	Not delegated	where council is the relevant road manager
s.34D(2)	function of receiving written notice of opinion	Not delegated	where council is the relevant road manager
s.34D(4)	function of entering into safety interface agreement with infrastructure manager	Not delegated	where council is the relevant road manager
s.34E(1)(a)	duty to identify and assess risks to safety	Not delegated	where council is the relevant road manager
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)	Not delegated	where council is the relevant road manager

RAIL SAFETY ACT 2006

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATED	CONDITIONS & LIMITATIONS
s.34E(3)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	Not delegated	where council is the relevant road manager
s.34F(1)(a)	duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)	Not delegated	where council is the relevant road manager
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)	Not delegated	where council is the relevant road manager
s.34F(2)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	Not delegated	where council is the relevant road manager
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)	Not delegated	where council is the relevant road manager
s.34I	function of entering into safety interface agreements	Not delegated	where council is the relevant road manager
s.34J(2)	function of receiving notice from Safety Director	Not delegated	where council is the relevant road manager
s.34J(7)	duty to comply with a direction of the Safety Director given under section 34J(5)	Not delegated	where council is the relevant road manager
s.34K(2)	duty to maintain a register of items set out in subsections (a)-(b)	Not delegated	where council is the relevant road manager

RESIDENTIAL TENANCIES ACT 1997

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATED	CONDITIONS & LIMITATIONS
s.14D	function of receiving notice regarding an unregistered rooming house	General Manager Development Manager Municipal Services Coordinator Environmental Health Environmental Health Officer	
s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	Not delegated	where council is the landlord
s.262(1)	power to give tenant a notice to vacate rented premises	Not delegated	where council is the landlord
s.262(3)	power to publish its criteria for eligibility for the provision of housing by council	General Manager Development Manager Municipal Services Coordinator Environmental Health Environmental Health Officer	
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	General Manager Development Manager Municipal Services Coordinator Environmental Health Environmental Health Officer	
s.522(1)	power to give a compliance notice to a person	General Manager Development Manager Municipal Services Coordinator Environmental Health Environmental Health Officer	
s.525(2)	power to authorise an officer to exercise powers in s.526 (either generally or in a particular case)	General Manager Development Manager Municipal Services Coordinator Environmental Health Environmental Health Officer	
s.525(4)	duty to issue identity card to authorised officers	Manager Land Use Planning Manager Organisation Development Governance Officer	

RESIDENTIAL TENANCIES ACT 1997

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATED	CONDITIONS & LIMITATIONS
s.526(5)	duty to keep record of entry by authorised officer under section 526	General Manager Development Manager Municipal Services Coordinator Environmental Health Environmental Health Officer	
s.526A(3)	function of receiving report of inspection	General Manager Development Manager Municipal Services Coordinator Environmental Health Environmental Health Officer	
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	General Manager Development Manager Municipal Services Coordinator Environmental Health Environmental Health Officer	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	COMMENTS
r.7	function of entering into a written agreement with a caravan park owner	Manager Municipal Services Coordinator Environmental health Environmental Health Officer	
r.11	function of receiving application for registration	Manager Municipal Services Coordinator Environmental health Environmental Health Officer	
r.13(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	Manager Municipal Services Coordinator Environmental health Environmental Health Officer	
r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	Manager Municipal Services Coordinator Environmental health Environmental Health Officer	
r.13(4) & (5)	duty to issue certificate of registration	Manager Municipal Services Coordinator Environmental health Environmental Health Officer	
r.15(1)	function of receiving notice of transfer of ownership	Manager Municipal Services Coordinator Environmental health Environmental Health Officer	
r.15(3)	power to determine where notice of transfer is displayed	Manager Municipal Services Coordinator Environmental health Environmental Health Officer	
r.16(1)	duty to transfer registration to new caravan park owner	Manager Municipal Services Coordinator Environmental health Environmental Health Officer	
r.16(2)	duty to issue a certificate of transfer of registration	Manager Municipal Services Coordinator Environmental health Environmental Health Officer	
r.17(1)	power to determine the fee to accompany applications for registration or applications for	Manager Municipal Services Coordinator Environmental health	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	COMMENTS
	renewal of registration	Environmental Health Officer	
r.18	duty to keep register of caravan parks	Manager Municipal Services Coordinator Environmental health Environmental Health Officer	
r.19(4)	power to determine where the emergency contact person's details are displayed	Manager Municipal Services Coordinator Environmental health Environmental Health Officer	
r.19(6)	power to determine where certain information is displayed	Manager Municipal Services Coordinator Environmental health Environmental Health Officer	
r.22(6)	duty to notify caravan park owners of emergency service agencies	Manager Municipal Services Coordinator Environmental health Environmental Health Officer	
r.22(7)	duty to consult with relevant emergency services agency	Manager Municipal Services Coordinator Environmental health Environmental Health Officer	
r.23(2)	power to determine places in which caravan park owner must display a copy of emergency procedures	Manager Municipal Services Coordinator Environmental health Environmental Health Officer	
r.24(1)	power to determine places in which caravan park owner must display copy of public emergency warnings	Manager Municipal Services Coordinator Environmental health Environmental Health Officer	
r.25(3)	duty to consult with relevant floodplain management authority	Manager Municipal Services Coordinator Environmental health Environmental Health Officer	
r.26	duty to have regard to any report of the relevant fire authority	Manager Municipal Services Coordinator Environmental health Environmental Health Officer	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	COMMENTS
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 Coordinator Environmental health Environmental Health Officer	
r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	Manager Municipal Services Coordinator Environmental health Environmental Health Officer	
r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	Manager Municipal Services Coordinator Environmental health Environmental Health Officer	
r.40(4)	function of receiving installation certificate	Manager Municipal Services Coordinator Environmental health Environmental Health Officer	
r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	Manager Municipal Services Coordinator Environmental health Environmental Health Officer	
Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	Manager Municipal Services Coordinator Environmental health Environmental Health Officer	

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s11(1)	power to declare a road by publishing a notice in the Government Gazette	General Manager Built & Natural Environment Manager Assets & Projects Coordinator Asset Management	obtain consent in circumstances specified in s11(2)
s11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	General Manager Built & Natural Environment Manager Assets & Projects Coordinator Asset Management	
s11(9)(b)	duty to advise Registrar	General Manager Built & Natural Environment Manager Assets & Projects Coordinator Asset Management	
s11(10)	duty to inform Secretary to Department of Sustainability and Environment of declaration etc.	General Manager Built & Natural Environment Manager Assets & Projects Coordinator Asset Management	clause subject to s11(10A)
s11(10A)	duty to inform Secretary to Department of Sustainability and Environment or nominated person	General Manager Built & Natural Environment Manager Assets & Projects Coordinator Asset Management	duty of coordinating road authority
s12(2)	power to discontinue road or part of a road	General Manager Built & Natural Environment Manager Assets & Projects Coordinator Asset Management	power of coordinating road authority
s12(4)	power to publish, and provide copy, notice of proposed discontinuance	General Manager Built & Natural Environment Manager Assets & Projects Coordinator Asset Management	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s12(5)	duty to consider written submissions received within 28 days of notice	General Manager Built & Natural Environment Manager Assets & Projects Coordinator Asset Management	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s12(6)	function of hearing a person in support of their written submission	General Manager Built & Natural Environment Manager Assets & Projects Coordinator Asset Management	Function of coordinating road authority where it is the discontinuing body Unless subsection (11) applies
s12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	General Manager Built & Natural Environment Manager Assets & Projects Coordinator Asset Management	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s12(10)	duty to notify of decision made	General Manager Built & Natural Environment Manager Assets & Projects Coordinator Asset Management	duty of coordinating road authority where it is the discontinuing body Does not apply where an exemption is specified by the

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			regulations or given by the Minister
s13(1)	power to fix a boundary road by publishing notice in Government Gazette	General Manager Built & Natural Environment Manager Assets & Projects Coordinator Asset Management	power of coordinating road authority and obtain consent under s13(3) and s13(4) as appropriate
s.14(4)	function of receiving notice from VicRoads	General Manager Built & Natural Environment Manager Assets & Projects Coordinator Asset Management	
s14(7)	power to appeal against decision of VicRoads	General Manager Built & Natural Environment Manager Assets & Projects	Report to council
s15(1)	power to enter into arrangement with another road authority 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 Built & Natural Environment Manager Assets & Projects Manager Built Environment	Report to council
s15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	General Manager Built & Natural Environment Manager Built Environment	
s15(2)	duty to include details of arrangement in public roads register	Manager Built Environment Coordinator Built Environment Planning	
s16(7)	power to enter into an arrangement under section 15	General Manager Built & Natural Environment	Report to council

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s16(8)	duty to enter details of determination in public roads register	Manager Built Environment Coordinator Built Environment Planning	
s17(2)	duty to register public road in public roads register	Manager Built Environment Coordinator Built Environment Planning	
s17(3)	power to decide that a road is reasonably required for general public use	General Manager Built & Natural Environment Manager Built Environment	
s17(3)	duty to register a road reasonably required for general public use in public roads register	Manager Built Environment Coordinator Built Environment Planning	
s17(4)	Power to decide that a road is no longer reasonably required for general public use	General Manager Built & Natural Environment Manager Built Environment	
s17(4)	duty to remove road no longer reasonably required for general public use from public roads register	General Manager Built & Natural Environment Manager Built Environment	
s.18(1)	power to designate ancillary area	General Manager Built & Natural Environment Manager Built Environment	obtain consent in circumstances specified in s18(2)
s.18(3)	duty to record designation in public roads register	Manager Built Environment Coordinator Built Environment Planning	
s.19(1)	duty to keep register of public roads in respect of which it is the coordinating road authority	Manager Built Environment Coordinator Built Environment Planning	
s.19(4)	duty to specify details of discontinuance in public roads register	General Manager Built & Natural Environment Manager Assets & Projects Coordinator Infrastructure Development	
s.19(5)	duty to ensure public roads register is available for	Manager Built Environment Coordinator Built Environment Planning	

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	public inspection		
s.21	function of replying to request for information or advice	General Manager Built & Natural Environment Manager Built Environment	obtain consent in circumstances specified in s11(2)
s.22(2)	function of commenting on proposed direction	General Manager Built & Natural Environment Manager Built Environment	report to Council
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 Built & Natural Environment Manager Built Environment	where council is the road authority
s.22(5)	duty to give effect to a direction under this section.	General Manager Built & Natural Environment Manager Built Environment	
s.40(1)	Duty to inspect, maintain and repair a public road	General Manager Built & Natural Environment Manager Built Environment	
s.40(5)	power to inspect, maintain and repair a road which is not a public road	General Manager Built & Natural Environment Manager Built Environment	
s.41(1)	Power to determine the standard of construction, inspection, maintenance and repair	General Manager Built & Natural Environment Manager Built Environment Manager Assets & Projects	
s.42(1)	power to declare a public road as a controlled access road	General Manager Built & Natural Environment Manager Built Environment	power of coordinating road authority and schedule 2 also applies
s.42(2)	power to amend or revoke declaration by notice published in Government Gazette	General Manager Built & Natural Environment Manager Built Environment	power of coordinating road authority and schedule 2 also applies
s.42A(3)	duty to consult with VicRoads before road is specified	General Manager Built & Natural Environment Manager Built Environment	duty of coordinating road authority

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			if road is a municipal road or part thereof
s.42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	General Manager Built & Natural Environment Manager Built Environment	power of coordinating road authority if road is a municipal road of part thereof and where road is to be specified a freight road
s.48EA	duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	General Manager Built & Natural Environment Manager Built Environment	Duty of responsible road authority, infrastructure manager or works manager
s.48M(3)	function of consulting with the Secretary for purposes of developing guidelines under section 48M	General Manager Built & Natural Environment Manager Built Environment	
s.48N	duty to notify the Secretary of the location of the bus stopping point and the action taken by council	General Manager Built & Natural Environment Manager Built Environment	
s.49	power to develop and publish a road management plan	General Manager Built & Natural Environment Manager Built Environment	
s.51	power to determine standards by incorporating the standards in a road management plan	General Manager Built & Natural Environment Manager Built Environment	
s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	Report to Council
s.54(2)	duty to give notice of proposal to make a road	General Manager Built & Natural Environment	

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	management plan	Manager Built Environment Coordinator Built Environment Planning	
s.54(5)	duty to conduct a review of road management plan at prescribed intervals	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	
s.54(6)	power to amend road management plan	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	
s.54(7)	duty to incorporate the amendments into the road management plan	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	
s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	
s.63(1)	power to consent to conduct of works on road	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	
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 Built & Natural Environment Manager Built Environment	power of infrastructure manager
s.64(1)	duty to comply with clause 13 of Schedule 7	General Manager Built & Natural Environment Manager Built Environment	duty of infrastructure manager or works manager
s.66(1)	power to consent to structure etc Placing of specified things on roads or road	General Manager Development Manager Municipal Services Coordinator Local Laws	

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	infrastructure		
s.67(2)	function of receiving the name & address of the person responsible for distributing the sign or bill	General Manager Development Manager Municipal Services Coordinator Local Laws	where council is the coordinating road authority
s.67(3)	power to request information Disclosure of distributor's name	General Manager Development Manager Municipal Services Coordinator Local Laws	
s.68(2)	power to request information Depositors name disclosed by Distributor	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	
s.71(3)	power to appoint an authorised officer	Not delegated	
s.72	duty to issue an identity card to each authorised officer	Chief Executive Officer	
s.85	function of receiving report from authorised officer	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	
s.86	duty to keep register re section 85 matters	Not delegated	
s.87(1)	function of receiving complaints	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	
s.87(2)	duty to investigate complaint and provide report	Not delegated	

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.112(2)	power to recover damages in court	General Manager Built & Natural Environment Manager Built Environment	
s.116	power to cause or carry out inspection	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning Road Construction & Maintenance Asset Inspector Coordinator Risk Management	
s.119(2)	function of consulting with VicRoads		
s.120(1)	Power to exercise road management functions on an arterial road (with the consent of VicRoads)	Manager Built Environment Manager Assets & Projects Manager Natural Environment & Parks	
s.120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	Coordinator Built Environment Planning Coordinator Infrastructure Development	
s121(1)	power to enter into an agreement in respect of works	General Manager Built & Natural Environment Manager Built Environment Manager Assets & Projects	
s.122(1)	power to charge and recover fees	Not delegated	
s.123(1)	power to charge for any service	Not delegated	
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	Not delegated	
Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	Not delegated	

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	Not delegated	
Schedule 2 Clause 4	function of receiving details of proposal from VicRoads	Not delegated	
Schedule 2 Clause 5	duty to publish notice of declaration	Not delegated	
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 Built & Natural Environment Manager Built Environment	duty of infrastructure manager or works manager
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 Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	duty of infrastructure manager or works manager
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 Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	duty of infrastructure manager or works manager responsible for non-road infrastructure
Schedule 7, Clause 9(2)	duty to give information to another infrastructure manager or works manager where becomes	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	duty of infrastructure manager or works

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	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
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 Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	duty of infrastructure manager or works manager
Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	General Manager Built & Natural Environment Manager Built Environment/ Coordinator Built Environment Planning	power of coordinating road authority
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	General Manager Built & Natural Environment Manager Built Environment/ Coordinator Built Environment Planning	power of coordinating road authority
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	power of coordinating road authority
Schedule 7 Clause 12(5)	power to recover costs	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	power of coordinating road authority
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 Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	duty of works manager
Schedule 7 Clause 13(2)	power to vary notice period	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	power of coordinating road authority
Schedule 7, Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	duty of infrastructure manager

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	13(1)		
Schedule 7 Clause 16(1)	power to consent to proposed works	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	power of coordinating road authority
Schedule 7 Clause 16(4)	duty to consult	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	where council is the coordinating road authority, responsible authority or infrastructure manager
Schedule 7 Clause 16(5)	power to consent to proposed works	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	where council is the coordinating road authority
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	where council is the coordinating road authority
Schedule 7 Clause 16(8)	power to include consents and conditions	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	where council is the coordinating road authority
Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	where council is the coordinating road authority
Schedule 7 Clause 18(1)	power to enter into an agreement	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	where council is the coordinating road authority

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	where council is the coordinating road authority
Schedule 7 Clause 19(2) &(3)	power to conduct rectification works or engage a person to conduct rectification works and power to recover costs incurred	General Manager Built & Natural Environment Manager Built Environment	where council is the coordinating road authority
Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	where council is the coordinating road authority
Schedule 7A Clause 2	power to cause street lights to be installed on roads	General Manager Built & Natural Environment Manager Assets & Projects Coordinator Infrastructure Development	power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
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 Built & Natural Environment Manager Assets & Projects Coordinator Infrastructure Development	where council is the responsible road authority for the road
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 Built & Natural Environment Manager Assets & Projects Coordinator Infrastructure Development	where council is the responsible road authority
Schedule 7A Clause (3)(1)(f),	duty to pay installation and percentage of operation costs of street lighting – for arterial	General Manager Built & Natural Environment Manager Assets & Projects Coordinator Infrastructure Development	where council is responsible road

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	roads in accordance with clauses 3(2) and 4		authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs)

ROAD MANAGEMENT (GENERAL) REGULATIONS 2005

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.301(1)	duty to conduct reviews of road management plan	General Manager Built & Natural Environment Manager Built Environment	
r.302(2)	duty to give notice of review of road management plan	General Manager Built & Natural Environment Manager Built Environment	
r.302(5)	duty to produce written report of review of road management plan and make report available	General Manager Built & Natural Environment Manager Built Environment	
r.303	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	General Manager Built & Natural Environment Manager Built Environment	
r.306(2)	duty to record on road management plan the substance and date of effect of amendment	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	
r.501(1)	power to issue permit	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	where council is the coordinating road authority
r.501(4)	power to charge fee for issuing permit under r.501(1)	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	where council is the coordinating road authority
r.503(1)	power to give written consent to person to drive on road a vehicle which is likely to cause damage to road	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	where council is the coordinating road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2005

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.508(3)	power to make submission to Tribunal	General Manager Built & Natural Environment Manager Built Environment Manager Assets & Projects	where council is the coordinating road authority
r.509(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	where council is the coordinating road authority
r.509(2)	power to sell or destroy things removed from road or part of road (after first complying with r.509(3))	General Manager Built & Natural Environment Manager Built Environment	where council is the coordinating road authority
r.509(4)	power to recover in the Magistrates' Court, expenses from person responsible	General Manager Built & Natural Environment Manager Built Environment	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2005

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.10	power, where consent given under s.63(1) of the Act, to exempt a person from requirement under clause 13(1) of Schedule 7 to that Act to give notice as to the completion of those work	General Manager Built & Natural Environment Manager Built Environment	where council is the coordinating road authority and where consent given under section 63(1) of the Act
r.18(2)	power to waive whole or part of fee in certain circumstances	General Manager Built & Natural Environment Manager Built Environment	where council is the coordinating road authority

ITEM C2.4**GIPPSLAND WASTE RESOURCE AND RECOVERY GROUPS –
CALL FOR REPRESENTATION NOMINATION**

DIVISION: GOVERNANCE
 ACTION OFFICER: MANAGER ORGANISATION DEVELOPMENT
 DATE: 18 MARCH 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
√				√					

OBJECTIVE

To nominate a Council representative for appointment to the Gippsland Waste and Resource Recovery Region Local Government Waste Forum.

BACKGROUND

From the 1 August 2014, the current Regional Waste Management Groups, currently responsible for planning and coordinating the management of municipal solid waste, will be consolidated into six new regional Waste and Resource Recovery Groups (WRRGs).

As a future member Council of the Gippsland Waste and Resource Recovery Group, Council has the opportunity to nominate a potential representative by 31 March 2014. Existing Committee members of the previous Gippsland Regional Waste Management Group (GRWMG) are entitled to re-nominate and be elected. Cr Duncan is the current Council representative on the Gippsland RWMG board.

The Environment Protection and Sustainability Victoria Amendment Bill 2014 establishes six new Waste and Resource Recovery Groups (WRRGs) across Victoria, in place of the current twelve Regional Waste Management Groups (RWMGs).

The new WRRGs will have boards consisting of four directors nominated to the Minister for Environment and Climate Change by local governments in their Waste and Resource Recovery Region, and four appointed by the Minister.

The Victorian government is establishing a Local Government Waste Forum in each region, to nominate the four local government directors, and be an ongoing conduit for consultation between all local governments and the new WRRGs.

The Minister for Environment and Climate Change has requested that each Council in a Waste and Resource Recovery Region nominate a councillor to be its representative on the Local Government Waste Forum, by 31 March 2014.

PROPOSAL

That Council endorse the appointment of (name of Councillor) to the Gippsland Waste and Resource Recovery Region Local Government Waste Forum for 2014/15 as the representative of Wellington Shire Council.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

COUNCIL PLAN IMPACT

Council's continued involvement with the Waste and Recovery Group is in accordance with various Council Plan objectives.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council endorse the appointment of (name of Councillor) to the Gippsland Waste and Resource Recovery Region Local Government Waste Forum for 2014/15 as the representative of Wellington Shire Council.

**GENERAL MANAGER
DEVELOPMENT**

ITEM C3.1**STRATEGIC LAND USE PLANNING PROJECTS REVIEW GROUP MINUTES**

DIVISION: DEVELOPMENT
 ACTION OFFICER: MANAGER LAND USE PLANNING
 DATE: 18 MARCH 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
	✓	✓		✓					

OBJECTIVE

To receive the minutes of the Strategic Land Use Planning Projects Review Group (Review Group) meeting of 18 February 2014.

BACKGROUND

The Review Group was appointed by Council at the Special Council meeting of 6 November 2013, which considered the appointment of committees and delegates. The Review Group comprises Councillor McCubbin, Councillor Wenger, Councillor McIvor, General Manager Development, Manager Land Use Planning, Coordinator Strategic Planning, two Strategic Planners, General Manager Built & Natural Environment, Manager Assets & Projects, Coordinator Infrastructure Development and Manager Economic Development. The purpose is to provide Councillors with an update on a range of current strategic planning projects.

The Review Group meets bi-monthly and the last meeting was held on 18 February 2014 and the minutes are attached. Due to the confidential nature of many project proposals the minutes are provided as a confidential attachment.

OPTIONS

Council has the following options:

1. Receive the minutes from the Strategic Land Use Planning Projects Review Group meeting; or
2. Does not receive the minutes from the Strategic Land Use Planning Projects Review Group meeting and seeks further information for consideration at a future Council meeting.

PROPOSAL

To receive the minutes of the Review Group meeting of 18 February 2014.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

COMMUNICATION

The minutes of the Review Group meeting have been designated to be confidential information under Section 77 Clause (2)(c) of the *Local Government Act 1989*.

LEGISLATIVE IMPACT

All Review Group matters are considered in accordance with the *Local Government Act 1989*, *Planning and Environment Act 1987* and/or any relevant legislation.

COUNCIL PLAN IMPACT

Projects presented to the Review Group are consistent with the Council Plan 2013 - 2017, and in particular the Strategic Objective which seeks to achieve:

“Appropriate and forward looking land use planning that incorporates sustainable growth and development.”

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That:

- 1. Council receive the minutes of the Strategic Land Use Planning Projects Review Group meeting of 18 February 2014 at confidential attachment F1.2; and***
- 2. The information contained in the confidential document Item F1.2 Strategic Land Use Planning Projects Review Group Minutes of this Council Meeting Agenda designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Development on 3 March 2014 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989; e) proposed developments, be designated confidential information under Section 77 Clause (2)(b) of the Local Government Act 1989.***

ITEM C3.2**PORT ALBERT FLOOR LEVEL CONTROLS**

DIVISION: DEVELOPMENT
 ACTION OFFICER: MANAGER MUNICIPAL SERVICES
 DATE: 18 MARCH 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
✓		✓		✓					✓

OBJECTIVE

To:

1. designate the identified urban zoned areas of Port Albert as subject to flooding under the *Building Regulations 2006* (with a finished floor level requirement of 2.25m AHD); and
2. amend the 'assessment of development in relation to potential sea level rise policy'; and
3. waive the 'report and consent' fee for flooding in the identified urban zoned areas of Port Albert.

BACKGROUND

On 4 March 2014, Council considered a report on Amendment C33 (updated flood overlay controls) specifically relating to the urban zoned areas of Port Albert which were excluded from flood overlay controls by the Minister for Planning. A copy of the 4 March 2014 Council report is included in Attachment 1. It was resolved that:

'Council request officers to prepare a report for Council's consideration on 18 March 2014 which:

- a) designates the urban zoned areas of Port Albert as liable to flooding under the Building Regulations 2006 with a finished floor level requirement of 2.25m AHD; and***
- b) make changes to the adopted 17 December 2013 'assessment of development in relation to potential sea level rise policy' to reflect this approach for future development in Port Albert; which will result in no planning permit applications being referred to the WGCMA for advice.'***

This Council report responds to the 4 March 2014 resolution above. Based on maps recently provided by the West Gippsland Catchment Management Authority (WGCMA) (refer to Attachment 2), it is now recommended that Council designate the identified urban zoned areas of Port Albert as being subject to flooding under the *Building Regulations 2006*. As a result, the finished floor level requirement of 2.25m AHD will be controlled through the building permit process.

Given that finished floor levels in the identified urban zoned areas of Port Albert will no longer be controlled through the planning permit process, it is also appropriate for Council to adopt amendments to the adopted 17 December 2013 'assessment of development in relation to potential sea level rise policy.' The modified policy proposed for Council adoption is included in Attachment 3.

OPTIONS

Council has the following options:

1. a) designate the identified urban zoned areas of Port Albert as subject to flooding under the *Building Regulations 2006* (with a finished floor level requirement of 2.25m AHD) in accordance with Attachment 1; and
b) amend the 'assessment of development in relation to potential sea level rise policy' included in Attachment 2; and
c) waive the 'report and consent' fee for flooding in the identified urban zoned areas of Port Albert; or
2. Not designate the identified urban zoned areas of Port Albert as subject to flooding under the *Building Regulations 2006* and does not amend the 'assessment of development in relation to potential sea level rise policy'; or
3. Seek further information prior to considering a response for the identified urban zoned areas of Port Albert.

PROPOSAL

That:

1. Council designate the identified urban zoned areas of Port Albert as subject to flooding under the *Building Regulations 2006* (with a finished floor level requirement of 2.25m AHD) in accordance with Attachment 1; and
2. Council amend the 'assessment of development in relation to potential sea level rise policy' included in Attachment 2; and
3. Council waive the 'report and consent' fee for flooding in the identified urban zoned areas of Port Albert.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

FINANCIAL IMPACT

Should Council elect to designate the identified urban zoned areas of Port Albert as liable to flooding under the *Building Regulations 2006*, a Council application fee of \$238.75 for a 'report & consent' is payable. To alleviate this additional regulatory cost burden for landowners, it is proposed that the 'report and consent' fee for flooding be waived when a planning permit fee has already been paid for the proposed development.

LEGISLATIVE IMPACT

Providing a regulatory response to flooding in the identified urban zoned areas of Port Albert is being advanced in accordance with the requirements of the *Building Regulations 2006*.

COUNCIL PLAN IMPACT

The Municipal Services Strategy 2011–15 states the following strategic objective and related strategy:

Strategic Objective: The Strategic Objective of Municipal Services is to deliver fair, transparent and consistent processes and services which actively promote a safe, liveable environment for the residents and visitors to Wellington.

Strategy 4.1

"Introduce processes that take into account the long term impact of today's actions".

This report supports the above Council Plan strategic objective and strategy.

RISK MANAGEMENT

As outlined in the 4 March 2014 Council report, it is considered appropriate for Council to regulate potential flooding in the identified urban zoned areas of Port Albert, despite the Minister for Planning's recent decision in relation to Amendment C33.

The recommended approach will ensure that building floor levels are controlled through the building permit process (required floor levels would be 2.25m AHD which includes the 1 in 100 year flood level of 1.75m AHD plus 0.3m freeboard plus 0.2m potential sea level rise). As such, future development will be located above the 1 in 100 year flood level.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATIONS

That:

- 1. Council designate the identified urban zoned areas of Port Albert as subject to flooding under the Building Regulations 2006 (with a finished floor level requirement of 2.25m AHD) in accordance with Attachment 1; and***
- 2. Council amend the 'assessment of development in relation to potential sea level rise policy' included in Attachment 2; and***
- 3. Council waive the 'report and consent' fee for flooding in the identified urban zoned areas of Port Albert.***

ATTACHMENT 1 – MARCH 4 2014 COUNCIL REPORT

ITEM C3.3 AMENDMENT C33 (UPDATED FLOOD OVERLAY CONTROLS) – IMPLICATIONS FOR PORT ALBERT

DIVISION: DEVELOPMENT
ACTION OFFICER: MANAGER LAND USE PLANNING
DATE: 4 MARCH 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
✓		✓		✓					✓

OBJECTIVE

To update Council on the approval of Amendment C33 (updated flood overlay controls) and determine an appropriate response for the urban zoned areas of Port Albert which have been excluded from Amendment C33 by the Minister for Planning.

BACKGROUND

Amendment C33 (updated flood overlay controls) was prepared to ensure that the best available flood information is included in the Wellington Planning Scheme (WPS). Amendment C33 was adopted by Council on 19 April 2011 following an extensive community consultation and Independent Planning Panel process (refer to Attachment 1 for the Council resolution and Attachment 2 for the Independent Planning Panel report).

Following Council's adoption, Amendment C33 was submitted to the Minister for Planning for approval. In July 2011, the then Department of Planning and Community Development (DPCD) requested that the 2006 CSIRO report (used as the basis to establish the 1 in 100 year flood level of 1.75m AHD in Port Albert) be peer reviewed. The West Gippsland Catchment Management Authority (WGCMA) subsequently commissioned AECOM Pty Ltd to undertake the peer review. The peer review report concluded that the flood level at Port Albert, as determined by the 2006 CSIRO report, can be considered reasonable to determine flood overlay boundaries.

Given the technical nature of the CSIRO report and the peer review report, Council officers are not in a position to dispute the science and concur with the WGCMA and the Independent Planning Panel that considered Amendment C33 that the 2006 CSIRO report is the 'best available' flood information.

On 16 January 2014, Amendment C33 came into operation in the WPS, except in relation to the urban zoned areas of Port Albert which were excluded from flood overlay controls by the Minister for Planning (refer to the approved flood overlay extents in Attachment 3). According to the Minister for Planning's correspondence:

'I have changed the amendment to remove flood controls from the urban zoned areas of Port Albert. This is in response to community concerns expressed during the amendment process and the need to reconsider the range of planning controls applying to this township.'

It is important to note that in deciding to exclude the urban zoned areas of Port Albert from proposed flood overlays, Council is not aware that the Minister for Planning has challenged the science originally used to justify flood controls in the township.

Where flood overlays have been approved by the Minister for Planning elsewhere in the municipality, Council will continue to refer planning permit applications to the WGCMA for advice. In areas affected by potential sea level rise, Council and the WGCMA will continue to rely on the adopted 17 December 2013 'assessment of development in relation to potential sea level rise policy' (refer to Attachment 4). However, given the Minister for Planning's decision to exclude Port Albert from proposed flood overlay controls, Council needs to consider whether it wishes to regulate the issue of CSIRO identified flooding under the planning or building system, or to not regulate flooding at all.

In broad terms, the key options for Council in relation to Port Albert include:

1. Continue to refer planning permit applications in Port Albert ('triggered' predominantly by the Design and Development Overlay and Heritage Overlay) to the WGCMA for advice.
2. Control floor levels only in Port Albert under the *Building Regulations 2006* (and not refer planning permit applications to the WGCMA for advice).
3. Not regulate flooding in Port Albert under the planning or building system.

A summary of the implications of each of these options is outlined below.

1. Continue to refer planning permit applications in Port Albert to the WGCMA for advice.
 - Reduced floor level of 2.25m AHD (based on the adopted 17 December 2013 'assessment of development in relation to potential sea level rise policy') will continue to be specified as conditions on approved planning permits.
 - Applications which intensify the flood hazard (e.g. subdivision) are unlikely to be supported by the WGCMA.
 - Responds to the 'best available' flood information to minimise risk.
 - Potential for approach to be tested at the Victorian Civil and Administrative Tribunal (VCAT) (e.g. refusal of a subdivision).
 - Decision likely to be poorly received by the State Government and the local community.
2. Control floor levels only in Port Albert under the *Building Regulations 2006* (and not refer planning permit applications to the WGCMA for advice).
 - Designate urban zoned areas of Port Albert as being liable to flooding under the *Building Regulations 2006* through a future report to Council. In this case, floor levels (2.25m AHD) would then be controlled through the building permit process.
 - Issues of flooding and intensification would not be considered through the planning permit process (unless an appeal was lodged at VCAT).
 - Provides Council with a 'middle ground' approach by responsibly controlling floor level heights in a manner which is generally consistent with the approach of the former Shire of Alberton where a floor level height of 2.4m AHD was utilised to respond to the flood hazard.
3. Not regulate flooding in Port Albert under the planning or building system.
 - Floor levels not specified under planning or building permits (and hence building floor levels could potentially be constructed below the 1 in 100 year flood level of 1.75m AHD).
 - Issues of flooding and intensification would not be considered through the planning permit process (unless an appeal was lodged at VCAT).
 - Greater liability implications than Option 1 and 2 above.

OPTIONS

Council has the following options:

1. Continues to provide a planning response to flooding in the urban zoned areas of Port Albert by continuing to refer planning permit applications to the WGCMA for advice (in accordance with the adopted 17 December 2013 'assessment of development in relation to potential sea level rise policy'); or
2. Request officers to prepare a report for Council's consideration on 18 March 2014 which a) designates the urban zoned areas of Port Albert as liable to flooding under the *Building Regulations 2006* with a finished floor level requirement of 2.25m AHD; and b) make changes to the adopted 17 December 2013 'assessment of development in relation to potential sea level rise policy' to reflect this approach for future development in Port Albert; which will result in no planning permit applications being referred to the WGCMA for advice; or
3. a) does not provide a planning (or building regulation) response to flooding in the urban zoned areas of Port Albert and immediately ceases to refer planning permit applications to the WGCMA for advice; and
b) Council adopts the 'assessment of development in relation to potential sea level rise policy' with changes shown in yellow highlight included in Attachment 5; or
4. Seek further information prior to determining a position in relation to the urban zoned areas of Port Albert.

PROPOSAL

To update Council on the approval of Amendment C33 (updated flood overlay controls) and determine an appropriate response for the urban zoned areas of Port Albert which have been excluded from Amendment C33 by the Minister for Planning.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

FINANCIAL IMPACT

Should Council elect to designate the urban zoned areas of Port Albert as liable to flooding under the *Building Regulations 2006* through a future Council report, it is noted that the usual fee for Council's 'report and consent' in areas deemed liable to flooding is \$238.75. To alleviate this additional regulatory cost burden, it will be proposed that the 'report and consent' fee be waived when a planning permit is also required for the proposed development. This issue will be further reported to Council on 18 March 2014 should Council resolve to proceed with Option 2 above.

LEGISLATIVE IMPACT

The options presented in this report range from no regulatory control through to regulating flooding under the *Building Regulations 2006* or the *Planning and Environment Act 1987*. From a risk management perspective (refer below), it is considered prudent for Council to establish an appropriate regulatory regime to respond to potential flooding in Port Albert, despite the Minister for Planning's recent decision to not apply flood overlay controls to the urban zoned areas of Port Albert.

COUNCIL PLAN IMPACT

The Council Plan 2013–17 Theme Land Use Planning states the following strategic objective and related strategy:

Strategic Objective

Appropriate and forward looking land use planning that incorporates sustainable growth and development

Strategy 5.1

Ensure Land Use Policies and Plans utilise an integrated approach to guide appropriate land use and development.

This report supports the above Council Plan strategic objective and strategy.

PLANNING POLICY IMPACT

Current planning policy is to refer planning permit applications in Port Albert to the WGCMA for advice in line with the adopted 17 December 2013 'assessment of development in relation to potential sea level rise policy.' Should Council elect to proceed with Option 2 or 3 above, a new policy position for Port Albert will be established which will necessitate changes to the 'assessment of development in relation to potential sea level rise policy'. Further, Option 2 and 3 above will effectively mean that flooding will not be considered through the planning permit process (unless an appeal is lodged at VCAT).

RISK MANAGEMENT

A number of risk management issues were discussed at the 4 February 2014 Council workshop, including legal advice. In applying the precautionary principle and potentially reducing future legal exposure, it is considered appropriate for Council to regulate potential flooding in the urban zoned areas of Port Albert, despite the Minister for Planning's recent decision.

Option 1 above provides the most risk averse approach by considering both floor levels and the intensity of future development based on WGCMA advice as the relevant flood authority. Option 2 above would ensure that only building floor levels are controlled through the building permit process (required floor levels would be 2.25m AHD which includes the 1 in 100 year flood level of 1.75m AHD plus 0.3m freeboard plus 0.2m potential sea level rise). Option 3 would result in the potential for building floor levels to be established below the 1 in 100 year flood level of 1.75m AHD.

RECOMMENDATION

Officers recommend that Council select one of the following four options

- 1. Council continues to provide a planning response to flooding in the urban zoned areas of Port Albert by continuing to refer planning permit applications to the WGCMA for advice (in accordance with the adopted 17 December 2013 'assessment of development in relation to potential sea level rise policy'); or*
- 2. Council request officers to prepare a report for Council's consideration on 18 March 2014 which a) designates the urban zoned areas of Port Albert as liable to flooding under the Building Regulations 2006 with a finished floor level requirement of 2.25m AHD; and b) make changes to the adopted 17 December 2013 'assessment of*

development in relation to potential sea level rise policy' to reflect this approach for future development in Port Albert; which will result in no planning permit applications being referred to the WGCMA for advice; or

3. Council

- a) **does not provide a planning (or building regulation) response to flooding in the urban zoned areas of Port Albert and immediately ceases to refer planning permit applications to the WGCMA for advice; and**
- b) **Council adopts the 'assessment of development in relation to potential sea level rise policy' with changes shown in yellow highlight included in Attachment 5; or**

4. Council seek further information prior to determining a position in relation to the urban zoned areas of Port Albert.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

- 1. Warren Curry, Port Albert resident, representing Saul Stainer, President, Port Albert Progress Association
Spoke regarding the options, do not support option 1, option 3 lovely, but not realistic. Option 2 is the preferred option, commend this to Council on behalf of the Port Albert Progress Association.
- 2. Spencer Sandilands, Port Albert resident
Summarised issues relating to Amendment C33, also favoured Option 2.

COUNCILLOR WENGER/COUNCILLOR CLEARY

That Council request officers to prepare a report for Council's consideration on 18 March 2014 which a) designates the urban zoned areas of Port Albert as liable to flooding under the Building Regulations 2006 with a finished floor level requirement of 2.25m AHD; and b) make changes to the adopted 17 December 2013 'assessment of development in relation to potential sea level rise policy' to reflect this approach for future development in Port Albert; which will result in no planning permit applications being referred to the WGCMA for advice.

CARRIED

ATTACHMENT 2 – URBAN ZONED AREA OF PORT ALBERT



ATTACHMENT 3: ASSESSMENT OF DEVELOPMENT IN RELATION TO POTENTIAL SEA LEVEL RISE POLICY

Policy Number:	3.1.2
Approved by:	Council
Date Approved:	17 December 2013 (last amended 18 March 2014)
Date Effective:	Immediately
Date of Next Review:	Yearly
Related Policies:	Nil
Applicable to Unit(s):	Land Use Planning
Responsible Officer:	Manager Land Use Planning
Statutory Reference:	<i>Planning and Environment Act 1987</i> and Wellington Planning Scheme

OVERVIEW

The purpose of this policy is to establish appropriate sea level rise allowances to be applied in future planning permit decision making.

This policy responds to the State Planning Policy Framework in the Wellington Planning Scheme, which identifies 'the need to plan for and manage potential coastal impacts of climate change'. More specifically, strategies in Clause 13.01-1 of the State Planning Policy Framework include:

- *In planning for possible sea level rise, an increase of 0.2 metres over current 1 in 100 year flood levels by 2040 may be used for new development in close proximity to existing development (urban infill).*
- *For new greenfield development outside of town boundaries, plan for not less than 0.8 metre sea level rise by 2100.*

Based on this policy, the West Gippsland Catchment Management Authority (as the relevant statutory flood authority) can provide consistent technical advice to Council on appropriate flood levels in areas affected by potential sea level rise.

THE POLICY

Application of policy

This policy applies to land affected by potential sea level rise* when a planning permit is 'triggered' by:

- the Land Subject to Inundation Overlay or Rural Floodway Overlay; or
- another planning scheme provision and Council has resolved to include the land in the Land Subject to Inundation Overlay or Rural Floodway Overlay.

* Based on the Victorian Coastal Inundation Dataset (refer to <http://www.climatechange.vic.gov.au/adapting-to-climate-change/future-coasts>)

This policy applies to 'urban infill areas' and 'greenfield development', which for the purpose of this policy are defined as:

Urban infill areas

'land within defined settlement boundaries identified in Clause 21.04 of the Wellington Planning Scheme or where no defined settlement boundary exists, to all established township areas zoned for urban purposes'.

Greenfield development

'All land other than urban infill areas'.

This policy does not apply to urban infill areas in Port Albert which have been excluded from flood overlay controls through the Minister for Planning's approval of Amendment C33 to the Wellington Planning Scheme. Consistent with Council's 18 March 2014 resolution, identified urban infill areas of Port Albert have instead been designated as subject to flooding under the Building Regulations where required finished floor levels will be 2.25m AHD (comprising 1.75m AHD 1 in 100 year flood level plus 0.3m freeboard plus 0.2m potential sea level rise).

Information and advice

Council will seek technical advice from the West Gippsland Catchment Management Authority in applying this policy.

The West Gippsland Catchment Management Authority will assess development in relation to sea level rise in accordance with Guidelines for Coastal Management Authorities, June 2012 (or any subsequent version) and this Council policy.

While the West Gippsland Catchment Management Authority is a 'recommending' referral authority, Council will continue to rely on the best available technical knowledge and information provided by the West Gippsland Catchment Management Authority at the time of making any planning decision.

Benchmark flood levels

- *In all urban infill areas, the current 1 in 100 year benchmark flood level will be applied, with an extra potential sea level rise allowance of 0.2 metres being applied to finished floor levels.*

This does not apply:

- to development accommodating emergency and community facilities (as identified in Clause 13.02 of the State Planning Policy Framework) where an allowance of 0.8 metre sea level rise will be used if the West Gippsland Catchment Management Authority support the proposal**.
- to minor development proposals such as non-habitable outbuildings, decking and the like where a reduced floor level is supported by the West Gippsland Catchment Management Authority.
- when a development proponent elects to establish a higher floor level.

*** It is noted that the Guidelines for Coastal Management Authorities, June 2012 state a clear policy preference for emergency and community facilities to be located outside flood prone areas.*

- *In all greenfield areas, the 2100 benchmark flood level (incorporating at least 0.8 metre potential sea level rise) will be applied.*

This does not apply:

- to single dwellings where the urban infill benchmark flood level above will be utilised***.
- to minor development proposals such as non-habitable outbuildings, decking and the like where a reduced floor level is supported by the West Gippsland Catchment Management Authority.

HUMAN RIGHTS

Wellington Shire Council is committed to upholding the Human Rights principles as outlined in the *Charter of Human Rights and Responsibilities Act 2006 (Vic)* and referred to in Council's Human Rights Policy. The Human Rights Checklist has been completed and this policy accords with Council's policy commitment to uphold human rights principles.

Modification History

Date: 18 March 2014 - policy amended to exclude urban infill areas in Port Albert from the requirements of this policy. Flooding in identified urban infill areas of Port Albert is instead controlled under the Building Regulations consistent with Council's 18 March 2014 resolution.

Procedure: -

Strategy: -

Related policies: Clause 13.01, 13.02 and 21.04 of the Wellington Planning Scheme, Guidelines for Coastal Management Authorities, Department of Sustainability and Environment, June 2012 (or any subsequent version), Assessing Development in Relation to Sea Level Rise Council report, 17 December 2013, 4 March 2014 Council report on Amendment C33 (updated flood overlay controls) – implications for Port Albert and 18 March 2014 Council report designating identified urban infill areas of Port Albert as being subject to flooding under the Building Regulations.

ITEM C3.3**AMENDMENT C89 AND COMBINED PLANNING PERMIT APPLICATION P382/2012 – RELOCATION SALE GREYHOUND RACING CLUB**

DIVISION: DEVELOPMENT
 ACTION OFFICER: MANAGER LAND USE PLANNING
 DATE: 18 MARCH 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
✓	✓	✓		✓				✓	

OBJECTIVE

To consider:

1. all written submissions to Amendment C89 and the combined planning permit application P382/2012 for the rezoning and subdivision of land at 44-50 Maffra Sale Road and (part) 8 Grassdale Road to facilitate the development of a new Sale Greyhound Racing Club complex;
2. to adopt the Strategic Justification report for the relocation of the Sale Greyhound Racing Club as an update to the current Sale, Wurruk and Longford Structure Plan;
3. to adopt Amendment C89 with changes;
4. to recommend that the Minister for Planning grant Planning Permit P382/2012; and
5. to seek the Minister for Planning's approval of Amendment C89 in accordance with the requirements of the *Planning and Environment Act 1987*.

BACKGROUND

On 11 October 2012, the Sale Greyhound Racing Club submitted a request to develop a new greyhound racing course with ancillary facilities at 44-50 Maffra-Sale Road and (part of) 8 Grassdale Road, Sale immediately west of the Gippsland rail line. The planning scheme amendment request has been submitted under Section 96A of the *Planning and Environment Act 1987* and combines a change to the planning scheme as well as a planning permit application.

Amendment C89 and planning permit application P382/2012 propose to:

- rezone approximately 17 hectares of land from the current Farming Zone (FZ) and Residential 1 Zone (R1Z) to the Special Use Zone (SUZ6); and
- remove the Development Plan Overlay (DPO1) located on the existing section of R1Z land and apply a new Development Plan Overlay (DPO7) to the whole of the subject land; and
- apply for a planning permit to re-subdivide land in alignment with the boundary of the proposed SUZ6.

The proposed greyhound racing facility is not currently consistent with Council's adopted Sale, Wurruk and Longford Structure Plan, which was introduced into the Wellington Planning Scheme on 8 November 2012 through Amendment C67. In order to consider a departure from the adopted Sale, Wurruk and Longford Structure Plan, a Strategic Justification report (refer to Attachment 1) has been prepared by the proponent, which is now proposed for Council adoption.

Amendment C89, the combined planning permit application and the Strategic Justification report were placed on public exhibition between 14 November 2013 and 6 January 2014.

A full copy of the exhibited documentation is available via Council's website link below:
<http://www.wellington.vic.gov.au/Developing-Wellington/Planning-Scheme-Amendments/Amendment-C89>

Notification letters (315) were sent to landowners and occupiers within a 500 metre radius of the proposed facility. The proponent also held two open information sessions for all interested parties on 27 November 2013 (evening session) and 28 November 2013 (day session).

A total of six (6) submissions were received following exhibition, which are summarised in Table 1 below. Full copies of all of the submissions can be publically inspected at the Port of Sale Civic Centre and have been provided to Councillors electronically.

Table 1: Submission summary
Submissions received from Statutory Authorities:

Authority	Key issues raised	Response
West Gippsland CMA	No official flooding record for the subject property. Current mapping indicates no designated waterways and it is not likely to be subject to riverine inundation during a 1 % AEP flood event. Proposed drainage and water quality works outlined in the drainage strategy by Water Technology are appropriate. Supportive of the proposal given that the Water Technology recommendations are adopted.	Comments are noted. The Drainage Strategy by Water Technology, August 2012 will be used to inform the development plan and final development proposal.
Environment Protection Authority (EPA)	No objections or comments to make in relation to proposal.	Comments are noted.
Department of Environment and Primary Industries (DEPI)	A desktop assessment has been carried out. Some areas with significant remnant native vegetation are identified. <ul style="list-style-type: none"> - A permit to Take Protected Flora is required - Further detailed ecological studies to inform the development plan is strongly recommended - Consideration should be given to landscape treatments to ensure there are no adverse implications on native vegetation and biodiversity values. The DEPI has considered and supports the amendment.	Comments are noted. The technical details will be used to inform the development plan.
Gippsland Water	No objection	Comments are noted
VicRoads	No objection: <ul style="list-style-type: none"> • Access from Maffra-Sale Road must be minimised and must be designed and constructed to 	Comments are noted and will be used to inform the development plan.

- VicRoads satisfaction;
- Access must take into account existing access arrangements, provide a road safety audit and functional lay out.

Submissions received from other parties

Key issues raised	Response
<p>This submission is replicated in full:</p> <p>'We have recently purchased a property in Glebe Drive and we oppose the development of the relocated greyhound track. We are concerned that this location will increase traffic, noise and likely reduce property values in the Glebe Estate which will be located directly opposite the new site.'</p>	<p>Traffic:</p> <p>It is noted that this area is part of the North Sale Growth area. Residential development will occur to the north of the Maffra Sale Road, which will increase traffic on the Maffra Sale Road. As part of the proposal a traffic report has been prepared which states there is adequate capacity on Maffra Sale Road and the surrounding network. Glebe Drive is unlikely to be used as a shortcut.</p> <p>Noise:</p> <p>The proposed SUZ6 requires that the new use must not adversely affect the amenity of surrounding land uses. DPO7 requires an Amenity Impact Response Plan to be prepared (prior to any planning permit being granted). Changes to strengthen the SUZ6 and DPO7 provisions will be made in response to this submission (refer to Attachment 2).</p> <p>Reduction in property values:</p> <p>Property values are not considered to be a valid planning issue.</p>
<p>Letter from Sale Greyhound Racing Club showing support for the proposed development. Attached to the submission are 755 signatures and five (5) supporting letters from local businesses.</p>	<p>Support is noted.</p>

Only one (1) objection to the amendment was received. Consequently, Council officers met with both the submitter and the proponent to discuss the issues raised. As a result of the meeting the submitter agreed to withdraw the objection subject to the following conditions:

1. 'That the final plan will not place the track any closer to our house than it currently is.'
Officers consider that this condition can be satisfied through the concept plan, which forms a component of the proposed DPO7. Council will have the ability to control the final position of the track through the development plan and planning permit process and in doing so, address the concern that has been raised.
2. 'That the final plan will ensure noise from the track is no louder than it currently is.'
The planning permit for the current greyhound racing facility does not include any noise related requirements. Notwithstanding this, the Greyhound Racing Club has to comply with State regulations and policies regarding noise. The proposed new facility will also need to comply with the same State regulations and policies. The assessment of a 'new' planning permit application for the proposed facility also provides Council with an opportunity to control potential noise issues, including those which might affect the amenity of nearby residents. In direct response to the submission, references to the relevant State wide noise regulations and policies in both the SUZ6 and the DPO7 have been strengthened (refer to Attachment 2) after consulting with the EPA.

On the basis that the concerns raised in the objection have been adequately resolved (as confirmed in writing by the submitter), Council is now in a position to continue with the amendment process without the need to appoint an Independent Planning Panel.

A copy of Amendment C89 which is proposed for adoption is included in Attachment 3, while the proposed planning permit for subdivision and the associated officer report is included in Attachment 4.

Should Council resolve to adopt Amendment C89 and if it is then approved by the Minister for Planning, a key next step will be for the proponent to prepare a development plan for Council's consideration which meets the requirements of DPO7. The DPO7 identifies, amongst other requirements, the need for a landscape buffer, open space connections and the preparation of upgrades to the Maffra Sale Road and other necessary improvements. Once a development plan is approved by Council, it then provides the framework for relevant planning permit applications to be lodged with Council prior to development commencing.

OPTIONS

Council has the following options:

1.
 - a) consider all written submissions to Amendment C89 and the combined planning permit application P382/2012 in accordance with section 22 and 23 of the *Planning and Environment Act 1987*; and
 - b) adopt the Strategic Justification report included in Attachment 1 for the relocation of the Sale Greyhound Racing Club as an update to the current Sale, Wurruk and Longford Structure Plan; and
 - c) adopt Amendment C89 with changes as shown in Attachment 3 pursuant to section 29 of the *Planning and Environment Act 1987*; and
 - d) recommend that the Minister for Planning grant Planning Permit P382/2012 included in Attachment 4 pursuant to Section 96G and 96H of the *Planning and Environment Act 1987*; and
 - e) submit Amendment C89 to the Minister for Planning for approval pursuant to Section 31 of the *Planning and Environment Act 1987*; or
2.
 - a) consider the submissions to Amendment C89 and the combined planning permit application P382/2012 in accordance with section 22 and 23 of the *Planning and Environment Act 1987*; and
 - b) not adopt the Strategic Justification report for the Greyhound racing facility; and
 - c) abandon Amendment C89 in accordance with section 23 and section 28 of the *Planning and Environment Act 1987*; and
 - d) recommend refusal of planning permit P382/2012 in accordance with section 96G of the *Planning and Environment Act 1987*; or
3. Seek additional information prior to further considering Amendment C89 and the combined planning permit application P382/2012.

PROPOSAL

That Council:

1. Consider all written submissions to Amendment C89 and the combined planning permit application P382/2012 in accordance with section 22 and 23 of the *Planning and Environment Act 1987*; and

2. Adopt the Strategic Justification report included in Attachment 1 for the relocation of the Sale Greyhound Racing Club as an update to the current Sale, Wurruk and Longford Structure Plan; and
3. Adopt Amendment C89 with changes as shown in Attachment 3 pursuant to section 29 of the *Planning and Environment Act 1987*; and
4. Recommend that the Minister for Planning grant Planning Permit P382/2012 included in Attachment 4 pursuant to Section 96G and 96H of the *Planning and Environment Act 1987*; and
5. Submit Amendment C89 to the Minister for Planning for approval pursuant to Section 31 of the *Planning and Environment Act 1987*.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

FINANCIAL IMPACT

Financial costs associated with the approval of Amendment C89 will need to be met by the proponent.

COMMUNICATION IMPACT

Should the Minister for Planning approve Amendment C89 and the combined planning permit for subdivision, notice of the approval of Amendment C89 will appear in the Government Gazette and will be published in the Gippsland Times. Council's website will also be updated.

LEGISLATIVE IMPACT

Amendment C89 and the combined planning permit application for subdivision is being considered in accordance with the requirements of the *Planning and Environment Act 1987*.

COUNCIL PLAN IMPACT

The Council Plan 2013–2017 Theme 5 Land Use Planning states the following strategic objective and related strategy:

Strategic Objective

“Appropriate and forward looking land use planning that incorporates sustainable growth and development.”

Strategy 5.1

“Ensure Land Use Policies and Plans utilise an integrated approach to guide appropriate land use and development.”

Amendment C89 and the combined planning permit for subdivision support the above objective and strategy.

PLANNING POLICY IMPACT

Amendment C89 is consistent with the State Planning Policy Framework (SPPF), but is currently inconsistent with Clause 21.05 of the Wellington Planning Scheme. As part of Amendment C89 (refer to Attachment 3), required amendments to the Sale and Wurruk Strategy Plan included in Clause 21.05 have been made to recognise the new location of the Sale greyhound racing as a facility of regional importance.

CONSULTATION IMPACT

Consultation associated with Amendment C89 and the combined planning permit for subdivision has been undertaken in accordance with the requirements of the *Planning and Environment Act 1987*. The proponent has also undertaken community consultation sessions on 27 and 28 November 2013.

Should Amendment C89 be approved by the Minister for Planning, the DPO7 requires that the development plan be prepared with an appropriate level of community consultation. While community feedback will be sought prior to approving the development plan, it is noted that there is no formal right of review at the Victorian Civil and Administrative Tribunal (VCAT) should any party be unhappy with the approved development plan. Similarly, where a planning permit application is generally in accordance with an approved development plan, there is no public notice requirements or right of review available at VCAT.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That:

- 1. Council consider all written submissions to Amendment C89 and the combined planning permit application P382/2012 in accordance with section 22 and 23 of the Planning and Environment Act 1987; and***
- 2. Council adopt the Strategic Justification report included in Attachment 1 for the relocation of the Sale Greyhound Racing Club as an update to the current Sale, Wurruk and Longford Structure Plan; and***
- 3. Council adopt Amendment C89 with changes as shown in Attachment 3 pursuant to section 29 of the Planning and Environment Act 1987; and***
- 4. Council recommend that the Minister for Planning grant Planning Permit P382/2012 included in Attachment 4 pursuant to Section 96G and 96H of the Planning and Environment Act 1987; and***
- 5. Council submit Amendment C89 to the Minister for Planning for approval pursuant to Section 31 of the Planning and Environment Act 1987.***



C4 - REPORT

GENERAL MANAGER BUILT & NATURAL ENVIRONMENT

ITEM C4.1**COLLABORATIVE PROCUREMENT OF ELECTRICITY SUPPLY CONTRACT (MAV Number EC8310-2013)**

DIVISION: BUILT AND NATURAL ENVIRONMENT

ACTION OFFICER: MANAGER BUILT ENVIRONMENT

DATE: 18 MARCH 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
✓			✓	✓	✓		✓		

OBJECTIVE

The objective of this report is for Council to delegate authority to the Chief Executive Officer to enter into a contract for the supply of electricity to Small Tariff Sites.

BACKGROUND

On behalf of participating Councils, the Municipal Association of Victoria (MAV) has engaged Trans Tasman Energy Group (TTEG) to conduct a multisite tender process for the supply of electricity to nominated Council facilities.

Council has in the past participated in the MAV collaborative procurement for electricity in accordance with the organisational procurement policy, and the current contract with Power Direct is a result of the last tender process. This contract is due to expire on 30 June 2014.

Due to the fluctuations encountered within the electricity retail environment, MAV have been advised that the tender price may only be valid for 7 days following the close of the tender. Accordingly MAV have requested Councils to accept the recommended prices within the 7 day window. Final acceptance deadline is scheduled for 20 March 2014.

OPTIONS

Council have the following options:

1. Delegate authority to the Chief Executive Officer to enter into agreement with the successful tenderer for retail supply of electricity to Small Tariff sites; or
2. Delay approval to enter into agreement with the successful tenderer for retail supply of electricity to Small Tariff Sites until a report to the next Council meeting.

PROPOSAL

That Council delegate authority to the Chief Executive Officer to enter into a contract for the supply of electricity to Small Tariff Sites.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

FINANCIAL IMPACT

Funding for supply of electricity to all facilities is included in Council's adopted Budget.

It is possible that the final tender price will exceed the Chief Executive Officer's delegation, subject to the contract period recommended by TTEG. The contract period could vary from twelve months to three years.

It is anticipated that the annual electricity cost to Council for small tariff sites will be in the range of \$150,000 to \$200,000 per annum, subject to current market pricing.

LEGISLATIVE IMPACT

Under Section 186 of the *Local Government Act* 1989 (the Act), Council is required to undertake a competitive process prior to entering into a contract. Council signed an Agency Agreement with MAV to participate in a national tender through MAV for supply of electricity to small tariff sites. This Agency Agreement complies with the requirements of Section 186 of the Act.

COUNCIL POLICY IMPACT

This procurement activity complies with Council's Procurement Policy.

COUNCIL PLAN IMPACT

The Council Plan 2013–17 Theme 2 Organisational states the following strategic objective and related strategy:

Strategic Objective

"An organisation that is responsive, flexible, honest, accountable and consistent"

Strategy 2.3

"Ensure sound governance processes that result in responsive, ethical, transparent and accountable decision making"

This report supports the above Council Plan strategic objective and strategy.

RESOURCES AND STAFF IMPACT

The Built Environment Unit will provide the staff and resources to manage this contract.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council delegate authority to the Chief Executive Officer to enter into a contract for the supply of electricity to Small Tariff Sites.

ITEM C4.2**THOMSON RIVER CARAVAN PARK**

DIVISION:

BUILT AND NATURAL ENVIRONMENT

ACTION OFFICER:

GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

DATE:

18 MARCH 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

OBJECTIVE

To provide Council with an update on the relocation of permanent residents and annual occupiers from the Thomson River Caravan Park (TRCP), which will close on 30 June 2014.

BACKGROUND

The TRCP is situated south of Sale between the South Gippsland Highway and Thomson River. The park resides on parcels of Crown Land reserved for the purpose of a Tourist and Camping Reserve.



On 28 August 2013 Caravan Parks Victoria Pty Ltd (CPV) surrendered the lease of the park. The financial impacts incurred following five floods in five years contributed significantly to the decision to surrender the lease. The flood events present significant risks to the health and safety of those that reside in the park and also place considerable demand on local emergency and social services to provide support for displaced residents. Agencies including Council, State Emergency Service (SES), Victoria Police, Department of Human Services (DHS), Red Cross, Country Fire Authority (CFA) and many others are regularly involved in flood planning, response and recovery activities associated with the TRCP. The flooding comes at significant financial cost and usually at a time when these agencies are deploying resources across the community.

With the surrender of the lease Council assumed control and management of the TRCP. This enabled Council to consider the appropriateness of the TRCP's continued operations and at the Ordinary Meeting held on 17 September 2014 Council agreed to:

Resolve to cease operations, close, decommission and return the Thomson River Caravan Park to public open space by undertaking the following actions:

- a. Authorise the Chief Executive Officer to execute necessary documentation and undertake actions to facilitate the closure and decommissioning of the park.
- b. Issuing notices to all agreement holders in accordance with the provisions of the Residential Tenancies Act 1997 (Vic) advising that the Thomson River Caravan Park will cease operations.
- c. Provide assistance packages outlined in this report for legitimate relocation costs to be allocated according to the needs and type of occupation of site holders.
- d. Develop a master plan for the site showing the site being returned to public open space, seek consent Department of Environment and Primary Industries and rehabilitate the area in accordance with the master plan.

Following the decision of Council to decommission the Park the following process commenced.

- Internal and external working groups were established to ensure all processes and communication was clear and consistent.
- All occupiers of the TRCP were notified in writing on 22 October 2013 that they would be required to vacate the site on or before the 30 June 2014.
- Agencies assigned workers to support the permanent residents (occupying 14 sites) to find alternative accommodation. As of 3 March 2014 alternative accommodation arrangements have been made with 13 of the 14 permanent site holders.
- Approximately \$44,000 has been distributed to assist permanent residents with relocation expenses.
- Approximately a quarter of the 38 annual sites have been cleared with an expectation that more sites will vacate after Easter. Financial assistance has also been provided to annual site holders to support the relocation and clean-up process.
- Work has commenced on a master-plan for the TRCP site. This will be discussed in more detail with Councillors over the next few months.

OPTIONS

Council has the following options:

1. Receive the information included in the report; or
2. Request additional information to be received at a future Ordinary Meeting of Council.

PROPOSAL

That Council receive the information included in the report.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

FINANCIAL IMPACT

Those who have resided at the TRCP on a permanent basis and where the park has been their primary place of residence have been offered financial assistance to support and enable the relocation process. The primary site holder has been eligible to apply for up to \$5,000, to be used to source alternate permanent accommodation. Community Service organisations in addition to DHS have provided support in administering the distribution of these funds through brokerage arrangements. At this stage nearly \$44,000 has been distributed to assist permanent residents with relocation expenses.

Those who have annual site agreements are eligible for up to \$1,000 to assist with relocation costs. The payment is made conditional on the primary site holder agreeing to vacate at an earlier time than the date of final closure and removing all infrastructure, excluding where applicable concrete slabs. At this point in time nine annuals applied for this assistance grant.

COMMUNICATION IMPACT

A detailed communications plan was developed to guide the relocation process. Excellent feedback has been received from the Housing agencies involved in the relocation process who have greatly appreciated the clear and consistent communication with Council and the support received by residents at the park.

COMMUNITY IMPACT

The relocation process has been difficult for all occupiers of the TRCP however there have been many examples where people being relocated have been able to access alternative accommodation that has not been available to them in the past.

LEGISLATIVE IMPACT

The TRCP is sited on Crown Land as defined within the *Crown Land (Reserves Act) 1978* (Vic). As Council is the reserves Committee of Management the Department of Environment and Primary Industries (DEPI) have been briefed on the proposed decommissioning.

All provisions within the Residential Tenancies Acts and Regulations have been adhered to, including periods of notice to vacate. These provisions also allow for residency rights to be ended by agreement, at a time earlier than specified within the relevant agreement.

COUNCIL PLAN IMPACT

The Council Plan 2013–17 Theme 4 Infrastructure states the following strategic objective and related strategies:

Strategic Objective

“Assets and infrastructure that meet current and future community needs.”

Strategy 4.1

“Undertake service delivery planning to provide community assets in response to identified needs.”

Strategy 4.2

“Ensure assets are managed, maintained and renewed to meet service needs.”

This report supports the above Council Plan strategic objective and strategies.

PLANNING POLICY IMPACT

Any required planning impacts will be addressed by the TRCP working group.

RESOURCES AND STAFF IMPACT

The internal TRCP Working Group continues to oversee the process and includes staff from Built Environment, Organisation Development, Community Wellbeing, Finance, Environmental Health, and Media and Public Relations.

The Manager Community Wellbeing has facilitated the external Working Group focused on liaising with agencies to source alternative housing options for the permanent site residents.

ENVIRONMENTAL IMPACT

Returning the TRCP to natural environmental public open space will reduce any negative environmental impacts caused by flood events.

CONSULTATION IMPACT

Council officers and agency representatives continue to engage with and inform tenants and residents on a regular basis in accordance with the TRCP Communications Plan.

RISK MANAGEMENT IMPACT

A comprehensive risk assessment was completed. Risks identified range from the occurrence of another flood event to Council and other agencies incurring financial costs.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council receives the information included in this report.



C5 - REPORT

GENERAL MANAGER LIVEABILITY

ITEM C5.1**MAFFRA RECREATION RESERVE COMMITTEE OF
MANAGEMENT MEETING MINUTES**

DIVISION: LIVEABILITY
 ACTION OFFICER: MANAGER HEALTHY LIFESTYLES
 DATE: 18 MARCH 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
		✓	✓	✓				✓	

OBJECTIVE

For Council to receive the minutes from the Maffra Recreation Reserve Committee of Management's Ordinary Meeting held on 3 February 2014.

BACKGROUND

The Maffra Recreation Reserve Committee is a Special Committee of Council under Section 86 of the *Local Government Act 1989* and operates within the provisions of a Council approved Instrument of Delegation.

The objectives of this Committee are:

- To manage, operate and maintain the Maffra Recreation Reserve for the community in an efficient, effective and practical manner.
- To undertake activities designed to protect, promote, utilise and develop the Maffra Recreation Reserve for the use and enjoyment of the local community.

As provided under the Committee's Instrument of Delegation the minutes of all meetings are to be presented to Council. The minutes from the 3 February 2014 Committee meeting were received at this office on the 20 February 2014 and highlight the day to day activities being undertaken by the Committee.

Conflict of Interest: It was noted that conflicts of interest were called for at the commencement of the meeting with no conflicts being declared.

The Committee did not conduct a meeting in January 2014.

OPTIONS

Council has the following options:

1. Receive the minutes from the Maffra Recreation Reserve Committee of Management's Ordinary Meeting held on 3 February 2014; or
2. Seek further information for consideration at a future meeting of Council.

PROPOSAL

That Council receive the minutes from the Maffra Recreation Reserve Committee of Management's Ordinary Meeting held on 3 February 2014.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

LEGISLATIVE IMPACT

This report is in accordance with Section 91(4) of the *Local Government Act 1989*.

COUNCIL POLICY IMPACT

This report is in accordance with Council Policy 5.3.2 which establishes a framework for the guidance of Council in relation to the roles and responsibilities of Committees.

COUNCIL PLAN IMPACT

The Council Plan 2013-17 Theme 4 Infrastructure states the following strategic objective and related strategy:

Strategic Objectives

“Asset and infrastructure that meet current and future community needs.”

Strategy 4.2

“Ensure assets are managed, maintained and renewed to meet service needs.”

CONSULTATION IMPACT

Meetings held by the Maffra Recreation Reserve Special Committee of Council are open to the public.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council receive the minutes from the Maffra Recreation Reserve Committee of Management’s Ordinary Meeting held on 3 February 2014.

MAFFRA RECREATION RESERVE COMMITTEE OF MANAGEMENT
(SPECIAL COMMITTEE of WELLINGTON SHIRE COUNCIL)
GENERAL MEETING 3rd

Held Monday February 11th, 2014

PRESENT- Jennifer Toma, Lisa Ogilvie, Irene Crockford, John Vardy, Steve Dingwall, Bernard Coleman, Val Bragg, Mark Hewlitt & Charlie Coleman.

In the absence of Council representative John Duncan, Councillor Crossley represented Wellington Shire Council.

APOLOGIES –John Duncan.

Conflict of interest the Chairman, M. Hewlitt, advised committee members that they are obliged to declare any conflict of interest arising from items to be discussed at this meeting.

MINUTES of the general meeting held on Monday December 2nd, 2013 were read and received on the motion of I. Crockford and seconded by B. Coleman. CARRIED

BUSINESS ARISING –

1/ The hot water service in the catering kitchen has been successfully repaired. (Small part was required).

2/ Power to the new light towers will provide enough energy to the eastern side of the Reserve for powerboxes to be built in the future.

3/ Darren Randle confirmed it is the responsibility of this committee to set fees and invite new group representatives. This was in response to Secretary questions re; the Pleasure Harness Club becoming a user group. To be discussed in GB

CORRESPONDENCE

Inward – Tony Van Baleen re expression of interest re; ground maintenance man

Power Direct re; service fee & power charge increases/

E-mail Darren Randle re; copy of Memorandum of Understanding form

Outward – letters to committee members with meeting invitations;

Correspondence read and received on the motion of L. Ogilvie and seconded C. Coleman. CARRIED

TREASURER'S REPORT- for the month was presented by the Treasurer. Treasurer, L. Ogilvie, moved and J. Vardy seconded that the Financial Report be received and any accounts passed for payment. CARRIED

REPORTS

Kennel Club-drainage concern on the western side of the Trade Pavilion, water seeping into the building after rain. ACTION- S. Dingwall to visit D. Bennett when digging the trenches for the light towers and ask if a trench can be dug beside the Trade Pavilion to drain water away.

Band- the Carols by Candlelight were most successful with four new members joining. The new musical director is C. McQuillen.

Rockhounds & Ag Society reported no meetings held yet in 2014

Council- first meeting for 2014 tomorrow, Tuesday February 4th, 2014

Poultry Club- the first auction for 2014 will be held on Sunday February 9th, 2014. A new system for auctions will see them held on the second Sunday of the second month.

Football/Netball Club- the Carlton football players will hold a superclinic for 200+ school students on Wednesday February 5th, 2014 from 11am to 1pm.

It is planned to put water to the netball courts; club volunteers will complete the trench digging. MOTION moved by B. Coleman and seconded by C. Coleman that the Maffra Recreation Reserve Committee of Management will purchase the poly piping (at the cost of \$1,148.96) to provide water to the netball courts. CARRIED

It is expected that erection of the new light towers will be take place on Tuesday February 11th, 2014.

Maintenance- some of the strip blinds in the Band room are missing and need replacing, there are spares but not sure where they are stored; light globes for the change-room toilet area, storage room and outside security are on order;

ACTION- M. Hewlitt to order one load or 10cubic metres of soil/compost mix from Gippsland Water, Dutson.

MOTION- This committee to contribute \$300 as re-imbursment to Geoffrey Gannon for the pressure pump on the Macalister River for this irrigation season which ends on April 15th. Moved J. Vardy and seconded by B. Coleman. CARRIED

ACTION – M. Hewlitt to obtain quotes for a slasher with dolly wheels from local dealers.

Aco huts re; storage/toilets units available in six months from ESSO/BHP, who will transport them free to Reserves with concrete pads set-up. Measurements to be obtained to provide appropriate pads.

GENERAL BUSINESS

1/The Secretary raised a number of issues concerning OH&S and general cleanliness in areas of the Recreation Reserve; a/ the hoses and equipment left in the clearway of the Trade Pavilion by the Ag Society following the Maffra Show, b/ the numerous items left in the Main Meeting room by the Football/Netball Club hindering its use by other groups and c/ the Rotary Club's BBQ trailer left in the Kennel Club area rather than being returned to the Rotary Club storage area.

2/ The Eastern Vic. Pleasure Harness Club Inc. (EVPHC) has been approved as a user group of this Reserve, and will be invited to appoint a representative to this committee. The fees approved are \$50 per usage day, and a Memorandum of Understanding will be signed in regards of the storage-shed facility.

3/ Cleaner/maintenance position, \$15 per hour, any work required should be listed to the Secretary or Chairman to be passed on.

MOTION That this Committee accept the application of Mr Tony Van Baalen to the position of cleaner/maintenance man of the Maffra Recreation Reserve, and he is to liase with the Chairman, M. Hewlitt and Secretary, J. Toma, as to work required at the cost of \$15 per hour. Moved J. Vardy and seconded by C. Coleman CARRIED

ACTION Secretary to contact Tony Van Baalen that his application for the cleaner/maintenance position has been successful.

The meeting closed at 8.50pm.

The next meeting will be held Monday March 3rd, 2014.

ITEM C5.2**CAMERON SPORTING COMPLEX COMMITTEE OF MANAGEMENT MINUTES**

DIVISION: LIVEABILITY
 ACTION OFFICER: MANAGER HEALTHY LIFESTYLES
 DATE: 18 MARCH 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
		✓	✓	✓				✓	

OBJECTIVE

For Council to receive the minutes from the Cameron Sporting Complex Committee of Management's Ordinary Meeting held on 21 November 2013.

BACKGROUND

The Cameron Sporting Complex Committee of Management is a Special Committee of Council under Section 86 of the *Local Government Act 1989* and operates within the provisions of a Council approved Instrument of Delegation.

The objectives of this Committee are:

- 2.1. To manage, operate and maintain the Cameron Sporting Complex for the community in an efficient, effective and practical manner.
- 2.2. To undertake activities designed to protect, promote, utilise and develop the Cameron Sporting Complex for the use and enjoyment of the local community.

As provided under the Committee's Instrument of Delegation the minutes of all meetings are to be presented to Council and highlight the day to day activities being undertaken by the Committee.

Conflict of Interest: It was noted that conflicts of interest were called for at the commencement of the meeting, with no conflicts being declared.

No meeting was held in December 2013 or January 2014.

OPTIONS

Council has the following options:

3. Receive the minutes from the Cameron Sporting Complex Committee of Management's Ordinary Meeting held on 21 November 2013; or
4. Seek further information to be considered at a future Council Meeting.

PROPOSAL

That Council receive the minutes from the Cameron Sporting Complex Committee of Management's Ordinary Meeting held on 21 November 2013.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

LEGISLATIVE IMPACT

This report is in accordance with Section 91(4) of the *Local Government Act 1989*.

COUNCIL POLICY IMPACT

This report is in accordance with Council Policy 5.3.2 which establishes a framework for the guidance of Council in relation to the roles and responsibilities of Committees.

COUNCIL PLAN IMPACT

The Council Plan 2013-17 Theme 4 Infrastructure states the following strategic objective and related strategy:

Strategic Objectives

“Asset and infrastructure that meet current and future community needs.”

Strategy 4.2

“Ensure assets are managed, maintained and renewed to meet service needs.”

CONSULTATION IMPACT

Meetings held by the Cameron Sporting Complex Special Committee of Council are held monthly and are open to the public.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council receive the minutes from the Cameron Sporting Complex Committee of Management’s Ordinary Meeting held on 21 November 2013.

**CAMERON SPORTING COMPLEX
Special Committee of Council**

MINUTES

MEETING DATE: 21.11.13 MEETING TIME: 8pm

MEETING VENUE: Complex Sporting meeting

Meeting Opened Time:

1. Present / Apologies

Name	Title	Representing	Present / Apology
Malcolm Hole	Councillor		✓
Peter Anderson	Chairperson	Community	✓
Anna Gaw	Treasurer	Community	✓
Tracy Cameron	Secretary	Community	✓
Timothy Kemp		Community	✓
Bradley Spinner		Maffra Gymnastics	✓
John McLaverty		Maffra Cricket	✓
Yvonne Higgins		Maffra Basketball	✓
Bronwyn Hillbrich		Maffra Hockey	✓
Vacant		Maffra Junior Football	

Guests: Darren Randle

Quorum Achieved? Yes / No

2. Declaration of Conflicts of Interest Nil

3. Confirmation of Minutes of Previous Meeting (note any corrections)

Moved: Anna Seconded: Yvonne **CARRIED**
 1) Compare power bills next meeting
 2) Golf Club contract - Feb meeting
 Chairperson to sign and date previous minutes to be filed by Secretary

4. Business Arising from Previous Minutes

- 1) Brenton Dinsdale - Car park lines - Feb meeting
- 2) Toiled lights - Darren Bennett
- 3) Gippsland Water - (Refer to general business)

5. Correspondence In

- Bronwyn Millbrick
- Shara Osborne - (Netset-go).
-

6. Correspondence Out - date previous minutes sent to Council

- All.
-
-

7. Reports

7.1 Chairperson's Report

7.2 Treasurer's Report (Attached)

7.3 User Group Reports

Bball - Mac Tournament - 1 winner, SR/U & 2 Semi Finals.
 CBE Women - 2 wins - 2 losses.
 W18 G - start V JBL - 22nd Nov
 Marist - using our courts & we are catering lunches
 Curt ~~Flower~~ to be done over break - at Bball costs.
 Cricket - Harry Thackeray - A grade 1st 100 - (17 years old).
 Disabled toilet out of order - Rodney Fitt!!
 Late October cars around ovals - Police caught them
 Oval lights turned on at night. Keys to be
 taken out of lights. Peter to write to Junior
 Football Club about keys.
 Junior Football - ACM - New committee
 Gymnastics - As attached.

8. Volunteers

9. OHS / Risk / Facility Fault Report

10. New Rules of the Committee to be endorsed by Council

11. General Business

- 1) IF senior football clubs want to use our walls, they first have to pay their overdue accounts & they must put it in writing at all times. Phone calls not good enough!!!
- 2) Roller derby - pulled out of new courts - (Money!!)
- 3) Follow up with volleyball.
- 4) Gippsland water - New friendship draft agreement - 8 megs for 5 years. Gippsland water - to do soil testing, water tests. Water has been stopped as of now 1st. This may be long term - until water is safe. Ecol. may too high. Weekly monitoring to be done. We need to class water.

12. Next Meeting February 20th 8pm.

Meeting Closed Time: 9 o'clock

These minutes are:

Confirmed as true and correct on 20th Feb 2014.
Date

Or

Corrections have been made and noted at the meeting on Nil
Date

Chairperson Signature..... 

CAMERON SPORTING COMPLEX - COMMITTEE OF MANAGEMENT
FINANCIAL STATEMENT - MONTH ENDED 31st DECEMBER 2013

CHEQUE ACCOUNT
RECEIPTS

	DECEMBER	Y.T.D.
Wellington Shire:		
Maintenance Grant		\$ 41,952.00
Audit Works		\$ 289.09
Reimbursements:		
Basketball Association	\$ 1,494.72	\$ 14,565.14
Gymnastics		\$ 13,251.89
Maffra Junior Football Club		
Maffra Cricket Club		
Rentals:		
Maffra Cricket Club		
Schools		\$ 150.00
Hockey Club		
Netball Association		\$ 580.00
Maffra Junior Football Club		
Miscellaneous Rentals		\$259.09
Add Other Income:		
Miscellaneous		
GST Reimbursement		\$ 885.83
GST Collected on Receipts	\$ 149.47	\$ 2,909.49
Bank Interest		
Transfers:		
From Investment Acc		\$ 4,100.00

PAYMENTS

	DECEMBER	Y.T.D.
Reserve:		
Telstra	\$ 18.97	\$ 118.69
Gippsland Water		\$ 3,699.87
Origin	\$ 91.68	\$ 277.78
TXU		
Stadium:		
Origin	\$ 86.18	\$ 803.93
Electricity - Power Direct		\$ 11,235.32
Contract Cleaning:		
Cleaning	\$ 2,018.29	\$ 10,373.87
Mowing Contract:		
Maffra Golf Club	\$ 1,836.36	\$ 6,236.36
Rotary Club of Maffra		
Miscellaneous:		
Rubbish Collection	\$ 190.00	\$ 1,282.50
Toilet Supplies		\$ 256.50
Audit Costs		\$ 330.00
Maintenance:		
Stadium	\$ 127.20	\$ 2,980.26
Reserve/Pavilion		\$ 172.92
Sundries:		
Postage		\$ 54.55
Post Office Box		
Advertising		
Materials	\$ 19.00	\$ 19.00
Equipment		
Bank Charges		
Other Expenses:		
GST on Expenses	\$ 438.77	\$ 3,414.16

			GST to Shire	\$ 834.88
			Transfer:	
			To Investment Account	\$ 35,000.00
Total Receipts	\$ 1,644.19	\$ 78,942.53	Total Payments	\$ 4,826.45
Balance 01st July 2013		\$ 296.53	Balance 31st December 2013	\$ 2,148.47
Total		\$ 79,239.06	Total	\$ 79,239.06

Bank Reconciliation

Balance as per Bank Statement (copy attached)

\$ 2,148.47

Less unpresented cheques

Cheque

No.

Balance as at 31st December 2013

\$ 2,148.47

SAVINGS ACCOUNT
RECEIPTS

	DECEMBER	Y.T.D.
Interest	\$ 20.36	\$ 73.73
Transfers In		\$ 35,000.00
Total Receipts	\$ 20.36	\$ 35,073.73
Balance 01st July 2013		\$ 5.96
Total		\$ 35,079.69

PAYMENTS

	DECEMBER	Y.T.D.
Bank Charges		\$
Transfers Out	\$ 4,100.00	\$ 4,100.00
Total Payments	\$ 4,100.00	\$ 4,100.00
Balance 31st December 2013		\$ 30,979.69
Total		\$ 35,079.69

Bank Reconciliation

Passbook Balance as at 31st December 2013

\$30,979.69

ACCOUNT SUMMARY

Cheque	\$
Account	2,148.47
Savings Passbook	\$ 30,979.69
TOTAL 31st December 2013	\$ 33,128.16



D. URGENT BUSINESS



E. FURTHER GALLERY AND CHAT ROOM COMMENTS



F. CONFIDENTIAL ATTACHMENT/S

F. CONFIDENTIAL ATTACHMENT/S



WELLINGTON
SHIRE COUNCIL

The Heart of Gippsland

**ORDINARY COUNCIL MEETING
18 MARCH 2014**

On this 3 day of March 2014, in accordance with Section 77 Clause (2)(c) of the *Local Government Act 1989*; I, Elizabeth Collins (Delegate) declare that the information contained in the attached document **AUDIT COMMITTEE MINUTES 25 FEBRUARY 2014** is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

- e) proposed developments
- f) legal advice
- h) any other matter which the Council or special committee considers would prejudice the Council or any person.

E. Collins

.....
General Manager Governance (Delegate)



WELLINGTON
SHIRE COUNCIL

The Heart of Gippsland

**COUNCIL MEETING
18 MARCH 2014**

On this 3 day of March 2014, in accordance with Section 77 Clause (2)(c) of the *Local Government Act 1989*; I, John Websdale (delegate) declare that the information contained in the attached document **STRATEGIC LAND USE PLANNING PROJECTS REVIEW GROUP - MINUTES** is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

- e) *proposed developments;*

.....
General Manager Development (Delegate)



G. IN CLOSED SESSION

G. IN CLOSED SESSION

That the meeting be closed to the public pursuant to Section 89(2) of the Local Government Act 1989 to consider:

- a) personnel matters*



WELLINGTON
SHIRE COUNCIL
The Heart of Gippsland

**ORDINARY COUNCIL MEETING
18 MARCH 2014**

On this 3 day of March 2014, in accordance with Section 77 Clause (2)(c) of the *Local Government Act 1989*, I, Elizabeth Collins (Delegate) declare that the information contained in the attached document **GRANTING OF LEAVE FOR COUNCILLOR DUNCAN** is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

- a) personnel matters

E. Collins

.....
General Manager Governance (Delegate)