



## COUNCIL MEETING

Tuesday 23 August 2022

6:00pm

Room 1 Community Hub

### AGENDA

Item	Title	Page
1.	Commencement of Meeting, Welcome	4
2.	Apologies	6
3	Leave of Absence	8
4	Disclosures of Conflicts of Interest	10
5.	Confirmation of the Minutes of Previous Council Meetings	13
5.1	Confirmation of the Minutes of Previous Council Meetings	14
5.1.1	Unconfirmed Minutes Council Meeting 26 July 2022	16
6.	Minutes of Delegated and Advisory Committee	32
7	Petitions	33
<b>8.</b>	<b>Officer Reports</b>	<b>34</b>
8.1	<b>Delegation, Mediation Council Planning Hearing for Planning Applications</b>	<b>35</b>
8.2	<b>S6 Instrument of Delegation</b>	<b>47</b>
8.3	<b>Planning Permit Application 154-21 28 Outtrim Street, 208 Maryborough</b>	<b>208</b>

<b>8.4</b>	<b>Planning Permit Application 002-22 1 Clarendon Street, Maryborough</b>	<b>253</b>
<b>8.5</b>	<b>Council Plan Action Progress Report</b>	<b>271</b>
<b>8.6</b>	<b>Governance Rules Draft Amended 2022 – Virtual Meetings</b>	<b>290</b>
<b>8.7</b>	<b>Annual Action Plan 2022-2023</b>	<b>345</b>
<b>8.8</b>	<b>Commonwealth Games EOI</b>	<b>365</b>
<b>8.9</b>	<b>Maryborough Emergency Services Precinct – Council Support</b>	<b>371</b>
9.	Notices of Motion	373
10.	Urgent Business	376
11	Other Business	377
	Advocacy Letter to the Minister for Public Transport - Ballarat Maryborough Growth Corridor - Passenger Rail and Growth Opportunities	378
12.	Confidential Business	403
13.	Meeting Close	406

THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK

# Commencement of Meeting

*Council meeting*

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

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

---

<sup>1</sup> Section 9.

# Apologies

*Council meeting*

## Apologies

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

The annual report will list councillor attendance at Council meetings.

Councillor attendance at Councillor briefings is also recorded.

---

<sup>1</sup> Chapter 2, rule 62.

# Leave of Absence

*Council meeting*



## Leave of absence

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

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

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

---

<sup>1</sup> See *Local Government Act 2020* s 35 (4) and s 35 (1) (e).

# Disclosures of Conflicts of Interest

*Council meeting*

## Conflicts of interest

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

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

### Disclosures at Council meetings

Under the Governance Rules:<sup>1</sup>

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

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

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

2.1 advising of the conflict of interest;

2.2 explaining the nature of the conflict of interest; and

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

(a) name of the other person;

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

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

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

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

---

<sup>1</sup> Chapter 5, Rule 3.

## Disclosures at councillor briefings (and other meetings)

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

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

## Councillor form to disclose conflicts of interest

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Meeting type:

- Briefing
- Meeting
- Other \_\_\_\_\_

Nature of the conflict of interest (describe):

---

---

---

---

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

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

---

<sup>2</sup> Chapter 5, Rule 4.

# **Confirmation of minutes of previous Council meeting**

*Council meeting*

## 5. CONFIRMATION OF THE MINUTES OF PREVIOUS COUNCIL MEETING

**Author:** Governance Officer

**Responsible Officer:** General Manager Corporate Performance

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

---

### **SUMMARY/PURPOSE**

To present for confirmation the minutes of the Council Meeting held on 26 July 2022.

### **RECOMMENDATION**

*That Council confirms the Minutes of the Council Meeting held on 26 July 2022.*

### **LEGISLATION AND POLICY CONTEXT**

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

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

### **BACKGROUND INFORMATION**

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

### **REPORT**

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

### **CONSULTATION/COMMUNICATION**

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

### **FINANCIAL & RESOURCE IMPLICATIONS**

Costs included in the Governance and Community Engagement budgets.

## **RISK MANAGEMENT**

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

## **CONCLUSION**

The unconfirmed minutes of the Council Meeting held on 26 July 2022 are presented for confirmation.

## **ATTACHMENTS**

1. Unconfirmed Minutes of the Council Meeting held 26 July 2022



## MEETING OF COUNCIL MINUTES

Tuesday 26 July 2022

6:00pm

Meeting held in person

### MEMBERSHIP

Councillors

Liesbeth Long

Gerard Murphy

Wayne Sproull

Geoff Lovett

Grace La Vella

Chris Meddows-Taylor (Mayor)

Anna de Villiers

*draft unconfirmed*

To be confirmed at the Council Meeting  
scheduled for 23 August 2022



# UNCONFIRMED MINUTES

*draft unconfirmed*

---

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

# UNCONFIRMED MINUTES

## 1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6pm.

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

### PRESENT

#### Councillors

Chris Meddows-Taylor (Mayor)

Gerard Murphy

Wayne Sproull

Grace La Vella

Geoff Lovett

Anna de Villiers

### IN ATTENDANCE

#### Officers

Chief Executive Officer, Lucy Roffey

General Manager Infrastructure Assets and Planning, Matthew Irving

General Manager Community Wellbeing, Emma Little

General Manager Corporate Performance, Mick Smith

## 2. APOLOGIES

Councillor Liesbeth Long

## 3. LEAVE OF ABSENCE

Nil

## 4. DISCLOSURES OF CONFLICTS OF INTEREST

Cr Murphy 8.1 50 Metre Outdoor Pool - Company contracted to Council as operator of pool

Cr Sproull Item 9 Notice of Motion

The Mayor also welcomed new General Manager Infrastructure, Assets and Planning Matthew Irving to his first Council meeting since his appointment.

## 5. CONFIRMATION OF THE MINUTES OF PREVIOUS COUNCIL MEETINGS

To present for confirmation the minutes of the Council Meeting held on 28 June 2022.

Mayor declared minutes are confirmed.

---

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

# UNCONFIRMED MINUTES

## 6. REPORTS FROM COMMITTEES

6.1 Minutes of Audit and Risk Committee Meeting

6.2 Talbot Town Hall

Mayor declared minutes are noted, no questions raised from Councillors.

## 7. PETITIONS

Nil

## 8. OFFICER REPORTS

### 8.1 MARYBOROUGH 50 METRE OUTDOOR POOL

Cr Murphy left the chamber at 6:05PM due to conflict of interest.

The purpose of this report is to present to Council construction works options for the Maryborough 50 metre outdoor pool plus a proposal for alternative swimming options during its closure.

#### Council Resolution

That Council:

1. Endorse the closure of the Maryborough 50 metre outdoor pool until it can be demolished and rebuilt

2. Continue advocacy to State and Federal Governments to seek funding support of up to \$6m to undertake proposed works

3. Endorse the following proposals, which are to be monitored and reviewed to ensure the best outcomes for the community:

- free entry to the pools at Dunolly and Talbot
- open the Dunolly and Talbot pools on Saturday 3 December and close them on 13 March, from 1pm-7pm - *school holidays, weekends, public holidays and 3:30pm-7pm school days*
- extend the hours at the indoor pool on Saturdays, Sundays, and Public Holidays, opening from 9am - 7pm, excluding Christmas Day
- organise a 'Freeza' and 'Engage' initiative to provide free vouchers to the indoor pool for young people
- advise schools of the situation and offer some financial support to enable them to bus students to alternative pools for their swimming carnivals
- advise the Maryborough Swimming Club and the Maryborough and District Triathlon Club of the closure with an offer of payment of the hire fee to enable it to run its

---

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

## UNCONFIRMED MINUTES

tournament, its major fund raiser, at an alternative venue.

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

**Cr Lovett and Cr La Vella spoke to the motion:**

**CARRIED**

**Cr Murphy rejoined the meeting at 6:16PM.**

### **8.2 COMMUNITY GRANTS RECOMMENDATIONS REPORT 2022-2023**

The purpose of this report is to brief Council on the applications received for the 2022 2023 Community Grants Program and the assessment process. Included are recommendations for the awarding of grants.

#### **Council Resolution**

That Council approve the recommendations for the awarding of funds for the Community Grants Program 2022-2023.

**Moved**            **Cr De Villiers**  
**Seconded**       **Cr Murphy**

**Cr De Villiers and Cr Murphy spoke to the motion.**

**CARRIED**

### **8.3 2022 LOCAL SPORTS INFRASTRUCTURE APPLICATIONS**

#### **Council Resolution**

That Council endorse the following grant applications to the 2022 Local Sports Infrastructure Fund:

1. Female Friendly Facilities - Deledio Reserve Netball Courts with Council contribution of \$242,569 and
2. Planning - Urban Bike Park, Bristol Hill with Council contribution of \$35,000 plus \$4,875 as 'in kind' project management.

**Moved**            **Cr Murphy**  
**Seconded**       **Cr La Vella**

## UNCONFIRMED MINUTES

Cr Murphy and Cr La Vella spoke to the motion.

CARRIED

### 8.4 2022 Community Satisfaction Survey Results

The purpose of this report is to provide an analysis of the Community Satisfaction Survey results for Council for 2021 and to capture next steps towards ongoing increases in community satisfaction.

#### Council Resolution

That Council note the results for the Community Satisfaction Survey 2022 Central Goldfields Shire Council and support the proposed next steps.

Moved           Cr Sproull  
Seconded       Cr La Vella

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

CARRIED

### 8.5 MARYBOROUGH AERODROME TASKFORCE TERM EXTENSION

Council established the Maryborough Aerodrome Taskforce to provide advice on the future use and development of Maryborough Aerodrome that will provide the best economic and social benefits to the community.

#### Council Resolution

That Council:

1. Acknowledge the good work and efforts, amid disruptions and delays, provided by the Taskforce within its initial term; and
2. Endorses an extension to the term of the Maryborough Aerodrome Taskforce, and its existing membership, for a further twelve months until August 2023

Moved           Cr Sproull  
Seconded       Cr Murphy

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

CARRIED

---

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

## UNCONFIRMED MINUTES

### 8.6 YOUTH COUNCIL MEMBERSHIP ENDORSEMENT

The purpose of this report is to seek Council endorsement of the proposed membership of the 2022-23 Central Goldfields Shire Youth Council (Youth Council).

#### Council Resolution

That Council endorse:

1. the successful applicants of the Youth Council expression of interest process as Central Goldfields Shire Youth Councillors, and
2. the Youth Council planned project actions outlined in this report.

Moved           Cr La Vella

Seconded       Cr Sproull

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

CARRIED

### 8.7 MAJORCA PLANTATION AND TALBOT TIMBER

View of Councillors that more work to be done and motion to be deferred for further information and present at a further Council meeting.

Cr Murphy spoke to the motion.

Cr De Villiers spoke to the motion.

### 8.8 PLANNING PERMIT 018/21 FOR BROILER FARM AT 683 AND 705 BARINGHUP ROAD, CARISBROOK

The purpose of this report is to seek a Council determination for planning permit application 018/21 for the use and development of the land for a broiler farm (Class A with a capacity up to 400,000 birds) and ancillary caretaker's dwelling with associated buildings and works within the Farming Zone at 683 and 705 Baringhup Road, Carisbrook.

#### Council Resolution

That Council, having considered all matters generally required under the Planning and Environment Act 1987 and the Central Goldfields Planning Scheme, resolves to grant and issue a planning permit in respect of planning permit application no. 018/21 for the land known and described as 683 and 705 Baringhup Road, Carisbrook, for the use and development of the land for a broiler farm (Class A with a capacity up to 400,000

## UNCONFIRMED MINUTES

birds) and ancillary caretaker's dwelling with associated buildings and works within the Farming Zone, in accordance with the endorsed plans and subject to the following conditions:

### Endorsed plans/documents

1. The use and development of the land must be undertaken generally in accordance with the endorsed plans and any endorsed documents. The endorsed plans and any other plan or document endorsed under a condition of this permit must not be altered or modified without the written consent of the responsible authority.

### Site requirements

2. A maximum of 400,000 birds must not be exceeded on the site at any time.
3. The use and development of the land must be carried out at all times in accordance with the requirements of the Victorian Code for Broiler Farms 2009 (plus 2018 amendments) or as revised/updated, to the satisfaction of the responsible authority.
4. The use and development of the land must be carried out at all times in accordance with the requirements of the endorsed Environmental Management Plan, including:
  - a. Spent litter and other waste must be removed from the property and must not be stockpiled, composted, or spread on the broiler farm site.
  - b. Any temporary stockpiling of spent litter must be done on an impervious surface, appropriately bunded and located 100m from any waterway/drainage line.
  - c. Dead birds must be collected daily and removed from the broiler farm site, while being appropriately managed and disposed.
  - d. Dead birds must not to be stored in open containers/bins under any circumstances.
  - e. All waste transported by vehicles must be securely covered to prevent dust or spillage.

### Materials and finishes

5. All buildings and structures must be clad and roofed in non-reflective materials and finished in natural colours and tones to improve their visual integration with the natural landscape, to the satisfaction of the responsible authority.

### Landscaping

6. All landscaping works must be carried out and completed in accordance with the endorsed plan to the satisfaction of the responsible authority within three (3)

---

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

## UNCONFIRMED MINUTES

months of the commencement of use or immediately within the next suitable planting season.

7. Once the landscaping is carried out, it must thereafter be maintained in good health, including the replacement of any dead or diseased plants to the satisfaction of the responsible authority.

8. The landscaped areas must not be used for any other purpose except with the prior written consent of the responsible authority.

Landscaping performance bond

9. Before the landscaping works are carried out, the permit holder/landowner must establish a suitable landscaping performance bond to ensure effective implementation and maintenance of the landscaping until it becomes well established, including:

- a. A quote that the permit holder/landowner obtains from a reputable landscape business to implement the endorsed landscaping, with sufficient detail to identify the costs of materials, plants and labour;
- b. The responsible authority's verification of the quote;
- c. Application of a 25 per cent margin of the verified quote for unforeseen costs (that is, the total bond equals the cost of the quotation plus a 25 per cent margin);
- d. A bank guarantee for the total amount of the bond to be lodged by the permit holder/landowner with the responsible authority; and
- e. A timeframe for the landscaping works to be completed.

10. When the landscaping works are completed to the satisfaction of the responsible authority, 85 per cent of the bond shall be released to the permit holder/landowner. The remaining 15 per cent of the bond shall be retained by the responsible authority as a maintenance bond for three years after the landscaping works are completed.

11. At the end of the three-year maintenance period, there shall be an inspection by the responsible authority and release of the maintenance bond if the landscaping has been maintained to the satisfaction of the responsible authority. If the landscaping has not been satisfactorily maintained, the maintenance bond amount shall be used by the responsible authority to restore the landscaping to the required standards.

### **Complaint management**

12. The permit holder must keep a written record of any complaints that are received regarding the use and development of the land allowed under this permit. The permit holder must make this record available to the responsible authority on request.



## UNCONFIRMED MINUTES

13. The broiler farm operation must nominate a designated contact who will generally be available to discuss the general operation of the site should the need arise. The permit holder must update the responsible authority within a reasonable timeframe if this contact changes.

### Lighting

14. Any lighting must be located, designed, and baffled to avoid or minimise spill and impacts on nearby sensitive uses, to the satisfaction of the responsible authority.

### Site identification

15. A sign identifying the broiler farm site must be clearly displayed at the main access point.

### Goulburn-Murray Water

16. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).

17. The development must be undertaken in accordance with the requirements of the Victorian Code for Broiler Farms, 2009 (including 2018 amendments).

18. Potentially contaminated stormwater and drainage from the sheds and hardstand areas must be directed to a retention dam which must be designed with a capacity and freeboard to enable the run-off from a 1 in 10-year storm to be retained. Any overflow from the dam must not cause erosion.

19. The retention dam must be lined with an impervious liner and if clay is used it must be compacted to a seepage rate of not greater than  $1 \times 10^{-9}$  m/sec. The dam must be operated to a minimum level to ensure the liner does not dry out and crack. There must be no overflow of water from the dam directed to any waterways.

20. Stormwater from catchment unrelated to the development area must not be directed to the retention dam.

21. The floors of the sheds must be constructed with an impervious surface such as concrete or of clay compacted to achieve a design permeability of  $1 \times 10^{-9}$  m/sec. The shed must be designed to ensure that all litter can be retained within the shed until removal is required.

22. Contaminated litter removed from the sheds must be transported off site by an approved contractor to an approved site.

23. There must be no spent litter from the sheds stockpiled on the site. Any temporary storage areas for wet litter must have an impermeable base and

## UNCONFIRMED MINUTES

bunding to ensure contaminated run-off does not discharge from the temporary storage area.

24. No land application of contaminated litter is to occur.

25. All dead birds must be disposed of off-site or managed on-site to the satisfaction of the EPA.

26. All wastewater from the proposed manager's residence and amenities buildings must be treated and disposed of using EPA approved systems, installed, operated, and maintained in compliance with the relevant EPA Code of Practice and Certificate of Conformity.

27. All wastewater disposal areas must be located at least 100m from any waterways, 60 from any dams, 40m from any drainage lines and at least 20m from any bores.

28. The wastewater disposal areas must be kept free of all infrastructure including buildings, driveways, carparking and service trenching and must be planted with appropriate vegetation to maximise their performance. Stormwater must be diverted away.

29. Any chemicals stored onsite must be kept in accordance with relevant EPA Publications and Australian Standards.

### Engineering

#### Roads

30. Hurses Lane is to be constructed from Baringhup Road to 25 metres north of the main entrance to the proposed development. The road to be constructed to accommodate B-Double trucks, with a minimum pavement width of 6.6 metres and a design depth of pavement to be verified by subgrade and pavement materials testing.

31. The intersection of Baringhup Road and Hurses Lane is to be asphalt overlaid with a 40mm thick 10mm aggregate Type H asphalt for 50 metres in length (25 metres either side of the centre-line of Hurses Lane), and 25 metres into Hurses Lane.

32. Prior to the commencement of any roadworks, the permit holder/landowner(s) must submit detailed construction plans and make further application for, and have approved, a Consent for Works permit. All works constructed or carried out must be in accordance with the approved plans/permit(s) to the satisfaction of the responsible authority.

#### Access

33. The use and development of the land must be carried out at all times in

## UNCONFIRMED MINUTES

accordance with the requirements of the endorsed Traffic Management Plan, including that access to and from the broiler farm site must be from Hurses Lane via Baringhup Road. No alternative routes are permitted without approval from the responsible authority.

34. The intersection of Hurses Lane and the internal access road must be designed to accommodate B-Double trucks to the satisfaction of the responsible authority.

35. Prior to the commencement of any crossover/driveway works, the permit holder/landowner(s) must submit detailed construction plans and make further application for, and have approved, a driveway crossing permit(s). All works constructed or carried out must be in accordance with the approved plans/permit(s) and to the satisfaction of the responsible authority.

36. Once constructed, the crossover must be thereafter maintained by the landowner(s) in good condition to the satisfaction of the responsible authority.

### **Loading/unloading**

37. All loading/unloading of vehicles and collection/delivery of goods to and from the site must be undertaken entirely within the boundaries of the site and conducted to cause minimum interference with other traffic, to the satisfaction of the responsible authority.

38. The surface of parking and loading areas as well as internal access roads must be constructed to a relevant specification and maintained to the satisfaction of the responsible authority to prevent dust and drainage run-off causing a loss of amenity to the site or broader area. All such surfaces, areas and roads must be constructed to ensure all-weather use and access.

### **Drainage**

39. All stormwater must be accommodated and treated within the subject land to the satisfaction of the responsible authority.

40. All stormwater and surface water drainage from the proposed buildings, hard stand areas, driveways and yards must be designed to be contained within the site and designed for stormwater quality and quantity to comply with the Best Practice Environmental Management Guidelines for Urban Storm water (CSIRO) 1999, to the satisfaction of the responsible authority.

41. All stormwater and surface water drainage from the proposed buildings, hard standing areas, driveways, and yards is to be collected and discharged to the proposed retention dam on the development to the satisfaction of the

## UNCONFIRMED MINUTES

responsible authority.

42. In the event of an extreme stormwater event, any discharge of stormwater from the proposed dam to the surrounding land shall be treated and managed to prevent erosion of the land to the satisfaction of the responsible authority.

### Expiry

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

- a. The development is not commenced within two years of the date of this permit.
- b. The development is not completed within six years of the date of this permit.
- c. The use is not commenced within six years of the date of this permit.
- d. The use allowed by this permit is discontinued for a period of two years after commencing.

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

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

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

**Mayor sought clarification from General Manager Matthew Irving.**

**General Manager Infrastructure, Assets and Planning Matthew Irving clarified -**

Question of removal of dead birds - take that on notice and come back to Council. Road aspect, conditions state the Farm will upgrade and be responsible for this aspect. Once the road meets engineering standards and is handed over Council will have responsible for maintenance of the road moving forward.

**CEO Lucy Roffey clarified -**

Permit condition 25, dead birds must be disposed offsite or managed onsite to the satisfaction of the EPA - the EPA have a role there.

**CARRIED**

## **8.9 INTEGRATED WATER MANAGEMENT STRATEGIC DIRECTION STATEMENTS**

## UNCONFIRMED MINUTES

The purpose of this report is for Council to consider endorsement of the updated Integrated Water Management Strategic Direction Statements from Coliban Water and Central Highlands Water.

### Council Resolution

That Council endorse the

- 1) Central Highlands Strategic Directions Statement 2022; and
- 2) Coliban Strategic Directions Statement 2022.

Moved           Cr Sproull  
Seconded       Cr La Vella

Cr Sproull spoke to the motion.

CARRIED

### 8.10 AUDIT AND RISK COMMITTEE BIENNIAL REPORT TO COUNCIL

The purpose of this report is to present the Audit and Risk Committee Biannual Report to Council for noting.

### Council Resolution

That Council receive and note the Audit and Risk Committee Biannual Report to Council.

Moved           Cr Murphy  
Seconded       Cr Lovett

Cr Murphy and Cr Lovett spoke to the motion.

CARRIED

## 9 NOTICES OF MOTION

Cr Sproull left the chamber at 7:02PM due to declared conflict of interest.

### 9.1 Councillor Geoff Lovett

1. Council recognises that the supply of greenfield and urban fringe residential housing land in Maryborough is critically low.
2. Council notes the receipt of a request for a planning scheme amendment, and combined planning permit application the landowner of 52 Ross Street, Maryborough, to re-zone the land from Rural Living Zone to

---

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

## UNCONFIRMED MINUTES

General Residential Zone, and sub-divide 8 hectares of land on the Northern fringe of Maryborough for residential purposes.

3. Council recognises that the application received from the landowner of 52 Ross Street, Maryborough, is proponent funded, and that the technical assessments and other fees will be at the expense of the landowner.

4. Council support the allocation of Officer resources as deemed appropriate to oversee the proponent funded application process.

5. If this motion is carried, Officers will present to Council a regular update about the progress of the combined planning scheme amendment and planning permit application for 52 Ross Street.

6. Council Officers to arrange a meeting at the earliest convenience between the Proponent, the CFA, and appropriate representatives of Council to discuss the potential for the site at 52 Ross Street, Maryborough to be re-zoned, and developed for residential purposes to respond to Council's residential land supply issue.

Moved        Cr Murphy  
Seconded    Cr Lovett

Cr Lovett, Cr Murphy, Cr La Vella, Cr De Villiers, Cr Meadows-Taylor spoke to the motion.

CARRIED

Cr Sproull returned to the chamber at 7:12pm.

### 10 URGENT BUSINESS

Nil

### 11 OTHER BUSINESS

Nil

### 12. CONFIDENTIAL BUSINESS

Nil

### 13 MEETING CLOSURE

The meeting closed at 7:13pm.

---

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

# UNCONFIRMED MINUTES

---

To be confirmed at the Council Meeting  
to be held on 23 August 2022.

*draft unconfirmed*

# Minutes of Delegated and Advisory Committees

*Council meeting*



# Petitions

*Council meeting*

# Officer Reports

*Council meeting*

## 8.1 DELEGATION, MEDIATION AND COUNCIL PLANNING HEARING FOR PLANNING APPLICATIONS

**Author:** Acting Coordinator Statutory Planning

**Responsible Officer:** General Manager Infrastructure Assets and Planning

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

---

### SUMMARY/PURPOSE

The purpose of this report is to present proposed new policies and procedures for planning applications to Council for adoption, including in relation to delegation, mediation, and the Council planning hearing.

The purpose of these new policies and procedures is to create more efficiency in the delivery of Council's planning service as well as allow Council to better meet its obligations, responsibilities, and prescribed timeframes in considering and deciding planning applications.

### RECOMMENDATION

*That Council:*

- 1. Adopts the 'Procedure – Delegation, Mediation and Council Planning Hearing for Planning Applications document' to introduce a mediation process and revise the arrangements for the Council planning hearing;*
- 2. Seeks a review of the policies and procedures in 12 months' time; and*
- 3. Notes that updates to the relevant Instrument of Delegation to provide greater delegation to officers to make decisions on planning applications will be made if it makes resolutions on this matter through the separate but related report to be presented.*

### LEGISLATION AND POLICY CONTEXT

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

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

This report has been prepared in accordance with part 3 of the *Local Government Act 2020*, which pertains to Council decision making and outlines various requirements relating to community accountability as well as procedure and proceedings.

This report has been prepared in accordance with section 188 of the *Planning and Environment Act 1987*, which allows a planning authority or responsible authority to delegate (by instrument) any of its powers, discretions, or functions under to an officer of the authority.

### BACKGROUND INFORMATION

Under Council's relevant Instrument of Delegation, planning officers have limited delegation. Any planning application that receives at least one objection or that is recommended for refusal must be decided by the full Council. This has led to inefficient outcomes on occasion and the delivery of Council's planning service could be improved with the introduction of new policies and procedures.

## **REPORT**

### Delegation

As noted, Council officers currently have limited delegation to decide planning applications and it is considered that this had led to inefficient outcomes on occasion.

It is proposed to amend the Instrument of Delegation to allow planning officers to decide planning applications under delegation where three or fewer objections have been received or where an application is to be refused in certain, limited circumstances. This includes:

- Where an application has been inactive for a period of 6 months or more and the applicant has failed to provide reasonable justification for a lack of action; or
- Where an application is for a use or development that is prohibited; or
- Where a determining referral authority has objected to the grant of a permit (and their grounds are the only grounds for refusal).

Consultation with several nearby councils regarding their delegation has occurred. Both the City of Bendigo and Northern Grampians Shire Councils allow officers to decide applications under delegation where there has been up to four objections. Bendigo allows officers to refuse applications under delegation in the same limited circumstances as above, while Northern Grampians has no restrictions for where officers may refuse applications under delegation. City of Ballarat Council allows officers to decide applications under delegation regardless of the number of objections but has a system where Councillors are advised of interest and can 'call them in' for a decision. Further, Ballarat only gives the Planning Manager delegation to refuse applications, rather than planning officers.

Council has recently had to consider and decide various planning applications that they may have been better decided under delegation. Council officers have undertaken investigations of various planning applications and found that the revised arrangements for delegation and mediation could have led to a shorter decision-making timeframe of between 21 to 58 days, even when allowing for a 14-day period for any mediation to occur before a decision is made by officers. The revised arrangements will better allow Council to better meet its obligations, responsibilities, and prescribed timeframes in considering and deciding planning applications.

Despite the proposed changes to delegation above, provision would still be made that at any stage before a planning application is decided under delegation, any Councillor may decide to call it in to the full Council meeting. The mechanism for this 'call in' will generally be for any Councillor to advise the Chief Executive Officer and/or General Manager Infrastructure Assets and Planning of this decision.

Councillors will be made aware of relevant applications that are intended to be decided under delegation through their weekly bulletin. Further, Councillors will be given sufficient time to call in the application before it is decided under delegation by officers. Finally, it is noted that applications of certain significance or public interest will still be reported to Councillors for a decision, even if it is available for officers to decide these applications under delegations. The intention is therefore not to take away decision-making powers from Councillors but to allow

more straightforward planning applications to be decided under delegation, in line with the approach taken by other councils.

It is noted that to be considered as such, an objection must be in writing, state reasons for the objection, and state how the objector would be affected by the issuing of a permit. Further, an objection must be typed or clearly written, addressed to the Council and be clearly marked as an objection, include the permit application reference number and the address of the land, include the objector's name and contact details, and be signed and dated. The only circumstance where the Council may reject an objection is if it considers it to have been made primarily to secure or maintain a direct or indirect commercial advantage for the objector.

The benefits of making this change to the delegation include:

- Officers could decide planning applications under delegation where there is a limited level of community objection or concern. In many cases, such objections may not be entirely valid but instead be lacking substance; be of a frivolous, vexatious, or misconceived nature; or otherwise designed to frustrate an applicant.
- Relevant planning applications could proceed through the planning process more expediently, allowing Council to better satisfy prescribed, statutory timeframes. This would be likely to have the flow on effect of enhancing Council's reputation by lowering the reported median days for applications being decided.
- Planning applications where Council has no discretion under relevant regulations but must refuse a permit could be decided more efficiently rather than having to be decided within a Council meeting.
- Provision would still be made that at any stage before a planning application is decided under delegation, any Councillor may decide to call it in to the full Council meeting, allowing Councillors ultimate discretion and decision-making power.

### Mediation

Council's existing planning service does not make any formal or documented provision for mediation to occur on planning applications. A voluntary mediation process with documented processes and conventions is proposed as part of changes to the statutory planning process.

Mediation would be encouraged where one or more valid objection has been received. The purpose of mediation would be to allow all parties to raise their concerns in a safe environment, discuss relevant planning issues in a meaningful way, allow all perspectives to be understood, and endeavour to find solutions to issues. The relevant ward Councillor/s for a planning application will be invited to observe the mediation.

The mediation process is also an opportunity to explain the planning process to the parties involved, particularly those who may be inexperienced in the process. This may include (but is not limited to) explanation of valid planning considerations, the operation of the planning scheme, Council's decision-making process, and the appeal process.

The mediation would be chaired by a relevant Council officer. Any involved party would need to abide by certain principles and standards relating to their conduct.

If agreement(s) are reached during the mediation process, a planning application may proceed on a case-by-case basis depending on the circumstances. This may involve amendments being made to a planning application and objections being withdrawn, or permit conditions

being agreed to and objections being withdrawn, allowing an application to be decided under delegation.

At the conclusion of the mediation process, a planning application will be able to be decided under delegation, regardless of whether any solutions have been found or issues narrowed. Mediation may not be undertaken in some circumstances and may also stop in certain situations, allowing a planning application to be decided under delegation. However, in both situations, provision would still be made that before a planning application is decided under delegation, any Councillor may decide to call it in for consideration at a Council meeting.

Other regional councils have similar mediation processes of varying formality.

The benefits of making this change include:

- Providing a voluntary process that allows all perspectives to be understood and a pathway for solutions to be found or issues in contention to be narrowed.
- Allowing planning applications to be decided under delegation, especially where agreements are reached, while still providing that at any stage before a planning application is decided under delegation, any Councillor may decide to call it in to the full Council meeting.
- Improving the understanding of all parties involved in the planning process.
- Having documented processes and conventions to manage conduct.

### Council Planning Hearing

Currently, Council's planning hearing is held separately and two weeks prior to the full Council meeting. In place of this, it is proposed that the Council planning hearing is held closer to the full Council meeting and with additional information being made available to the parties.

The purpose of the Council planning hearing will remain to hear submissions from relevant parties before a decision is made at the full Council meeting. Councillors will also continue to be separately briefed by Council officers prior to the Council planning hearing.

The existing process for deciding non-delegated planning applications is that Councillors attend a daytime briefing session with officers, then hold an evening planning hearing to hear from external parties, then consider an application at a Council meeting (typically two weeks after the hearing). This can lead to inefficiency and potentially unfair from a procedural view:

- External parties cannot view, and do not have the benefit of viewing, the officer recommendation report, including any permit conditions or grounds of refusal, when making their submissions at the planning hearing.

For a more efficient and fair system a single, monthly planning hearing closer to the full Council meeting is proposed. The hearing may be on the same day as the meeting or on days leading up to the meeting. It may also be on the same day as the briefing session, if that is found to be preferable and easier to schedule. At the planning hearing, Councillors would hear submissions from relevant parties (applicant, objector or submitter, and any referral authority) and ask questions of them. At the Council meeting, Councillors would still consider a planning application as per the current approach.

All relevant parties would be provided with an agenda containing the officer recommendation report before the Council planning hearing. The intention is for this agenda to be provided

three days (72 hours) prior to the hearing. This would allow the parties to make submissions that more directly address the officer recommendation, including any permit conditions or grounds of refusal, which will provide a greater degree of procedural fairness and a better overall outcome. Each party's submissions would still be expected to be no greater than five (5) minutes and Council officers would be available at the Council planning hearing to answer any questions requiring clarification.

The benefits of making this change include the following:

- Creating a more efficient process with a single Council officer report.
- Improving procedural fairness by giving all parties at least one week to view the Council officer recommendation report prior to the Council planning hearing meeting and then make submissions directly to it, prior to a decision on a planning application being made.

## **CONSULTATION/COMMUNICATION**

As these changes are procedural and seek to increase the ability for community participation in the planning process no community consultation has been completed or is proposed.

Any person relevantly involved in the planning process would be made aware of any new arrangements for delegation, mediation, and the Council planning hearing.

## **FINANCIAL & RESOURCE IMPLICATIONS**

No costs have been involved with the development of this report or are likely to be incurred from implementing any proposed changes to policies and procedures.

The only resource implications are officer time in implementing the policies and procedures.

No legal or other specialist input is required, and no financial risks are identified. The proposed changes to policies and procedures are considered to align with all relevant regulatory requirements.

## **RISK MANAGEMENT**

This report addresses Council's strategic risk Governance - Failure to transparently govern and embrace good governance practices by implementing more efficient and procedurally fair processes in considering and deciding planning applications.

No risks have been identified although there are clear benefits to all parties, including the community, that are involved in the planning process. In particular, one of the main purposes of the mediation process is to provide an opportunity to explain the planning process to the parties involved, particularly those who may be inexperienced.

To further avoid risk, officers commit to reviewing the proposed changes in 12 months time and to undertaking further adjustments, as appropriate, to improve the processes or fix and issues.

## **CONCLUSION**

Council's current statutory planning processes have led to inefficient outcomes on occasion, and that the delivery of Council's planning service could be improved with the introduction of new policies and procedures. This includes expanding the situations where officers can decide planning applications under delegation, introducing a mediation process, and improving the Council planning hearing process for non-delegated planning applications.

## **ATTACHMENTS**

1. Procedure – Delegation, Mediation and Council Planning Hearing for Planning Applications





## Procedure – Delegation, Mediation and Council Planning Hearing for Planning Applications

Category:	Statutory Services
Approver:	General Manager, Infrastructure, Assets and Planning
Review Period:	Two years
Responsible Manager:	Manager Statutory Services
Signed by Approver:	.....
Date:	.....

### Contents

---

Contents	1
Purpose	1
Scope	2
Definitions	2
Delegation	2
Call In	3
Mediation	3
Council Planning Hearing	5
Human Rights Statement	5
Related Policies and Procedures	6

### Purpose

---

The Act governs the implementation of planning schemes and sets out a range of obligations and responsibilities that Council must meet when delivering its planning service. Additionally, there are various prescribed timeframes that Council must meet to provide an orderly planning service. These obligations, responsibilities and timeframes include the consideration and determination of applications by Council.

This procedure aims to:

- Outline where the coordinator or a PO has delegation to decide an application.
- Explain the mediation process that may arise in certain situations.
- Detail the operation of Council’s planning hearings.

## Scope

This procedure applies to any new application lodged with Council for consideration and determination under the Scheme.

## Definitions

The following definitions apply in this procedure:

- **The Act** – The *Planning and Environment Act 1987*
- **Application** – An application for a planning permit or an application to amend a planning permit. Does not include any other type of application, including an extension of time or secondary consent
- **Coordinator** – A planning officer who is the coordinator of Statutory Planning
- **Council** – the Central Goldfields Shire Council
- **IoD** – Instrument of Delegation
- **PO** – A planning officer who has been delegated relevant powers from Council
- **The Scheme** – The Central Goldfields Planning Scheme

## Delegation

A decision on an application under section 61(1) of the Act may be made under delegation by a relevant officer, as outlined below and in accordance with Council's IoD. It is noted that the wording below is taken from the IoD at the time of this procedure document being written, and that the IoD may be amended from time to time. In all instances, the IoD will take precedence and should be referred to as having primacy. The wording below is only for illustrative purposes.

Planning and Environment Act 1987		
Provision	Powers and Functions Delegated	Conditions and Limitations
s 61(1)	Power of decision on application, either to grant a permit, grant a permit subject to conditions, or refuse to grant a permit on any ground it thinks fit	<p>Power is subject to the following conditions:</p> <p>a) Delegates may only decide an application if three (3) or fewer valid objections have been received.</p> <p>b) Delegates may only refuse an application:</p> <p>i. where an application has been inactive for a period of 6 months or more and the applicant has failed to provide reasonable justification for a lack of action; or</p> <p>ii. where an application is for a use or development that is prohibited; or</p> <p>The permit must not be inconsistent with a Cultural Heritage Management Plan under the <i>Aboriginal Heritage Act 2006</i>.</p>

		At any stage before an application is decided under delegation, any Councillor may decide to call in an application to the Council planning hearing.
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	Power is subject to the following condition: a) Where a determining referral authority has objected to the grant of a permit (and their grounds are the only grounds for refusal).  At any stage before an application is decided under delegation, any Councillor may decide to call in an application to the Council planning hearing.
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	Power is subject to the following condition: a) Where the breach of a registered restrictive covenant is the only grounds for refusal and a permit has not been issued, or a decision has not been made to grant a permit, to allow the removal or variation of the covenant.  At any stage before an application is decided under delegation, any Councillor may decide to call in an application to the Council planning hearing.

## Call In

---

Provision remains that any stage before a planning application is decided under delegation, any Councillor may decide to call it in to the full Council meeting. The mechanism for this 'call in' will generally be for any Councillor to advise the Chief Executive Officer and/or General Manager Infrastructure Assets and Planning of this decision.

Councillors will be made aware of relevant applications that are intended to be decided under delegation through their weekly bulletin.

Councillors will be given sufficient time to call in the application before it is decided under delegation by officers.

Applications of certain significance or public interest will still be reported to Councillors for a decision, even if the ability for officers to decide these applications under delegations is available.

## Mediation

---

Where an application has received one (1) or more valid objection, the application can proceed to mediation.

Mediation is not a mandatory process but is encouraged.

The purpose of the mediation is to allow all involved parties to raise their concerns in an appropriate forum, discuss relevant planning issues in a meaningful way, allow all perspectives to be understood, and endeavour to find solutions or to narrow issues. The mediation process is also an opportunity to explain the planning process to the parties involved, particularly those who may be inexperienced in the process. This may include (but is not limited to) explanation of valid planning considerations, the operation of the planning scheme, Council's decision-making process, and the appeal process.

All relevant parties will be invited to take part in the mediation, including the applicant, objectors/submitters, any referral authority, and relevant Council staff. The relevant ward Councillor/s for the application will be invited to observe the mediation session but not to actively take part.

A mediation session will be scheduled for a time that suits all parties. If a time cannot be found that suits all parties, the mediation process will stop. However, any party who cannot attend a mediation session must provide a valid, legitimate reason. The chairperson has discretion to continue the mediation process where a party is being obstructive or unhelpful in attending but all other parties can attend a session.

Mediation will only proceed if both the applicant and at least one objector (or referral authority, as the case may be) attends. The mediation process will not commence or will stop if only an applicant or at least one objector/authority is involved (but not both). Any party may withdraw from the mediation process at any time.

If the mediation process does not commence or stops, the application can be decided under delegation by the coordinator or a PO. However, any Councillor may decide to call in the application to the Council planning hearing within five business days of being advised that the mediation process will not commence or has stopped.

At the conclusion of the mediation process, the application can be decided under delegation by the coordinator or a PO – regardless of whether any solutions have been found or issued narrowed. However, any Councillor may decide to call in the application to the Council planning hearing within five business days of being advised that the mediation process has concluded.

Mediation is not expected to occur where no objections have been received, including from a referral authority. If a PO recommends an application to be refused and it has not received an objection, there is unlikely to be a need for mediation, but direct communication can occur between the applicant and PO.

Mediation will typically be a single session, although there is discretion to hold multiple sessions if progress is being made. Mediation will be a voluntary process and it is not expected or preferred that the parties will be represented by legal or other professionals (although the parties may be allowed to bring support persons).

The chairperson for the mediation will either be the coordinator, Manager Statutory Services, or General Manager Infrastructure Assets and Planning. The coordinator will not be the chairperson where they are also the PO for the application.

All parties who part in the mediation process must abide by the following principles and standards:

- All parties must be open-minded to resolving or narrowing planning issues in contention and should endeavour to develop options and approaches for settling issues.
- All parties must act in a fair and reasonable manner, afford others the opportunity to speak and be heard, and must not generally abuse the process.
- There will be no cross-examination and all questions will be directed to the mediator unless there is agreement otherwise.
- Mediation is a process that is confidential to the parties involved.

The chairperson must remain neutral and must not give advice that benefits a specific party over another, apart from providing general planning advice that would be given in a normal situation. The chairperson must be impartial and must withdraw if they have a conflict of interest.

The PO for the application will take minutes of any mediation session, which will be distributed to all parties within three (3) business days.

The Manager Statutory Services or General Manager Infrastructure Assets and Planning has the authority to decide that an application will not proceed through mediation. Although not limited to these situations, this may be in cases where there is a significant number of objectors, where it is indisputably clear that mediation will not resolve or narrow the planning issues in contention, or if there is a substantial power imbalance between the parties.

If agreement(s) are reached during the mediation process, the application may proceed on a case-by-case basis depending on the circumstances. This may involve amendments being made to the application and objections being withdrawn, or permit conditions being agreed to and objections being withdrawn, allowing the application to be decided under delegation.

At any stage, any Councillor may decide to call in the application to the Council planning hearing.

## Council Planning Hearing

---

At least once per month, as needed, the Council planning hearing will be convened for any application that cannot be decided under delegation or that has been called in by a Councillor. The purpose of the Council planning hearing is to hear submissions from relevant parties before a decision is made at the later full Council meeting.

Approximately two weeks prior to the Council planning hearing, Councillors will be briefed by Council officers, including to present a summary of the Council officer's report. The purpose of this briefing session will be for Council officers to outline the proposal, summarise the key issues, discuss any objections or decisions/comments, state the recommended decision and any conditions or grounds for refusal, and to respond to any questions from Councillors.

At least three days (72 hours) before the Council planning hearing commences, Council must make a copy of the agenda available on its website. The agenda must contain the Council officer's report to Councillors on any application it is required to decide. The Council officer's report must contain a recommended decision, any recommended conditions or grounds for refusal, assessment of the application that is consistent with the requirements of the Act, and any other matter as relevant.

The Council planning hearing may be on the same day as the full Council meeting or on days leading up to the meeting. It may also be on the same day as the briefing session.

The Council planning hearing will be held at the Council's offices at 22 Nolan Street, Maryborough. For any party that cannot physically attend, options will be available for online attendance or other electronic means.

The only parties who can make submissions at the Council planning hearing are the applicant, any objector or submitter, and any referral authority. This includes any person representing a party or making a submission on their behalf. Council officers are not expected to make submissions, having earlier briefed Councillors, but will be available to answer any questions requiring clarification.

Each party's submission will be expected to be no longer than five (5) minutes. The chairperson of the Council planning hearing (which in most instances is expected to be the mayor) has the discretion to allow or refuse additional time for a submission to be made. Each party may be asked questions by Councillors at any stage.

The applicant will be invited to make their submission first, followed by any objector or submitter, followed by any referral authority.

At the conclusion of the Council planning hearing, the chairperson will close the hearing. Decisions on any application(s) will then be made at the later Council meeting.

## Human Rights Statement

---

It is considered that this procedure does not impact negatively on any rights identified in the *Charter of Human Rights Act 2007*. Central Goldfields Shire Council is committed to consultation and cooperation between management and staff. Council will formally involve elected staff representatives in any workplace change that may affect its staff.

## Related Policies and Procedures

---

- Instrument of Delegation

## 8.2 UPDATE OF INSTRUMENTS OF DELEGATION BY COUNCIL TO STAFF

**Author:** Governance Officer

**Responsible Officer:** General Manager Corporate Performance

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

---

### SUMMARY/PURPOSE

The purpose of this report is to recommend that Council resolve to update the S6 Instrument of Delegation, under which Council delegates its powers to Council Staff, contingent on the adoption of the Delegation, Mediation and Planning Hearing for Planning Applications procedure at this Council Meeting.

### RECOMMENDATION

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

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

### LEGISLATION AND POLICY CONTEXT

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

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

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

## BACKGROUND INFORMATION

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

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

## REPORT

Should Council resolve the draft Delegation, Mediation and Planning Hearing for Planning Applications procedure at this Council Meeting, provisions 61(1), S 61(2) and S 61(4) within the Planning and Environment Act as outlined in the S6 Instrument of Delegation from Council to Council Staff must be updated to include the Conditions and Limitations agreed upon as follows:

Planning and Environment Act 1987		
Provision	Powers and Functions Delegated	Conditions and Limitations
s 61(1)	Power of decision on application, either to grant a permit, grant a permit subject to conditions, or refuse to grant a permit on any ground it thinks fit	<p>Power is subject to the following conditions:</p> <ul style="list-style-type: none"> <li>a) Delegates may only decide an application if three (3) or fewer valid objections have been received.</li> <li>b) Delegates may only refuse an application: <ul style="list-style-type: none"> <li>i. where an application has been inactive for a period of 6 months or more and the applicant has failed to provide reasonable justification for a lack of action; or</li> <li>ii. where an application is for a use or development that is prohibited; or</li> </ul> </li> </ul> <p>At any stage before an application is decided under delegation, any Councillor may decide to call in an application to the Council planning hearing.</p> <p>The permit must not be inconsistent with a Cultural Heritage Management Plan under the <i>Aboriginal Heritage Act 2006</i>.</p>
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	<p>Power is subject to the following condition:</p> <ul style="list-style-type: none"> <li>a) Where a determining referral authority has objected to the grant of a permit (and their grounds are the only grounds for refusal).</li> </ul> <p>At any stage before an application is decided under delegation, any Councillor may decide to</p>



		call in an application to the Council planning hearing.
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	<p>Power is subject to the following condition:</p> <p>a) Where the breach of a registered restrictive covenant is the only grounds for refusal and a permit has not been issued, or a decision has not been made to grant a permit, to allow the removal or variation of the covenant.</p> <p>At any stage before an application is decided under delegation, any Councillor may decide to call in an application to the Council planning hearing.</p>

## **CONSULTATION/COMMUNICATION**

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

## **FINANCIAL & RESOURCE IMPLICATIONS**

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

## **RISK MANAGEMENT**

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

## **CONCLUSION**

Subject to the adoption of the Delegation, Mediation and Planning Hearing for Planning Applications procedure it is recommended that Council adopt the updated Instrument of Delegation.

## **ATTACHMENTS**

1. Updated Instrument of Delegation to staff.



Maddocks

Maddocks Delegations and Authorisations

***S6 Instrument of Delegation – Members of Staff***

**Central Goldfields Shire Council**

**Instrument of Delegation**

**to**

**Members of Council Staff**



### Instrument of Delegation

In exercise of the powers conferred by the legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. record that references in the Schedule are as follows:

Abbreviation	Position	Name
CASS	Coordinator Strategic Asset Management	
CCMP	Coordinator Compliance	
CEO	Chief Executive Officer	
CODP	Coordinator Design and Projects	
CSTP	Coordinator Statutory Planning	
EHO	Environmental Health Officer	
GMCP	General Manager Corporate Performance	
GMCW	General Manager Community Wellbeing	
GMIAP	General Manager Infrastructure Assets and Planning	
GO	Governance Officer	
MBS	Municipal Building Surveyor	



Abbreviation	Position	Name
MFIN	Manager Finance	
MGPR	Manager Governance Property and Risk	
MGSS	Manager Statutory Services	
MIFR	Manager Infrastructure	
MOPS	Manager Operations	
MSED	Manager Strategy and Economic Development	
MTEC	Manager Tourism Events and Culture	
Not Delegated	Not Delegated	
Not relevant	Not relevant to CGSC	
PCO	Planning Compliance Officer	
PLNNR	Town Planner	
SCO	Senior Communications Officer	
STRAT	Strategic Planner	

3. declares that:

3.1 this Instrument of Delegation is authorised by **##insert "a resolution" or "resolutions"** of Council passed on **##date ##add "and ##date"**, if **appropriate**; and



3.2 the delegation:

3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;

3.2.2 remains in force until varied or revoked;

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

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

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

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

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

(a) policy; or

(b) strategy

adopted by Council;

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

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

**##Council seal**



**Maddocks**



## Delegation Sources

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



## S6 Instrument of Delegation - Members of Staff

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

**Cemeteries and Crematoria Act 2003**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 12A(2)	Duty to have regard to matters set out in paragraphs (a) - (e) in exercising its functions	Not relevant	Where Council is a Class A cemetery trust
s 13	Duty to do anything necessary or convenient to enable it to carry out its functions	GMCP, MGPR	
s 14	Power to manage multiple public cemeteries as if they are one cemetery.	GMCP, MGPR	
s 15(4)	Duty to keep records of delegations	Not relevant	
s 17(1)	Power to employ any persons necessary	Not relevant	

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

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

**Cemeteries and Crematoria Act 2003**

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

**Cemeteries and Crematoria Act 2003**

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

**Cemeteries and Crematoria Act 2003**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18O(1)	Duty to prepare a strategic plan and submit the plan to the Secretary for approval	Not relevant	Where Council is a Class A cemetery trust
s 18O(4)	Duty to advise the Secretary if the trust wishes to exercise its functions in a manner inconsistent with its approved strategic plan	Not relevant	Where Council is a Class A cemetery trust
s 18O(5)	Duty to ensure that an approved strategic plan is available to members of the public on request	Not relevant	Where Council is a Class A cemetery trust
s 18Q(1)	Duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year.	Not relevant	Where Council is a Class A cemetery trust
s 19	Power to carry out or permit the carrying out of works	Not relevant	

<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 20(1)	Duty to set aside areas for the interment of human remains	Not relevant	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	Not relevant	
s 20(3)	Power to set aside areas for those things in paragraphs (a) - (e)	GMCP, MGPR	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	Not relevant	
s 36	Power to grant licences to enter and use part of the land or building in a public cemetery in accordance with s 36	Not relevant	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance	Not	Subject to the Minister approving the purpose



<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
	with s 37	relevant	
s 40	Duty to notify Secretary of fees and charges fixed under s 39	Not Delegated	
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	Not relevant	Provided the street was constructed pursuant to the Local Government Act 1989
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	GMCP, MGPR	Report must contain the particulars listed in s 57(2)
s 59	Duty to keep records for each public cemetery	GMCP, MGPR	
s 60(1)	Duty to make information in records available to the public for	GMCP,	

**Cemeteries and Crematoria Act 2003**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	historical or research purposes	MGPR	
s 60(2)	Power to charge fees for providing information	Not relevant	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	Not Delegated	
s 64B(d)	Power to permit interments at a reopened cemetery	Not relevant	
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	Not Delegated	The application must include the requirements listed in s 66(2)(a)-(d)
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park	Not relevant	

## Cemeteries and Crematoria Act 2003

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 70(1)	Duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	GMCP, MGPR	
s 70(2)	Duty to make plans of existing place of interment available to the public	GMCP, MGPR	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	GMCP, MGPR	
s 71(2)	Power to dispose of any memorial or other structure removed	GMCP, MGPR	
s 72(2)	Duty to comply with request received under s 72	Not Delegated	

<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 73(1)	Power to grant a right of interment	Not relevant	
s 73(2)	Power to impose conditions on the right of interment	Not relevant	
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	Not Delegated	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	Not relevant	
s 77(4)	Power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	Not relevant	

<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 80(1)	Function of receiving notification and payment of transfer of right of interment	Not relevant	
s 80(2)	Function of recording transfer of right of interment	Not relevant	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	Not relevant	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment (sole holder)	Not relevant	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	Not relevant	

<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	Not relevant	
s.85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	Not relevant	The notice must be in writing and contain the requirements listed in s 85(2)
s 85(2)(b)	Duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	Not relevant	Does not apply where right of interment relates to remains of a deceased veteran.
85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or;  remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location.	Not relevant	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment

**Cemeteries and Crematoria Act 2003**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 86	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	Not relevant	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	Not relevant	
s 86(3)(a)	Power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	Not relevant	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	Not relevant	
s.86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains	Not relevant	
s.86(5)	duty to provide notification before taking action under s.86(4)	Not	

<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
		relevant	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	Not relevant	
s 87(3)	Duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	Not relevant	
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	Not relevant	
s 91(1)	Power to cancel a right of interment in accordance with s 91	Not Delegated	
s 91(3)	Duty to publish notice of intention to cancel right of interment	Not relevant	
s 92	Power to pay refund or grant a right of interment in respect of	Not	



**Cemeteries and Crematoria Act 2003**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	another place of interment to the previous holder of the cancelled right of interment	relevant	
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	Not relevant	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	Not Delegated	
s 99(4)	Duty to make a decision on an application under s 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	Not Delegated	
s 100(1)	Power to require a person to remove memorials or places of interment	Not relevant	

## Cemeteries and Crematoria Act 2003

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

## Cemeteries and Crematoria Act 2003

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

<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	Not Delegated	
s 106(4)	Power to repair or - with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under s 106(1) is not complied with	Not Delegated	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	Not relevant	
s 107(2)	Power to repair or take down, remove and dispose any building for ceremonies if notice under s 107(1) is not complied with	Not Delegated	
s 108	Power to recover costs and expenses	Not relevant	

## Cemeteries and Crematoria Act 2003

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

<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
	from other funds if unable to find responsible person and with consent of the Secretary	MGPR	
s 110A	Power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	Not relevant	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	Not relevant	
s 112	Power to sell and supply memorials	Not relevant	
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	Not relevant	
s 116(5)	Power to require an applicant to produce evidence of the right of	Not	

## Cemeteries and Crematoria Act 2003

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	interment holder's consent to application	relevant	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	Not relevant	
s 119	Power to set terms and conditions for interment authorisations	Not relevant	
s 131	Function of receiving an application for cremation authorisation	Not relevant	
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	Not Delegated	Subject to s 133(2)
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	GMCP, MGPR	

## Cemeteries and Crematoria Act 2003

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 146	Power to dispose of bodily remains by a method other than interment or cremation	Not relevant	Subject to the approval of the Secretary
s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	Not relevant	
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	Not relevant	
s 150 & 152(1)	Power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	Not relevant	
s 151	Function of receiving applications to inter or cremate body parts	Not	



<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
		relevant	
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	Not Delegated	
sch 1 cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	Not relevant	
sch 1 cl 8(8)	Power to regulate own proceedings	Not Delegated	Subject to cl 8
sch 1A cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	Not relevant	Where Council is a Class A cemetery trust

<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
sch 1A cl 8(8)	Power to regulate own proceedings	Not relevant	Where Council is a Class A cemetery trust Subject to cl 8

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

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

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MGSS	
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	EHO, GMIAP, MGSS	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	EHO, GMIAP, MGSS	If s 19(1) applies  Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	EHO, GMIAP, MGSS	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	EHO, GMIAP,	If s 19(1) applies

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MGSS	
s 19(6)(b)	Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	EHO, GMIAP, MGSS	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	EHO, GMIAP, MGSS	Where Council is the registration authority
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	EHO, GMIAP, MGSS	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	EHO, GMIAP, MGSS	Where Council is the registration authority

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

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	EHO, GMIAP, MGSS	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	Not Delegated	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	EHO, GMIAP, MGSS	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	EHO, GMIAP, MGSS	Where Council is the registration authority
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	EHO, GMIAP, MGSS	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Power to register or renew the registration of a food premises	EHO, GMIAP, MGSS	Where Council is the registration authority  Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	CCMP, EHO, GMIAP, MGSS	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	GMCP, MFIN	Where Council is the registration authority
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	EHO, GMIAP, MGSS	Where Council is the registration authority

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	Not Delegated	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	EHO, GMIAP, MGSS	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	EHO, GMIAP, MGSS	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	EHO, GMIAP, MGSS	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	EHO, GMIAP, MGSS	Where Council is the registration authority



Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	EHO, GMIAP, MGSS	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	EHO, GMIAP, MGSS	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	EHO, GMIAP, MGSS	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	EHO, GMIAP, MGSS	Where Council is the registration authority  not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	EHO, GMIAP,	Where Council is the registration authority

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

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 40D(1)	Power to suspend or revoke the registration of food premises	EHO, GMIAP, MGSS	Where Council is the registration authority
s 40F	Power to cancel registration of food premises	GMIAP, CEO	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering or renewing registration of a component of a food business	EHO, GMIAP, MGSS	Where Council is the registration authority
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	EHO, GMIAP, MGSS	Where Council is the registration authority
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person	GMIAP, CEO	Where Council is the registration authority

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

Heritage Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 116	Power to sub-delegate Executive Director's functions, duties or powers	Not Delegated	<p>Must first obtain Executive Director's written consent</p> <p>Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation</p>

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

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

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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4I	Duty to keep Victorian Planning Provisions and other documents available in accordance with public availability requirements	GMIAP, STRAT, MSED	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	GMIAP, STRAT, MSED	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	GMIAP, MSED	
s 8A(5)	Function of receiving notice of the Minister's decision	GMIAP, STRAT, MSED	
s 8A(7)	Power to prepare the amendment specified in the application without the	GMIAP,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Minister's authorisation if no response received after 10 business days	STRAT, MSED	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	GMIAP, MSED	
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	GMIAP, STRAT, MSED	
s 12A(1)	Duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s19 of the Planning and Environment (Planning Schemes) Act 1996)	GMIAP, STRAT, MSED	
s 12B(1)	Duty to review planning scheme	GMIAP, STRAT, MSED	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 12B(2)	Duty to review planning scheme at direction of Minister	GMIAP, STRAT, MSED	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	GMIAP, CEO	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	GMIAP, STRAT, MSED	
s 17(1)	Duty of giving copy amendment to the planning scheme	GMIAP, STRAT, MSED	
s 17(2)	Duty of giving copy s 173 agreement	GMIAP, STRAT, MSED	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	GMIAP, STRAT, MSED	
s 18	Duty to make amendment etc. available	GMIAP, STRAT, MSED	
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	GMIAP, STRAT, MSED	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	GMIAP, STRAT, MSED	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or  Where the amendment will amend the planning scheme to designate Council as an acquiring authority.

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	GMIAP, CEO	Where Council is a planning authority
s 21(2)	Duty to make submissions available in accordance with public availability requirements	GMIAP, STRAT, MSED, CEO	
s 21A(4)	Duty to publish notice	GMIAP, STRAT, MSED	
s 22	Duty to consider all submissions	GMIAP, STRAT, MSED	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	GMIAP, STRAT, MSED	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	GMIAP, STRAT, MSED	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	GMIAP, STRAT, MSED	
s 26(1)	Power to make report available for inspection	GMIAP, STRAT, MSED	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	GMIAP, STRAT, MSED	
s 27(2)	Power to apply for exemption if panel's report not received	GMIAP, MSED	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 28(1)	Duty to notify the Minister if abandoning an amendment	GMIAP, MSED	Note: the power to make a decision to abandon an amendment cannot be delegated
s 28(2)	Duty to publish notice of the decision on Internet site	GMIAP, STRAT, MSED	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	GMIAP, STRAT, SCO	
s 30(4)(a)	Duty to say if amendment has lapsed	GMIAP, MSED	
s 30(4)(b)	Duty to provide information in writing upon request	GMIAP, STRAT, MSED	
s 32(2)	Duty to give more notice if required	GMIAP, STRAT,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MSED	
s 33(1)	Duty to give more notice of changes to an amendment	GMIAP, STRAT, MSED	
s 36(2)	Duty to give notice of approval of amendment	GMIAP, STRAT, MSED	
s 38(5)	Duty to give notice of revocation of an amendment	GMIAP, STRAT, MSED	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	GMIAP, MSED	
s 40(1)	Function of lodging copy of approved amendment	GMIAP, STRAT,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MSED	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	GMIAP, STRAT, MSED	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	GMIAP, STRAT, MSED	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	GMIAP, STRAT, MSED	
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	Not relevant	Where Council is a responsible public entity and is a planning authority  Note: this provision is not yet in force, and will commence on the day on which the initial Yarra

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Strategic Plan comes into operation. It will affect a limited number of councils
s 46AW	Function of being consulted by the Minister	GMIAP, CEO	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy  Power to endorse the draft Statement of Planning Policy	GMIAP, CEO	Where Council is a responsible public entity
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	GMIAP, CEO	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the	GMIAP, CEO	Where Council is a responsible public entity

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	declared area		
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	GMIAP, CEO	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	GMIAP, CEO	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	GMIAP, CEO	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	GMIAP, STRAT, MSED	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	GMIAP, STRAT,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MSED	
s 46GP	Function of receiving a notice under s 46GO	GMIAP, STRAT, MSED	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	GMIAP, STRAT, MSED	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	GMIAP, STRAT, MSED	
s 46GR(2)	Power to consider a late submission  Duty to consider a late submission if directed to do so by the Minister	GMIAP, STRAT, MSED	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public	GMIAP,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	purpose land in a submission made under s 46GQ	MSED	
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	GMIAP, MSED	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	GMIAP, MSED	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	GMIAP, MSED	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	GMIAP, MSED	
s 46GU	Duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area	GMIAP, MSED	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	of the plan unless the criteria in s 46GU(1)(a) and (b) are met		
s 46GV(3)	<p>Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution</p> <p>Power to specify the manner in which the payment is to be made</p>	GMCP, MFIN	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	GMIAP, MSED	Where Council is the collecting agency
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	GMIAP, MSED	Where Council is the development agency
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	GMIAP, MSED	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	GMIAP, MSED	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	GMIAP, MSED	Where Council is the collecting agency
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	GMIAP, MSED	Where Council is the collecting agency
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	GMIAP, MSED	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	GMCP, MFIN	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	GMCP, MFIN	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for	GMCP, MFIN	Where Council is the collecting agency under an

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	plan preparation costs to the planning authority that incurred those costs		approved infrastructure contributions plan  This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component	GMCP, MFIN	Where the Council is the planning authority  This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan, as responsible for those works, services or facilities	GMCP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the relevant development agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(2)(b)	Function of receiving the monetary component	GMCP, MFIN	Where Council is the development agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the collecting agency
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	GMCP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	GMCP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the relevant development agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	GMCP, MFIN	Where Council is the development agency specified in the approved infrastructure contributions plan  This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	GMCP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	GMCP, MFIN	If any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s 46GV(4)

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



<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	GMCP, MFIN	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	GMIAP, CEO	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	GMIAP, CEO	If the VPA is the collecting agency under an approved infrastructure contributions plan  Where Council is a development agency under an approved infrastructure contributions plan
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	GMIAP, CEO	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	GMIAP, CEO	Where Council is the collecting agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	GMCP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	GMCP, MFIN	Where Council is the development agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the collecting agency
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	GMCP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the development agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	GMCP, CEO	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	GMCP, CEO	Where Council is the development agency under an approved infrastructure contributions plan
s.46GZF(3)	Duty, if land is sold under s.46GZF(2)(b), to follow the steps in s.46GZF(3)(a) and (b)	GMIAP, CEO	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Function of receiving proceeds of sale	GMCP, MFIN	Where Council is the collection agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the development agency

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	GMCP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	GMCP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	GMCP, CEO	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	GMIAP, CEO	Where Council is a collecting agency or development agency
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	GMCP, CEO	Where Council is a collecting agency or development agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	GMIAP, CEO	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	GMIAP, STRAT, MSED	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	GMIAP, STRAT, MSED	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	GMIAP, MSED	
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	GMIAP, STRAT, MSED	

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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	GMCP, GMIAP, MFIN, MSED	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	GMCP, GMIAP, MFIN, MSED	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	GMCP, GMIAP, MFIN, MSED	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved	GMIAP,	Must be done in accordance with Part 3

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	development contributions plan	MSED	
s46Q(4)(e)	Duty to expend that amount on other works etc.	GMIAP, MSED	With the consent of, and in the manner approved by, the Minister
s 46QC	Power to recover any amount of levy payable under Part 3B	GMCP, GMIAP, MFIN, MSED	
s 46QD	Duty to prepare report and give a report to the Minister	GMCP, GMIAP, MFIN, MSED	Where Council is a collecting agency or development agency
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	Not Delegated	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46Y	Duty to carry out works in conformity with the approved strategy plan	Not Delegated	
s 47	Power to decide that an application for a planning permit does not comply with that Act	CSTP, GMIAP, MGSS, PLNNR	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	CSTP, GMIAP, MGSS, PLNNR	
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	CSTP, GMIAP, MGSS, PLNNR	
s 50(4)	Duty to amend application	CSTP, GMIAP,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MGSS, PLNNR	
s 50(5)	Power to refuse to amend application	CSTP, GMIAP, MGSS, PLNNR	
s 50(6)	Duty to make note of amendment to application in register	CSTP, GMIAP, MGSS, PLNNR	
s 50A(1)	Power to make amendment to application	CSTP, GMIAP, MGSS, PLNNR	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	CSTP, GMIAP, MGSS,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PLNNR	
s 50A(4)	Duty to note amendment to application in register	CSTP, GMIAP, MGSS, PLNNR	
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	CSTP, GMIAP, MGSS, PLNNR	
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	CSTP, GMIAP, MGSS, PLNNR	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	CSTP, GMIAP, MGSS,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PLNNR	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	CSTP, GMIAP, MGSS, PLNNR	
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	CSTP, GMIAP, MGSS, PLNNR	
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	CSTP, GMIAP, MGSS, PLNNR	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	CSTP, GMIAP, MGSS,	

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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 54(1)	Power to require the applicant to provide more information	CSTP, GMIAP, MGSS, PLNNR	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	CSTP, GMIAP, MGSS, PLNNR	
s 54(1B)	Duty to specify the lapse date for an application	CSTP, GMIAP, MGSS, PLNNR	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	CSTP, GMIAP, MGSS, PLNNR	

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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	CSTP, GMIAP, MGSS, PLNNR	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	CSTP, GMIAP, MGSS, PLNNR	
s 57A(5)	Power to refuse to amend application	CSTP, GMIAP, MGSS, PLNNR	
s 57A(6)	Duty to note amendments to application in register	CSTP, GMIAP, MGSS, PLNNR	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57B(1)	Duty to determine whether and to whom notice should be given	CSTP, GMIAP, MGSS, PLNNR	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	CSTP, GMIAP, MGSS, PLNNR	
s 57C(1)	Duty to give copy of amended application to referral authority	CSTP, GMIAP, MGSS, PLNNR	
s 58	Duty to consider every application for a permit	CSTP, GMIAP, MGSS, PLNNR	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 58A	Power to request advice from the Planning Application Committee	CSTP, GMIAP, MGSS, PLNNR	
s 60	Duty to consider certain matters	CSTP, GMIAP, MGSS, PLNNR	
s 60(1A)	Duty to consider certain matters	CSTP, GMIAP, MGSS, PLNNR	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	CSTP, GMIAP, MGSS, PLNNR	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	CSTP, GMIAP, MGSS, PLNNR	<p>The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006</p> <hr/> <p>Power is subject to the following conditions:</p> <p>a) Delegates may only decide an application if three (3) or fewer valid objections have been received.</p> <p>b) Delegates may only refuse an application:</p> <p>i. where an application has been inactive for a period of 6 months or more and the applicant has failed to provide reasonable justification for a lack of action; or</p> <p>ii. where an application is for a use or development that is prohibited; or</p> <p>At any stage before an application is decided under delegation, any Councillor may decide to call in an application to the Council planning hearing.</p>
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining	CSTP,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	referral authority objects to grant of permit	GMIAP, MGSS, PLNNR	<p>Power is subject to the following condition:</p> <p>a) Where a determining referral authority has objected to the grant of a permit (and their grounds are the only grounds for refusal).</p> <p>At any stage before an application is decided under delegation, any Councillor may decide to call in an application to the Council planning hearing.</p>
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	CSTP, GMIAP, MGSS, PLNNR	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Not relevant	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	GMIAP, MGSS	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	CSTP, GMIAP, MGSS, PLNNR	<p>Power is subject to the following condition:</p> <p>a) Where the breach of a registered restrictive covenant is the only grounds for refusal and a permit has not been issued, or a decision has not been made to grant a permit, to allow the removal or variation of the covenant.</p> <p>At any stage before an application is decided under delegation, any Councillor may decide to call in an application to the Council planning hearing.</p>

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 62(1)	Duty to include certain conditions in deciding to grant a permit	CSTP, GMIAP, MGSS, PLNNR	
s 62(2)	Power to include other conditions	CSTP, GMIAP, MGSS, PLNNR	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	CSTP, GMIAP, MGSS, PLNNR	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	CSTP, GMIAP, MGSS, PLNNR	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	CSTP, GMIAP, MGSS, PLNNR	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	CSTP, GMIAP, MGSS, PLNNR	
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	CSTP, GMIAP, MGSS, PLNNR	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	CSTP, GMIAP, MGSS, PLNNR	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	CSTP, GMIAP, MGSS, PLNNR	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	CSTP, GMIAP, MGSS, PLNNR	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(3)	Duty not to issue a permit until after the specified period	CSTP, GMIAP, MGSS, PLNNR	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	CSTP, GMIAP, MGSS, PLNNR	This provision applies also to a decision to grant an amendment to a permit - see s 75



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	CSTP, GMIAP, MGSS, PLNNR, STRAT	This provision applies also to a decision to grant an amendment to a permit - see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	CSTP, GMIAP, MGSS, PLNNR	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	CSTP, GMIAP, MGSS, PLNNR	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	CSTP, GMIAP, MGSS,	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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PLNNR	by the recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	CSTP, GMIAP, MGSS, PLNNR	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	CSTP, GMIAP, MGSS, PLNNR	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s 69(1)	Function of receiving application for extension of time of permit	CSTP, GMIAP, MGSS, PLNNR	
s 69(1A)	Function of receiving application for extension of time to complete development	CSTP, GMIAP, MGSS,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PLNNR	
s 69(2)	Power to extend time	CSTP, GMIAP, MGSS, PLNNR	
s 70	Duty to make copy permit available for inspection in accordance with the public availability requirements	CSTP, GMIAP, MGSS, PLNNR	
s 71(1)	Power to correct certain mistakes	CSTP, GMIAP, MGSS, PLNNR	
s 71(2)	Duty to note corrections in register	CSTP, GMIAP, MGSS, PLNNR	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 73	Power to decide to grant amendment subject to conditions	CSTP, GMIAP, MGSS, PLNNR	
s 74	Duty to issue amended permit to applicant if no objectors	CSTP, GMIAP, MGSS, PLNNR	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	CSTP, GMIAP, MGSS, PLNNR	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	CSTP, GMIAP, MGSS, PLNNR	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	CSTP, GMIAP, MGSS, PLNNR	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	CSTP, GMIAP, MGSS	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	CSTP, GMIAP, MGSS, PLNNR	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s 76D	Duty to comply with direction of Minister to issue amended permit	CSTP, GMIAP, MGSS, PLNNR	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 83	Function of being respondent to an appeal	CSTP, GMIAP, MGSS, PLNNR	
s 83B	Duty to give or publish notice of application for review	CSTP, GMIAP, MGSS	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CSTP, GMIAP, MGSS, PLNNR	
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	CSTP, GMIAP, MGSS, PLNNR	
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an	CSTP, GMIAP,	

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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	CSTP, GMIAP, MGSS, PLNNR	
s 91(2)	Duty to comply with the directions of VCAT	CSTP, GMIAP, MGSS, PLNNR	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	CSTP, GMIAP, MGSS, PLNNR	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	CSTP, GMIAP, MGSS, PLNNR	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 93(2)	Duty to give notice of VCAT order to stop development	CSTP, GMIAP, MGSS, PLNNR	
s 95(3)	Function of referring certain applications to the Minister	GMIAP, CEO	
s 95(4)	Duty to comply with an order or direction	CSTP, GMIAP, MGSS, PLNNR	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	CSTP, GMIAP, MGSS, PLNNR	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	GMIAP, CEO	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	CSTP, GMIAP, MGSS, PLNNR	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	CSTP, GMIAP, MGSS, PLNNR	
s 96F	Duty to consider the panel's report under s 96E	CSTP, GMIAP, MGSS, PLNNR	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the Planning and Environment (Planning Schemes) Act 1996	CSTP, GMIAP, MGSS, PLNNR	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 96H(3)	Power to give notice in compliance with Minister's direction	CSTP, GMIAP, MGSS, PLNNR	
s 96J	Power to issue permit as directed by the Minister	CSTP, GMIAP, MGSS, PLNNR	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	CSTP, GMIAP, MGSS, PLNNR	
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	CSTP, GMIAP, MGSS, PLNNR	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 97C	Power to request Minister to decide the application	CSTP, GMIAP, MGSS, PLNNR	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	CSTP, GMIAP, MGSS, PLNNR	
s 97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	CSTP, GMIAP, MGSS, PLNNR	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with the public availability requirements	CSTP, GMIAP, MGSS, PLNNR	

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

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

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

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



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	CCMP, GMIAP, MGSS, PCO	Except Crown Land
s 129	Function of recovering penalties	CCMP, GMIAP, MGSS, PCO	
s 130(5)	Power to allow person served with an infringement notice further time	CCMP, GMIAP, MGSS, PCO	
s 149A(1)	Power to refer a matter to the VCAT for determination	GMIAP, CEO	
s 149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	GMIAP, CEO	
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless	CSTP, GMIAP, MGSS	Where Council is the relevant planning authority

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the Minister directs otherwise under s 156(2B)power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)		
s 171(2)(f)	Power to carry out studies and commission reports	CSTP, GMIAP, MGSS	
s 171(2)(g)	Power to grant and reserve easements	CSTP, GMIAP, MGSS	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	Not Delegated	Where Council is a development agency specified in an approved infrastructure contributions plan
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	Not Delegated	Where Council is a collecting agency specified in an approved infrastructure contributions plan
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the	Not	Where Council is the development agency specified in

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	plan, before the time that the land is required to be provided under s 46GV(4)	Delegated	an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	CSTP, GMIAP, MGSS	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	Not Delegated	Where Council is the relevant responsible authority
	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	CSTP, GMIAP, MGSS, PLNNR	
	Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or	CSTP, GMIAP, MGSS,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Responsible Authority	PLNNR	
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CSTP, GMIAP, MGSS	
s 178	power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CSTP, GMIAP, MGSS	
s 178A(1)	Function of receiving application to amend or end an agreement	CSTP, GMIAP, MGSS, PLNNR	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	CSTP, GMIAP, MGSS	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees	CSTP,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	in principle to the proposal	GMIAP, MGSS	
s 178A(5)	Power to propose to amend or end an agreement	CSTP, GMIAP, MGSS, PLNNR	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	CSTP, GMIAP, MGSS, PLNNR	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	CSTP, GMIAP, MGSS, PLNNR	
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend	CSTP, GMIAP, MGSS,	

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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MGSS	Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	CSTP, GMIAP, MGSS	If no objections are made under s 178D  Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	CSTP, GMIAP, MGSS	After considering objections, submissions and matters in s 178B
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	CSTP, GMIAP, MGSS	After considering objections, submissions and matters in s 178B
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	CSTP, GMIAP, MGSS	After considering objections, submissions and matters in s.178B

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178E(3)(d)	Power to refuse to amend or end the agreement	CSTP, GMIAP, MGSS	After considering objections, submissions and matters in s 178B
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	CSTP, GMIAP, MGSS	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	CSTP, GMIAP, MGSS	
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	CSTP, GMIAP, MGSS	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	CSTP, GMIAP, MGSS	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	CSTP, GMIAP, MGSS	
s 178l(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CSTP, GMIAP, MGSS	
s 179(2)	Duty to make copy of each agreement available in accordance with the public availability requirements	CSTP, GMIAP, MGSS, PLNNR	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	CSTP, GMIAP, MGSS	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	CSTP, GMIAP,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MGSS	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	CSTP, GMIAP, MGSS	
s 182	Power to enforce an agreement	CSTP, GMIAP, MGSS, PCO	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	CSTP, GMIAP, MGSS	
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	CSTP, GMIAP, MGSS	
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or	CSTP, GMIAP,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	end an agreement	MGSS	
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	CSTP, GMIAP, MGSS	
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	CSTP, GMIAP, MGSS	
s 184G(2)	Duty to comply with a direction of the Tribunal	CCMP, CSTP, GMIAP, MGSS	
s 184G(3)	Duty to give notice as directed by the Tribunal	CCMP, CSTP, GMIAP,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MGSS	
s 198(1)	Function to receive application for planning certificate	CSTP, GMIAP, MGSS	
s 199(1)	Duty to give planning certificate to applicant	CSTP, GMIAP, MGSS	
s 201(1)	Function of receiving application for declaration of underlying zoning	CSTP, GMIAP, MGSS, PLNNR	
s 201(3)	Duty to make declaration	CSTP, GMIAP, MGSS, PLNNR	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	CSTP, GMIAP, MGSS, PLNNR	
	Power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	CSTP, GMIAP, MGSS, PLNNR	
	Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	CSTP, GMIAP, MGSS, PLNNR	
	Power to give written authorisation in accordance with a provision of a planning scheme	CSTP, GMIAP, MGSS, PLNNR	

<b>Planning and Environment Act 1987</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	CSTP, GMIAP, MGSS, PLNNR	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	CSTP, GMIAP, MGSS, PLNNR	

<b>Residential Tenancies Act 1997</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 91ZU(1)	Power to give a renter a notice to vacate rented premises	GMIAP, GMCW	Where Council is a public statutory authority engaged in the provision of housing  Note: this power is not yet in force and will commence

<b>Residential Tenancies Act 1997</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
			on 1 January 2021, unless proclaimed earlier
s 91ZZC(1)	Power to give a renter a notice to vacate rented premises	GMIAP	Where Council is a public statutory authority authorised to acquire land compulsorily for its purposes  Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 91ZZE(1)	Power to give a renter a notice to vacate rented premises	GMCW	Where Council is a public statutory authority engaged in the provision of housing  Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 91ZZE(3)	Power to publish Council's criteria for eligibility for the provision of housing	GMCW	Where Council is a public statutory authority engaged in the provision of housing

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



<b>Residential Tenancies Act 1997</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 206AZA(2)	Function of receiving written notification	EHO, MTEC	Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 207ZE(2)	Function of receiving written notification	EHO, MTEC	Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 311A(2)	Function of receiving written notification	EHO, MTEC	
s 317ZDA(2)	Function of receiving written notification	EHO, MTEC	
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	EHO, GMIAP, MGSS	
s 522(1)	Power to give a compliance notice to a person	EHO, GMIAP, MGSS	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally	Not	

**Residential Tenancies Act 1997**

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

**Road Management Act 2004**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	GMIAP, CEO	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	GMCP, CEO	
s 11(9)(b)	Duty to advise Registrar	GMIAP, MIFR	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	GMIAP, MIFR	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	GMIAP, MIFR	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	Not Delegated	Where Council is the coordinating road authority

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	GMIAP, MIFR, CASS	Power of coordinating road authority where it is the discontinuing body  Unless s 12(11) applies
s 12(5)	Duty to consider written submissions received within 28 days of notice	GMIAP, MIFR	Duty of coordinating road authority where it is the discontinuing body  Unless s 12(11) applies
s 12(6)	Function of hearing a person in support of their written submission	GMIAP, MIFR	Function of coordinating road authority where it is the discontinuing body  Unless s 12(11) applies
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	GMIAP, MIFR	Duty of coordinating road authority where it is the discontinuing body

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
			Unless s 12(11) applies
s 12(10)	Duty to notify of decision made	GMIAP, MIFR	Duty of coordinating road authority where it is the discontinuing body  Does not apply where an exemption is specified by the regulations or given by the Minister
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	GMIAP, MIFR	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	GMIAP, MIFR	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	GMIAP, CEO	
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road	GMIAP, CEO	

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
	authority to the other road authority, utility or provider of public transport		
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	GMIAP, CEO	
s 15(2)	Duty to include details of arrangement in public roads register	GMIAP, MIFR, CASS	
s 16(7)	Power to enter into an arrangement under s 15	GMIAP, CEO	
s 16(8)	Duty to enter details of determination in public roads register	GMIAP, MIFR, CASS	
s 17(2)	Duty to register public road in public roads register	GMIAP, MIFR, CASS	Where Council is the coordinating road authority

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 17(3)	Power to decide that a road is reasonably required for general public use	GMIAP, CEO	Where Council is the coordinating road authority
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	Not Delegated	Where Council is the coordinating road authority
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	GMIAP, MIFR, CASS	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 18(3)	Duty to record designation in public roads register	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	GMIAP, MIFR, CASS	
s 19(4)	Duty to specify details of discontinuance in public roads register	GMIAP, MIFR, CASS	
s 19(5)	Duty to ensure public roads register is available for public inspection	GMIAP, MIFR, CASS	
s 21	Function of replying to request for information or advice	GMIAP, MIFR, CASS	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	GMIAP, CEO	



<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	GMIAP, CEO	
s 22(5)	Duty to give effect to a direction under s 22	GMIAP, CEO	
s 40(1)	Duty to inspect, maintain and repair a public road.	GMIAP, MIFR, CASS	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	GMIAP, MIFR, CASS	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	GMIAP, MIFR, CASS	
s 42(1)	Power to declare a public road as a controlled access road	GMIAP, CEO	Power of coordinating road authority and sch 2 also

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
			applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	GMIAP, MIFR, CASS	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	GMIAP, MIFR, CASS	Where Council is the coordinating road authority  If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	GMIAP, MIFR, CASS	Where Council is the coordinating road authority  If road is a municipal road or part thereof and where road is to be specified a freight road
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	GMIAP, MIFR, CASS	Where Council is the responsible road authority, infrastructure manager or works manager

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	GMIAP, MIFR, CASS	
s 49	Power to develop and publish a road management plan	GMIAP, CEO	
s 51	Power to determine standards by incorporating the standards in a road management plan	GMIAP, MIFR, CASS	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	GMIAP, MIFR, CASS	
s 54(2)	Duty to give notice of proposal to make a road management plan	GMIAP, MIFR, CASS	

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	GMIAP, MIFR, CASS	
s 54(6)	Power to amend road management plan	GMIAP, MIFR, CASS	
s 54(7)	Duty to incorporate the amendments into the road management plan	GMIAP, MIFR, CASS	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	GMIAP, MIFR, CASS	
s 63(1)	Power to consent to conduct of works on road	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	GMIAP, MIFR, CASS	Where Council is the infrastructure manager

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 64(1)	Duty to comply with cl 13 of sch 7	GMIAP, MIFR, CASS	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
s 67(3)	Power to request information	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
s 68(2)	Power to request information	GMIAP, MIFR, CASS	Where Council is the coordinating road authority

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 71(3)	Power to appoint an authorised officer	Not Delegated	
s 72	Duty to issue an identity card to each authorised officer	GMCP, MGPR, GO	
s 85	Function of receiving report from authorised officer	GMIAP, MIFR, CASS	
s 86	Duty to keep register re s 85 matters	GMIAP, MIFR, CASS	
s 87(1)	Function of receiving complaints	GMIAP, MIFR	
s 87(2)	Duty to investigate complaint and provide report	GMIAP, MIFR	

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 112(2)	Power to recover damages in court	GMIAP, CEO	
s 116	Power to cause or carry out inspection	GMIAP, MIFR, CASS	
s 119(2)	Function of consulting with the Head, Transport for Victoria	GMIAP, MIFR, CASS	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	GMIAP, MIFR, CASS	
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	GMIAP, MIFR, CASS	
s 121(1)	Power to enter into an agreement in respect of works	GMIAP, CEO	

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



<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
sch 2 cl 5	Duty to publish notice of declaration	GMIAP, MIFR, CASS	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	GMIAP, MIFR, CASS	Where Council is the infrastructure manager or works manager
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	GMIAP, MIFR, CASS	Where Council is the infrastructure manager or works manager
sch 7 cla 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	GMIAP, MIFR, CASS	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
sch 7 cl	Duty to give information to another infrastructure manager or works manager	GMIAP,	Where Council is the infrastructure manager or

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
9(2)	where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	MIFR, CASS	works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	GMIAP, MIFR, CASS	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	GMIAP, MIFR, CASS	Where Council is the coordinating road authority

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
sch 7 cl 12(5)	Power to recover costs	GMCP, GMIAP, MFIN, MIFR	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	GMIAP, MIFR, CASS	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	GMIAP, MIFR, CASS	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	GMIAP, MIFR, CASS	Where Council is the coordinating road authority

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
sch 7 cl 16(4)	Duty to consult	GMIAP, MIFR, CASS	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
sch 7 cl18(1)	Power to enter into an agreement	GMIAP, CEO	Where Council is the coordinating road authority

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
sch7 cl 19(1)	Power to give notice requiring rectification of works	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	GMIAP, MIFR, CASS	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	GMIAP, MIFR, CASS	Where Council is the responsible road authority

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas	GMIAP, MIFR, CASS	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4	GMIAP, MIFR, CASS	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

<b>Cemeteries and Crematoria Regulations 2015</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 24	Duty to ensure that cemetery complies with depth of burial requirements	Not relevant	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	Not relevant	

**Cemeteries and Crematoria Regulations 2015**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	Not relevant	
r 28(1)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	Not relevant	
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	Not relevant	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	Not relevant	
r 30(2)	Power to release cremated human remains to certain persons	Not relevant	Subject to any order of a court
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	Not relevant	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	Not	

<b>Cemeteries and Crematoria Regulations 2015</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
		relevant	
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	Not relevant	
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	Not relevant	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	Not relevant	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	Not relevant	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	Not relevant	
r 34	Duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs (a)-(b)	Not relevant	



**Cemeteries and Crematoria Regulations 2015**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	Not relevant	
r 40	Power to approve a person to play sport within a public cemetery	Not relevant	
r 41(1)	Power to approve fishing and bathing within a public cemetery	Not relevant	
r 42(1)	Power to approve hunting within a public cemetery	Not relevant	
r 43	Power to approve camping within a public cemetery	Not relevant	
r 45(1)	Power to approve the removal of plants within a public cemetery	Not relevant	
r 46	Power to approve certain activities under the	Not	

**Cemeteries and Crematoria Regulations 2015**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Regulations if satisfied of regulation (1)(a)-(c)	relevant	
r 47(3)	Power to approve the use of fire in a public cemetery	Not relevant	
r 48(2)	Power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	Not relevant	
	Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules	Not relevant	
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch 2	Not relevant	See note above regarding model rules
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	Not relevant	See note above regarding model rules
sch 2 cl 5(2)	Duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	Not relevant	See note above regarding model rules

### Cemeteries and Crematoria Regulations 2015

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 6(1)	Power to give directions regarding the manner in which a funeral is to be conducted	Not relevant	See note above regarding model rules
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	Not relevant	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	Not relevant	See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	Not relevant	See note above regarding model rules
sch 2 cl 11(2)	Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	Not relevant	See note above regarding model rules
sch 2 cl 12	Power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	Not relevant	See note above regarding model rules
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	Not	See note above regarding model

<b>Cemeteries and Crematoria Regulations 2015</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
		relevant	rules
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	Not relevant	See note above regarding model rules
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	Not relevant	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	Not relevant	See note above regarding model rules

<b>Planning and Environment Regulations 2015</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	CSTP, GMIAP, PLNNR	where Council is not the planning authority and the amendment affects land within Council's municipal district; or

Planning and Environment Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	CSTP, GMIAP, MGSS, PLNNR	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	CSTP, GMIAP, MGSS, PLNNR	where Council is the responsible authority
r.25(b)	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	CSTP, GMIAP, MGSS, PLNNR	where Council is not the responsible authority but the relevant land is within Council's municipal district
r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning	CSTP, GMIAP,	where Council is not the planning authority and the amendment affects land within

Planning and Environment Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	scheme and notice of a permit application	MGSS, PLNNR	Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.

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

<b>Planning and Environment (Fees) Regulations 2016</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
	or rebate a fee under r 19 or 20	PLNNR	

<b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 7	Function of entering into a written agreement with a caravan park owner	EHO, GMIAP, MGSS	
r 10	Function of receiving application for registration	EHO, GMIAP, MGSS	
r 11	Function of receiving application for renewal of registration	EHO, GMIAP, MGSS	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	EHO, GMIAP, MGSS	

**Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	EHO, GMIAP, MGSS	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	EHO, GMIAP, MGSS	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	EHO, GMIAP, MGSS	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	EHO, GMIAP, MGSS	
r 12(4) & (5)	Duty to issue certificate of registration	EHO, GMIAP, MGSS	
r 14(1)	Function of receiving notice of transfer of ownership	EHO, GMIAP, MGSS	
r 14(3)	Power to determine where notice of transfer is displayed	EHO, GMIAP,	



**Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
		MGSS	
r 15(1)	Duty to transfer registration to new caravan park owner	EHO, GMIAP, MGSS	
r 15(2)	Duty to issue a certificate of transfer of registration	EHO, GMIAP, MGSS	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	Not Delegated	Fees can only be set by resolution of Council.
r 17	Duty to keep register of caravan parks	EHO, GMIAP, MGSS	
r 18(4)	Power to determine where the emergency contact person's details are displayed	EHO, GMIAP, MGSS	
r 18(6)	Power to determine where certain information is displayed	EHO, GMIAP,	

**Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
		MGSS	
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	EHO, GMIAP, MGSS	
r 22(2)	Duty to consult with relevant emergency services agencies	EHO, GMIAP, MGSS	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	EHO, GMIAP, MGSS	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	EHO, GMIAP, MGSS	
r 25(3)	Duty to consult with relevant floodplain management authority	EHO, GMIAP, MGSS	
r 26	Duty to have regard to any report of the relevant fire authority	EHO, GMIAP, MGSS	

**Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	EHO, GMIAP, MGSS	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	EHO, GMIAP, MGSS, MBS	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	EHO, GMIAP, MGSS, MBS	
r 41(4)	Function of receiving installation certificate	EHO, GMIAP, MGSS	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	EHO, GMIAP, MGSS, MBS	

**Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	EHO, GMIAP, MGSS, MBS	

**Road Management (General) Regulations 2016**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 8(1)	Duty to conduct reviews of road management plan	GMIAP, MIFR, CASS	
r 9(2)	Duty to produce written report of review of road management plan and make report available	GMIAP, MIFR, CASS	
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	GMIAP, MIFR, CASS	Where Council is the coordinating road authority

<b>Road Management (General) Regulations 2016</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r.10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	GMIAP, MIFR, CASS	
r 13(1)	Duty to publish notice of amendments to road management plan	GMIAP, CEO	where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	GMIAP, MIFR, CASS	
r 16(3)	Power to issue permit	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	GMIAP, CEO	Where Council is the coordinating

<b>Road Management (General) Regulations 2016</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
			road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	GMIAP, MIFR, CASS	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	GMIAP, MIFR, MOPS, CASS	Where Council is the responsible road authority
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	GMIAP, MIFR, MOPS, CASS	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	GMIAP, CEO	

<b>Road Management (Works and Infrastructure) Regulations 2015</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>

**Road Management (Works and Infrastructure) Regulations 2015**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	CODP, GMIAP, MIFR	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	CODP, GMIAP, MIFR	Where Council is the coordinating road authority

### 8.3 PLANNING PERMIT 154/21 FOR FOUR DWELLINGS AT 28 OUTTRIM STREET, MARYBOROUGH

**Author:** Acting Coordinator Statutory Planning

**Responsible Officer:** General Manager Infrastructure Assets and Planning

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

---

#### **SUMMARY/PURPOSE**

The purpose of this report is to seek a Council determination on planning permit application 154/21 for the development of the land for four dwellings and associated works at 28 Outtrim Street, Maryborough.

Notice of the application has been given and one objection has been received.

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

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

#### **RECOMMENDATION**

*That Council, having caused notice of Planning Permit Application No. 154/21 to be given under section 52 of the Planning and Environment Act 1987 and the Central Goldfields Planning Scheme and having considered all the matters generally required, resolves to grant a planning permit and issue a Notice of Decision to Grant a Permit in respect of Planning Permit Application No. 154/21 for the land known and described as 28 Outtrim Street, Maryborough for the development of the land for four dwellings and associated works, in accordance with the endorsed plans and subject to the following conditions:*

#### **Amended plans**

1. Prior to commencement of development, amended plans must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application, but modified to show Dwelling 4 (the two-storey building) with a maximum ground floor ceiling height of 2550mm and a maximum first floor ceiling height of 2400mm to reduce the overall height of the building.
2. The development must be generally in accordance with the plans endorsed as part of this permit and must not be altered or modified without the written consent of the responsible authority.

#### **Construction Management Plan**

3. Prior to commencement of development, a Construction Management Plan (CMP) must be submitted to and approved by the responsible authority. When approved, the



CMP will be endorsed by the responsible authority and will then form part of the permit. The CMP must detail:

- a) Hours of demolition and construction to accord with Local Laws
- b) Methods to contain dust, dirt and mud within the site and the method and frequency of clean up procedures, including the management of on-site storage waste construction bins and vehicle washing
- c) Management of parking of construction machinery and workers vehicles to prevent adverse impact on nearby properties
- d) Management of staging of heavy vehicles, site deliveries and unloading and lifting points with expected frequency, and traffic management in the vicinity, ensure routes to and from the site minimise disruption to residential properties
- e) Minimising disruption to pedestrian access along footpaths
- f) Measures to minimise noise and other amenity impacts from mechanical equipment, including idling trucks, and demolition/construction activities
- g) The provision of adequate environmental awareness training for all on-site contractors and sub-contractors
- h) A liaison officer for contact by the public and the Responsible Authority in the event of relevant queries or problems experienced.

4. All works must be undertaken in accordance with the endorsed CMP to the satisfaction of the responsible authority.

#### **Landscape Plan**

5. Prior to commencement of development, a Landscape Plan must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed by the responsible authority and will then form part of the permit. The plan must be drawn to scale with dimensions and must show:

- a) Details of surface finishes of pathways and driveway.
- b) A planting schedule of all proposed trees, shrubs, and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
- c) Details of any vegetation to be retained.
- d) Landscaping and planting within all open areas of the site.
- e) An outline of buildings. No floor plans are to be shown on the landscape plan; however, the outline of buildings are to be informed by the approved site plan.
- f) Location and depth of all surface treatments with materials and colours notated.
- g) Clear graphics to indicate trees (deciduous or evergreen), shrubs, ground covers, grass etc.

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

### **Completion of landscaping**

6. Before the occupation of the development or by such later date as is approved by the responsible authority in writing, the landscaping shown on the endorsed plan(s) must be carried out and completed to the satisfaction of the responsible authority.

### **General amenity**

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

### **Construction activities**

8. The development must be managed during construction to the satisfaction of the responsible authority so that the amenity of the area is not detrimentally affected through the:
  - a) Transport of materials, goods, or commodities to or from the land.
  - b) Appearance of any building, works, or materials.
  - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, litter, dust, wastewater, waste products, grit, or oil.
  - d) Presence of vermin or animals.

### **Asset protection**

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

### **Boundary walls**

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

### **Use of parking areas**

11. Areas set aside for the parking and movement of vehicles, as shown on the endorsed plans, must be maintained in a usable and safe condition to the satisfaction of the responsible authority. The areas must be made available for the parking and movement of vehicles and must not be used for any other purpose.

### **Provision for waste collection**

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

### **Occupation of development**

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

### **Engineering**

#### Access

14. Vehicular access to all dwellings must be from Outtrim Street.
15. Vehicular crossovers/driveways must be constructed between the subject land and Outtrim Street. Such crossovers/driveways must be of concrete construction and be from kerb to property boundary. (Refer Infrastructure Design Manual Standard Drawing 240).
16. Any disused crossovers/driveways must be removed and the kerb and channel and nature strip reinstated to the satisfaction of the responsible authority.
17. The permit holder/landowner must make further application for and have an approved driveway crossing permit for crossover/driveway works. All works constructed or carried out must be in accordance with the approved plans/permit(s).
18. Once constructed, the crossovers must be thereafter maintained by the landowner to the satisfaction of the responsible authority.

#### Drainage

19. All stormwater must be accommodated and treated within the subject land.
20. The permit holder/landowner must design a drainage system to drain the dwellings to the legal point of discharge. The design must take into consideration the potential future location of drainage easements if the subject land is subdivided at a later date.
21. A legal point of stormwater discharge must be provided for Dwellings 1, 2, 3 and 4 to the Outtrim Street kerb and channel.

#### Landscaping

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

### Sediment Control

23. The permit holder/landowner must restrict sediment discharges from any construction sites within the land in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995).

### **Permit expiry**

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

- a) The development is not started within two (2) years of the date of this permit.
- b) The development is not completed within four (4) years of the date of this permit.

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

## **LEGISLATION AND POLICY CONTEXT**

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

The Community's vision 4. Transparent decision making;

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

## **BACKGROUND INFORMATION**

Planning permit application 154/21 was lodged on 19 December 2021 for the development of the land for four dwellings and associated works at 28 Outtrim Street, Maryborough.

The proposal includes the demolition of the existing single dwelling and outbuilding on the lot. The demolition of the existing buildings does not require a planning permit.

The proposed dwellings include one two-storey dwelling and three single-storey dwellings.

Dwellings 1, 2 and 3 are single-storey with a brick veneer finish. The dwellings each have a 2-bed layout with living/kitchen/dining areas and attached private open space that is oriented to the north. Laundry, bathroom, and storage facilities are also included.

Dwelling 4 is two-storeys with a brick veneer finish at ground level and weatherboards at first floor level. The dwelling has a 3-bed layout; one to the ground floor and two at first floor level. Living/kitchen/dining areas are at ground level with attached private open space that is oriented to the north. Laundry, bathroom, and storage facilities are also included.

The associated works include the provision of services; creation of a common vehicle access for Dwellings 1, 2 and 3; landscaping; and replacement boundary fencing (with the cost to be borne by the developer).

The subject site is relatively flat with a slight downslope of approximately 800mm from north to south across the site. There is a managed garden area to the rear of the existing dwelling, while the site is otherwise largely cleared of vegetation.

Outtrim Street is a sealed road formation within the existing eastern residential area of Maryborough. Access to all reticulated services (water, sewerage, electricity, and gas) is available, with relevant connections to these services being proposed.

## **REPORT**

### **Proposal**

The application proposes the development of the land for four dwellings and associated works at 28 Outtrim Street, Maryborough, as described above. Refer to Attachment 1: Proposed plans.

### **Site and Surrounds**

The site is located within an established residential area on the eastern side of Maryborough, east of the freight railway line and west of the larger area of forest towards Flagstaff. Refer to Attachment 2: Site and surrounding area. The site is located on the eastern side of Outtrim Street and is rectangular in shape with an area of 854.52m<sup>2</sup>. The site has a frontage to Outtrim Street of 21.22m with a depth of 40.27m. The site contains an existing dwelling in its front western portion with an existing outbuilding to the rear.

Outtrim Street is a sealed road formation within the existing eastern residential area of Maryborough. Access to all reticulated services is available.

The surrounding area has an established residential character and is within the eastern portion of Maryborough, approximately 1km northeast of High Street and the main commercial precinct as well as 1km northeast of the Maryborough Railway Station. The area predominately contains single dwellings although there are multi-unit developments nearby to the site. Other nearby features of the area include Roscholler Park and the community centre to the east.

Under the planning scheme, the site is within the General Residential Zone, Schedule 1 (GRZ1) and not affected by any overlays. The site is also identified as being within a Designated Bushfire Prone Area.

The site is not within an area of Aboriginal Cultural Heritage Sensitivity. The site is within a Designated Water Supply Catchment (Laanecoorie Reservoir Catchment – Loddon River).

### **Planning Permit Trigger**

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

- Pursuant to clause 32.08-6, a permit is required to construct two or more dwellings on a lot.

### **Planning Scheme Provisions**

#### **Planning Policy Framework**

The following clauses of the Planning Policy Framework (PPF) are relevant to this application:

### 11.01-1S Settlement

- Objective: To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

### 11.01-1R Settlement – Loddon Mallee South

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

### 13.02-1S Bushfire planning

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

### 13.07-1S Land use compatibility

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

### 14.02-1S Catchment planning and management

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

### 15.02-1S Building design

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

### 15.01-5S Neighbourhood character

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

### 16.01-1S Housing supply

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

### 16.01-2S Housing affordability

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

### 18.01-1S Land use and transport integration

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

### 19.03-3S Integrated water management

- Objective: To sustainably manage water supply, water resources, wastewater, drainage, and stormwater through an integrated water management approach.

## **Zones**

### 32.08 General Residential Zone

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

## **Overlays**

Nil

## **Particular Provisions**

### 52.06 Car Parking

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

### 55 Two or more Dwellings on a Lot and Residential Buildings

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

## **General Provisions**

### 65.01 Approval of an Application or Plan

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- Any significant effects the environment, including the contamination of land, may have on the use or development.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision. Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the environment, human health, and amenity of the area.
- The proximity of the land to any public land. Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction. Whether native vegetation is to be or can be protected, planted, or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development, or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

### **Operational provisions**

#### 71.01 Operation of the Municipal Planning Strategy

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

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

#### Clause 71.02 Operation of the Planning Policy Framework

The PPF seeks to ensure that the objectives of planning in Victoria, as set out in section 4 of the Act are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social, and economic factors in the interests of net community benefit and sustainable development.

Society has various needs and expectations such as land for settlement, protection of the environment, economic wellbeing, various social needs, proper management of resources and



infrastructure. Planning aims to meet these needs and expectations by addressing aspects of economic, environmental, and social wellbeing affected by land use and development.

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

### **Referrals**

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

<b>Organisation</b>	<b>Response</b>
Goulburn-Murray Water (GMW) cl. 66.02-5	Unconditional consent

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

<b>Department</b>	<b>Response</b>
Council Engineering	Conditional consent

### **ASSESSMENT OF APPLICATION**

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

### **General Residential Zone**

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

A permit is required to develop land for four dwellings and associated works pursuant to clause 32.08-6. An application under this clause must meet the requirements of clause 55, with clause 55 also being a key decision guideline that the responsible authority must consider. In turn, clause 55 requires that a development must relevantly address objectives, standards, and decision guidelines in relation to neighbourhood character and infrastructure, site layout and building massing, amenity impacts, on-site amenity and facilities, and detailed design. An assessment of clause 55 is provided further below, noting that the proposal is assessed as being acceptable against the relevant provisions, and further noting that the permit applicant has offered to reduce the ceiling heights of the two-storey dwelling to reduce the overall height of the building.

Clause 32.08-4 requires that a development meet the minimum garden area requirements as set out in the table to clause 32.08-4. The subject site has an area 854.52m<sup>2</sup>, meaning that a minimum of 35% of the site must be set aside as garden area. The proposal includes 35.39% (302.48m<sup>2</sup>) of the site being set aside as garden area, which is compliant. Garden area is defined in the planning scheme and essentially includes any area with a minimum dimension of 1m but does not include a dwelling or residential building, a driveway, or an area set aside for car parking.

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

### **Car Parking**

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

- One space to each one- or two-bedroom dwelling.
- Two spaces to each three or more-bedroom dwelling.

The proposal complies with the specified amount of car parking. Dwellings 1, 2 and 3 (two-bedroom) each require one space, with each dwelling being provided with an attached single car garage. Dwelling 4 (three-bedroom) requires two spaces and is provided with a single car garage as well as a second car parking area within the on-site driveway area.

### **Clause 55 – Two or more Dwellings on a Lot**

Clause 55 contains the following:

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

Regarding the above, a development:

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

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

<b>55.01-1</b>	<b>Neighbourhood and site description</b>	
	<p>COMPLIES – The application has demonstrated the requirement through submitted plans and an accompanying written submission. The plan demonstrates a settlement pattern showing predominately single dwellings and some nearby multi-unit developments on similar sized allotments. There is mixture of finishes, including brick and weatherboard.</p>	
<b>55.01-2</b>	<b>Design Response</b>	
	<p>COMPLIES – Given the scale and positioning of the development, the design response is considered to be satisfactory. The proposal is an appropriate infill development and continues the established settlement pattern and character of the area. As demonstrated below, the proposal can meet the objectives of clause 55 and responds to the neighbourhood and site description.</p>	
<b>55.02</b>	<b>Neighbourhood Character</b>	
<b>55.02-1</b>	<p><b>Neighbourhood character objectives</b></p> <ul style="list-style-type: none"> <li>• To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.</li> <li>• To ensure that the design responds to the features of the site and the surrounding area</li> </ul>	<p><b>Standard B1</b></p> <ul style="list-style-type: none"> <li>- The design response must be appropriate to the neighbourhood and the site.</li> <li>- The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.</li> </ul>
	<p>COMPLIES – The design is consistent with the existing neighbourhood character. The area predominately contains single dwellings with generous front and side setbacks. However, there is also evidence of multi-unit developments. There is no specific neighbourhood character policy identified in the planning scheme for this area.</p>	

55.02-2	<b>Residential policy objectives</b> <ul style="list-style-type: none"> <li>• To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.</li> <li>• To ensure that the design responds to the features of the site and the surrounding area</li> </ul>	<b>Standard B2</b> <ul style="list-style-type: none"> <li>- An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the MPS and the PPF.</li> </ul>
<p>COMPLIES – The proposal is compliant with the purpose of the GRZ and applicable MPS and PPF. The site is well serviced by transport and supports further growth of Maryborough through an appropriate infill development. The application addresses relevant planning policy, including through a written submission.</p>		
55.02-3	<b>Dwelling diversity objective</b> <ul style="list-style-type: none"> <li>• To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</li> </ul>	<b>Standard B3</b> <ul style="list-style-type: none"> <li>- Developments of ten or more dwellings should provide a range of dwelling sizes and types including: <ul style="list-style-type: none"> <li>▪ Dwellings with a different number of bedrooms</li> <li>▪ At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level</li> </ul> </li> </ul>
<p>N/A – Less than 10 dwellings proposed.</p>		
55.02-4	<b>Infrastructure objectives</b> <ul style="list-style-type: none"> <li>• To ensure development is provided with appropriate utility services and infrastructure.</li> <li>• To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</li> </ul>	<b>Standard B4</b> <ul style="list-style-type: none"> <li>- Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity, and gas, if available.</li> <li>- Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.</li> <li>- In areas where utility services or infrastructure have little or no spare capacity, developments should provide for</li> </ul>

		the upgrading of or mitigation of the impact on services or infrastructure
	COMPLIES – All reticulated services are available to the site. Four dwellings are not considered to place undue strain on existing networks.	
<b>55.02-5</b>	<b>Integration with the street objective</b> <ul style="list-style-type: none"> <li>To integrate the layout of development with the street.</li> </ul>	<b>Standard B5</b> <ul style="list-style-type: none"> <li>Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.</li> <li>Development should be oriented to front existing and proposed streets.</li> <li>High fencing in front of dwellings should be avoided if practicable.</li> <li>Development next to existing public open space should be laid out to complement the open space.</li> </ul>
	COMPLIES – Dwellings 1, 2 and 3 will be accessed by a single common driveway extending to the rear of the site. Dwelling 4 will have its own vehicle access. All access is to be from Outtrim Street. No front fencing is proposed and it is considered that the proposal can integrate with the streetscape.	
<b>55.03</b>	<b>Site Layout and Building Massing</b>	
<b>55.03-1</b>	<b>Street setback objective</b> <ul style="list-style-type: none"> <li>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</li> </ul>	<b>Standard B6</b> <ul style="list-style-type: none"> <li>Walls of buildings should be set back from streets: <ul style="list-style-type: none"> <li>At least the distance specified in a schedule to the zone, or</li> <li>If no distance is specified in a schedule to the zone, the distance specified in Table B1.</li> </ul> </li> <li>Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.</li> </ul>
	COMPLIES – Dwelling 4 will have the shortest front setback, being a minimum of 5.435m from the frontage at Outtrim Street. This setback is the average of the existing dwellings on either side of the subject site at 26 and 30 Outtrim Street. This	

	complies with table B1 to clause 55.03-1, where there is an existing building both the abutting allotments.	
<b>55.03-2</b>	<p><b>Building height objective</b></p> <ul style="list-style-type: none"> <li>To ensure that the height of buildings respects the existing or preferred neighbourhood character.</li> </ul>	<p><b>Standard B7</b></p> <ul style="list-style-type: none"> <li>The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.</li> <li>If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.</li> <li>Changes of building height between existing buildings and new buildings should be graduated.</li> </ul>
	COMPLIES – The proposed dwellings are less than 11m (6.983m max height of proposed two storey dwelling) in height in accordance with clause 32.08-10. The height of this building will be further reduced through permit conditions to lower the ceiling heights at both ground and first floor levels.	
<b>55.03-3</b>	<p><b>Site coverage objective</b></p> <ul style="list-style-type: none"> <li>To ensure that the site coverage respects the existing or preferred neighbourhood character.</li> </ul>	<p><b>Standard B8</b></p> <ul style="list-style-type: none"> <li>The site area covered by buildings should not exceed: <ul style="list-style-type: none"> <li>The maximum site coverage specified in a schedule to the zone, or</li> <li>If no maximum site coverage is specified in a schedule to the zone, 60 per cent.</li> </ul> </li> </ul>
	COMPLIES – The site coverage will be a total of 49.11% (419.73m <sup>2</sup> ).	
<b>55.03-4</b>	<p><b>Permeability and stormwater management objectives</b></p> <ul style="list-style-type: none"> <li>To reduce the impact of increased stormwater run-off on the drainage system.</li> </ul>	<p><b>Standard B9</b></p> <ul style="list-style-type: none"> <li>The site area covered by the pervious surfaces should be at least:</li> </ul>

	<ul style="list-style-type: none"> <li>• To facilitate on-site stormwater infiltration.</li> <li>• To encourage stormwater management that maximises the retention and reuse of stormwater.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The minimum area specified in a schedule to the zone, or</li> <li>▪ If no minimum is specified in a schedule to the zone, 20 percent of the site.</li> </ul> <p>- The stormwater management system should be designed to:</p> <ul style="list-style-type: none"> <li>▪ Meet the current best practice performance objectives for stormwater quality as contained in the <i>Urban Stormwater - Best Practice Environmental Management Guidelines</i> (Victorian Stormwater Committee, 1999).</li> <li>▪ Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces</li> </ul>
	<p>COMPLIES – 34.15% (291.85m<sup>2</sup>) of the site is permeable. No specific stormwater management system is warranted given the scale of development. Appropriate engineering conditions relating to stormwater best practice will be included on any permit issued.</p>	
<p><b>55.03-5</b></p>	<p><b>Energy efficiency objectives</b></p> <ul style="list-style-type: none"> <li>• To achieve and protect energy efficient dwellings and residential buildings.</li> <li>• To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</li> </ul>	<p><b>Standard B10</b></p> <p>- Buildings should be:</p> <ul style="list-style-type: none"> <li>▪ Oriented to make appropriate use of solar energy.</li> <li>▪ Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</li> <li>▪ Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a GRZ, NRZ or TZ are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged</li> </ul> <p>- Living areas and private open space should be located on the north side of the development, if practicable.</p>

		- Developments should be designed so that solar access to north-facing windows is maximised.
	<p>COMPLIES – All dwellings and oriented and utilise north/north-east/north-west facing windows in their layout. Living areas and private open space will have a north/north-east/north-west orientation to maximise solar access.</p> <p>The setbacks and layout of the proposal do not compromise energy efficiency to existing dwellings on adjoining lots.</p>	
<b>55.03-6</b>	<p><b>Open space objective</b></p> <ul style="list-style-type: none"> <li>To integrate the layout of development with any public and communal open space provided in or adjacent to the development.</li> </ul>	<p><b>Standard B11</b></p> <ul style="list-style-type: none"> <li>If any public or communal open space is provided on site, it should: <ul style="list-style-type: none"> <li>Be substantially fronted by dwellings, where appropriate.</li> <li>Provide outlook for as many dwellings as practicable.</li> <li>Be designed to protect any natural features on the site.</li> <li>Be accessible and useable.</li> </ul> </li> </ul>
	N/A – No public or communal open space is proposed. The area contains several public parks and green spaces, particularly Roscholler Park east of the site.	
<b>55.03-7</b>	<p><b>Safety objective</b></p> <ul style="list-style-type: none"> <li>To ensure the layout of development provides for the safety and security of residents and property.</li> </ul>	<p><b>Standard B12</b></p> <ul style="list-style-type: none"> <li>Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.</li> <li>Planting which creates unsafe spaces along streets and accessways should be avoided.</li> <li>Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.</li> <li>Private spaces within developments should be protected from inappropriate use as public thoroughfares.</li> </ul>
	COMPLIES – The proposal can facilitate passive surveillance on the street and within the site. Each dwelling will have its own entry/exit point and not create unsafe	



	spaces. The site layout and setbacks guard against creation of obscured and isolated areas on the site.	
<b>55.03-8</b>	<p><b>Landscaping objectives</b></p> <ul style="list-style-type: none"> <li>• To encourage development that respects the landscape character of the neighbourhood.</li> <li>• To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</li> <li>• To provide appropriate landscaping.</li> <li>• To encourage the retention of mature vegetation on the site.</li> </ul>	<p><b>Standard B13</b></p> <ul style="list-style-type: none"> <li>- The landscape layout and design should: <ul style="list-style-type: none"> <li>▪ Protect any predominant landscape features of the neighbourhood.</li> <li>▪ Take into account the soil type and drainage patterns of the site.</li> <li>▪ Allow for intended vegetation growth and structural protection of buildings.</li> <li>▪ In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.</li> <li>▪ Provide a safe, attractive and functional environment for residents.</li> </ul> </li> <li>- Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.</li> <li>- Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.</li> <li>- The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.</li> <li>- Development should meet any additional landscape requirements specified in a schedule to the zone.</li> </ul>
	COMPLIES VIA CONDITION – A landscape plan will be required to be endorsed as part of any permit issued.	
<b>55.03-9</b>	<p><b>Access objective</b></p> <ul style="list-style-type: none"> <li>• To ensure the number and design of vehicle crossovers respects the neighbourhood character.</li> </ul>	<p><b>Standard B14</b></p> <ul style="list-style-type: none"> <li>- The width of accessways or car spaces should not exceed: <ul style="list-style-type: none"> <li>▪ 33 per cent of the street frontage, or</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>▪ if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.</li> <li>- No more than one single-width crossover should be provided for each dwelling fronting a street.</li> <li>- The location of crossovers should maximise the retention of on-street car parking spaces.</li> <li>- The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 should be minimised.</li> <li>- Developments must provide for access for service, emergency and delivery vehicles.</li> </ul>
	<p>COMPLIES – The total width of the accessways is 6m with the street frontage of the site being 21.22m. The accessways occupy 28.57% of the street frontage.</p>	
<b>55.03-10</b>	<p><b>Parking location objectives</b></p> <ul style="list-style-type: none"> <li>• To provide convenient parking for resident and visitor vehicles.</li> <li>• To protect residents from vehicular noise within developments.</li> </ul>	<p><b>Standard B15</b></p> <ul style="list-style-type: none"> <li>- Car parking facilities should: <ul style="list-style-type: none"> <li>▪ Be reasonably close and convenient to dwellings and residential buildings.</li> <li>▪ Be secure.</li> <li>▪ Be well ventilated if enclosed.</li> </ul> </li> <li>- Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</li> </ul>
	<p>COMPLIES – Onsite parking is provided to each dwelling via the proposed attached garages within a convenient location. All access is proposed from Outtrim Street.</p>	
<b>55.04</b>	<p><b>Amenity Impacts</b></p>	
<b>55.04-1</b>	<p><b>Side and rear setbacks objectives</b></p>	<p><b>Standard B17</b></p>

	<ul style="list-style-type: none"> <li>To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</li> </ul>	<ul style="list-style-type: none"> <li>A new building not on or within 200mm of a boundary should be set back from side or rear boundaries: <ul style="list-style-type: none"> <li>At least the distance specified in a schedule to the zone, or</li> <li>If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</li> </ul> </li> <li>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.</li> <li>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</li> </ul>
	<p>COMPLIES – The side and rear setbacks of the proposed dwellings meet the objective. The nearest setback to a side or rear boundary is 1.15m at a wall height of less than 3.6m for all ground level setbacks. The proposed two-storey dwelling has a minimum setback for the upper level to the southern side boundary of 2.52m at a wall height of 5.3m. The upper storey requires a setback of only 1.51m to comply.</p>	
<p><b>55.04-2</b></p>	<p><b>Walls on boundaries objective</b></p> <ul style="list-style-type: none"> <li>To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</li> </ul>	<p><b>Standard B18</b></p> <ul style="list-style-type: none"> <li>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary: <ul style="list-style-type: none"> <li>For a length of more than the distance specified in a schedule to the zone; or</li> <li>If no distance is specified in a schedule to the zone, for a length of more than: <ul style="list-style-type: none"> <li>10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</li> <li>Where there are existing or simultaneously constructed walls or</li> </ul> </li> </ul> </li> </ul>

		<p>carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.</p> <ul style="list-style-type: none"> <li>- A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.</li> <li>- A building on a boundary includes a building set back up to 200mm from a boundary.</li> <li>- The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</li> </ul>
	<p>COMPLIES –</p> <p><u>Northern side boundary</u></p> <ul style="list-style-type: none"> <li>• Allowable length of garage wall on boundary – 17.57m</li> <li>• Proposed garage wall length on boundary – 7.85m</li> </ul> <p><u>Eastern rear boundary</u></p> <ul style="list-style-type: none"> <li>• No walls proposed on rear boundary</li> </ul> <p><u>Southern side boundary</u></p> <ul style="list-style-type: none"> <li>• Allowable length of garage wall on boundary – 17.57m</li> <li>• Proposed garage wall length on boundary – 10.45m</li> </ul> <p>The heights of the walls are both less than the 3.2m average and 3.6m maximum</p>	
<p><b>55.04-3</b></p>	<p><b>Daylight to existing windows objective</b></p> <ul style="list-style-type: none"> <li>• To allow adequate daylight into existing habitable room windows.</li> </ul>	<p><b>Standard B19</b></p> <ul style="list-style-type: none"> <li>- Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.</li> </ul>

		<ul style="list-style-type: none"> <li>- Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</li> <li>- Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</li> </ul>
	<p>COMPLIES – Given the layout of the existing dwellings on adjoining allotments and the proposed dwellings, no habitable room windows are encroached upon. Sufficient side and rear setbacks maintain the standard on adjoining lots. The dwelling at 26 Outtrim Street has a side setback of 6.02m, 30 Outtrim Street has a side setback of 4.19m and 127 Gillies Street abutting the rear boundary has a rear setback of 21m.</p>	
<b>55.04-4</b>	<p><b>North-facing windows objective</b></p> <ul style="list-style-type: none"> <li>• To allow adequate solar access to existing north – facing habitable room windows.</li> </ul>	<p><b>Standard B20</b></p> <ul style="list-style-type: none"> <li>- If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.</li> </ul>
	<p>COMPLIES – No north-facing habitable windows are not affected by this proposal given the proposed setbacks from title boundaries internally and on the adjoining lot at 26 Outtrim Street of over 6m.</p>	
<b>55.04-5</b>	<p><b>Overshadowing open space objective</b></p> <ul style="list-style-type: none"> <li>• To ensure buildings do not significantly overshadow existing secluded private open space.</li> </ul>	<p><b>Standard B21</b></p> <ul style="list-style-type: none"> <li>- Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of</li> </ul>

		<p>five hours of sunlight between 9 am and 3 pm on 22 September.</p> <ul style="list-style-type: none"> <li>- If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</li> </ul>
	<p>COMPLIES –The minimum requirement for maintaining solar access to existing private open space on adjoining lots can be maintained. Dwellings on adjoining lots will be able to maintain solar access in accordance with the standard. Refer to sheets TP-08, TP-09 and TP-10 for shadow diagrams. Any impacts from the two-storey dwelling will be further reduced by conditions to lower the ceiling heights at both ground and first floor levels.</p>	
<b>55.04-6</b>	<p><b>Overlooking objective</b></p> <ul style="list-style-type: none"> <li>• To limit views into existing secluded private open space and habitable room windows.</li> </ul>	<p><b>Standard B22</b></p> <ul style="list-style-type: none"> <li>- A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.</li> <li>- A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either: <ul style="list-style-type: none"> <li>▪ Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.</li> <li>▪ Have sill heights of at least 1.7 metres above floor level.</li> <li>▪ Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.</li> <li>▪ Have permanently fixed external screens to at least 1.7 metres above</li> </ul> </li> </ul>

		<p>floor level and be no more than 25 per cent transparent.</p> <ul style="list-style-type: none"> <li>- Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.</li> <li>- Screens used to obscure a view should be: <ul style="list-style-type: none"> <li>▪ Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.</li> <li>▪ Permanent, fixed and durable.</li> <li>▪ Designed and coloured to blend in with the development.</li> </ul> </li> <li>- This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.</li> </ul>
	<p>COMPLIES – The proposal will be prevented from overlooking adjacent private open space or habitable room windows. The single-storey design of Dwellings 1, 2 and 3 coupled with proposed and existing setbacks facilitate meeting the objective. Existing and proposed boundary fencing creates a visual barrier, while the proposed dwellings have a finished floor level (FFL) of less than 800mm. The plans also specify certain windows to have obscure glazing up to 1.7m high to appropriately screen overlooking.</p> <p>The two-storey dwelling will have two windows facing 26 Outtrim Street. One located at ground level that will be located lower than the 1.8m high boundary fence and one on the second level that will have obscure glazing fitted up to 1.7m from the FFL.</p>	
<p><b>55.04-7</b></p>	<p><b>Internal views objective</b></p> <ul style="list-style-type: none"> <li>• To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.</li> </ul>	<p><b>Standard B23</b></p> <ul style="list-style-type: none"> <li>- Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.</li> </ul>

	COMPLIES – Private open space within the development cannot be viewed given the proposed siting of the dwellings and 1.8m high internal fence creating a visual barrier.	
<b>55.04-8</b>	<b>Noise impacts objectives</b> <ul style="list-style-type: none"> <li>To contain noise sources in developments that may affect existing dwellings.</li> </ul>	<b>Standard B24</b> <ul style="list-style-type: none"> <li>Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.</li> <li>Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.</li> <li>Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.</li> </ul>
	COMPLIES – The siting of the proposed dwellings and garages can mitigate noise issues from vehicles entering and leaving. Noise levels will be typical of a residential area. There is no side access for vehicles that would affect either dwelling or adjoining dwellings.	
<b>55.05</b>	<b>On-Site Amenity and Facilities</b>	
<b>55.05-1</b>	<b>Accessibility objective</b> <ul style="list-style-type: none"> <li>To encourage the consideration of the needs of people with limited mobility in the design of developments.</li> </ul>	<b>Standard B25</b> <ul style="list-style-type: none"> <li>The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.</li> </ul>
	COMPLIES – With ground level entry, accessibility measures are considered adequate.	
<b>55.05-2</b>	<b>Dwelling entry objective</b> <ul style="list-style-type: none"> <li>To provide each dwelling or residential building with its own sense of identity.</li> </ul>	<b>Standard B26</b> <ul style="list-style-type: none"> <li>Entries to dwellings and residential buildings should: <ul style="list-style-type: none"> <li>Be visible and easily identifiable from streets and other public areas.</li> </ul> </li> </ul>



		<ul style="list-style-type: none"> <li>▪ Provide shelter, a sense of personal address and a transitional space around the entry.</li> </ul>
	COMPLIES – All proposed dwellings have identified entry points.	
<b>55.05-3</b>	<p><b>Daylight to new windows objective</b></p> <ul style="list-style-type: none"> <li>• To allow adequate daylight into new habitable room windows.</li> </ul>	<p><b>Standard B27</b></p> <ul style="list-style-type: none"> <li>- A window in a habitable room should be located to face: <ul style="list-style-type: none"> <li>▪ An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or</li> <li>▪ A verandah provided it is open for at least one third of its perimeter, or</li> <li>▪ A carport provided it has two or more open sides and is open for at least one third of its perimeter.</li> </ul> </li> </ul>
	COMPLIES – Habitable rooms of existing and proposed dwellings can meet the minimum requirement of 3m <sup>2</sup> and 1m clear to the sky given proposed setbacks.	
<b>55.05-4</b>	<p><b>Private open space objective</b></p> <ul style="list-style-type: none"> <li>• To provide adequate private open space for the reasonable recreation and service needs of residents.</li> </ul>	<p><b>Standard B28</b></p> <ul style="list-style-type: none"> <li>- A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.</li> <li>- If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of: <ul style="list-style-type: none"> <li>▪ An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>▪ A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or</li> <li>▪ A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.</li> </ul>
	<p>VARIATION – Each dwelling is provided with an area of at least 40m<sup>2</sup> other than Dwelling 1, with one part consisting of secluded private open space at the side of the dwelling with a minimum of 25m<sup>2</sup>, with a minimum dimension of 3m, directly accessible from the main living area.</p> <ul style="list-style-type: none"> <li>• Dwelling 1 – 35.78m<sup>2</sup> plus front yard area</li> <li>• Dwelling 2 – 58.77m<sup>2</sup></li> <li>• Dwelling 3 – 57.08m<sup>2</sup></li> <li>• Dwelling 4 – 41.15m<sup>2</sup></li> </ul> <p>While Dwelling 1 has a shortfall of less than 5m<sup>2</sup>, given that the dwelling has a front yard area, the minor shortfall is addressed and is considered overall to meet the objective.</p>	
<b>55.05-5</b>	<p><b>Solar access to open space objective</b></p> <ul style="list-style-type: none"> <li>• To allow solar access into the secluded private open space of new dwellings and residential buildings.</li> </ul>	<p><b>Standard B29</b></p> <ul style="list-style-type: none"> <li>- The private open space should be located on the north side of the dwelling or residential building, if appropriate.</li> <li>- The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall.</li> </ul>
	<p>COMPLIES – POS is orientated to the north/north-east/north-west sides of the proposed dwellings providing adequate solar access.</p>	
<b>55.05-6</b>	<p><b>Storage objective</b></p> <ul style="list-style-type: none"> <li>• To provide adequate storage facilities for each dwelling.</li> </ul>	<p><b>Standard B30</b></p> <ul style="list-style-type: none"> <li>- Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.</li> </ul>
	<p>COMPLIES – 6m<sup>3</sup> of storage space in the form a garden shed of is proposed onsite to the rear of the proposed dwellings.</p>	

<b>55.06</b>	<b>Detailed Design</b>	
<b>55.06-1</b>	<p><b>Design detail objective</b></p> <ul style="list-style-type: none"> <li>To encourage design detail that respects the existing or preferred neighbourhood character.</li> </ul>	<p><b>Standard B31</b></p> <ul style="list-style-type: none"> <li>The design of buildings, including facade articulation and detailing, window and door proportions, roof form, and verandahs, eaves and parapets should respect the existing or preferred neighbourhood character.</li> <li>Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.</li> </ul>
<p>COMPLIES – The design of the proposed dwellings is consistent with the layout and design of dwellings within the area. While the proposed dwellings incorporate a more modern design, their setbacks and scale do not dominate the streetscape and is considered to not create visual bulk along Outtrim Street given the siting and layout.</p> <p>Lot sizes vary and massing and layout of the site will be consistent with the pattern of previous development within the general area.</p>		
<b>55.06-2</b>	<p><b>Front fences objective</b></p> <ul style="list-style-type: none"> <li>To encourage front fence design that respects the existing or preferred neighbourhood character.</li> </ul>	<p><b>Standard B32</b></p> <ul style="list-style-type: none"> <li>The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.</li> <li>A front fence within 3 metres of a street should not exceed: <ul style="list-style-type: none"> <li>The maximum height specified in a schedule to the zone, or</li> <li>If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3.</li> </ul> </li> </ul>
<p>N/A – No front fencing is proposed.</p>		
<b>55.06-3</b>	<p><b>Common property objectives</b></p> <ul style="list-style-type: none"> <li>To ensure that communal open space, car parking, access areas and site</li> </ul>	<p><b>Standard B33</b></p> <ul style="list-style-type: none"> <li>Developments should clearly delineate public, communal and private areas.</li> </ul>

	<p>facilities are practical, attractive and easily maintained.</p> <ul style="list-style-type: none"> <li>• To avoid future management difficulties in areas of common ownership.</li> </ul>	<ul style="list-style-type: none"> <li>- Common property, where provided, should be functional and capable of efficient management.</li> </ul>
	<p>COMPLIES – A shared driveway is proposed and will be the responsibility of the proprietor of the land to effectively manage. There is no formal common property to be created.</p>	
<b>55.06-4</b>	<p><b>Site services objectives</b></p> <ul style="list-style-type: none"> <li>• To ensure that site services can be installed and easily maintained.</li> <li>• To ensure that site facilities are accessible, adequate and attractive.</li> </ul>	<p><b>Standard B34</b></p> <ul style="list-style-type: none"> <li>- The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.</li> <li>- Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.</li> <li>- Bin and recycling enclosures should be located for convenient access by residents.</li> <li>- Mailboxes should be provided and located for convenient access as required by Australia Post.</li> </ul>
	<p>COMPLIES – The proposal allows sufficient movement and access on the site for services and site facilities. The proposed dwellings can independently access existing infrastructure.</p>	

### **General Provisions**

Clause 65.01 sets out a range of other matters that must be considered, as appropriate. Where not already addressed above, these are assessed as follows.

Clause 13.02-1S has the objective to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life. Although the site is not affected by the Bushfire Management Overlay, it is within a Designated Bushfire Prone Area. A construction standard will be required to be applied to the dwelling at the building approval stage if a planning permit is to issue.

The proposal is generally consistent with the relevant planning policies contained within the planning scheme, including zoning, particular provisions and overall can contribute to the orderly planning of the area.

The proposal is assessed as being an orderly planning outcome that represents net community benefit and sustainable development for the benefit of present and future generations.

## **CONSULTATION/COMMUNICATION**

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

- The shadow line depicted on the plans reflect, to some degree, the shadow line of the existing structure, although the proposed dwellings would move closer to existing dwellings on adjoining lots. The new buildings will cast a solid shadow to the south for most of the winter days. The two-storey dwelling should be built on the northern site boundary, keeping the shadow line within the subject site as much as possible.
- The objector requests written undertaking from the developer that:
  - Boundary pegs/survey points on common boundaries will not be removed or interfered with.
  - No footing detail, building overhang etc exceeds the centre of the common boundary line.
  - No building debris come onto their property under any circumstances.
  - No person involved in this development enters their property for any reason.
  - No trade vehicles, machinery, excavations etc. block access to their property at any time during construction.
  - Any security fencing on common boundaries is not moved or removed or damaged in any way.
  - All boxing, stay pegs and debris within a 400mm buffer (to allow for bracing of footings and concrete slabs etc) must be removed and that the 400mm strip be rehabilitated before further construction proceeds.
  - No ladders or scaffolding are to be placed on their property beyond the 400mm buffer to ensure their safety and safety of any visitors.
  - Their water supply and power supply are not to be accessed under any circumstances during construction.
  - Any foul language from construction crews etc is not acceptable.
- Neighbourhood character values, including the absence of multi-storey developments.
- Displacement of the tenant at the existing dwelling.

### Planning officer response

- While some overshadowing of adjoining properties will occur, the proposal meets the objective and standard of clause 55.04-5 'Overshadowing of private open space'. The submitted plans demonstrate the overshadowing on sheets TP-08, TP-09 and TP-10.
- A survey has previously been conducted by the permit applicant to prepare the development plans. The plans include a notation proposing to replace boundary fencing, with all costs to be borne by the permit applicant.
- The submitted plans propose construction within the site but abutting the boundary lines for some garage walls. If a planning permit is issued, building works on a boundary line will require protection works notices to be issued for the work, pursuant to the *Building Act 1993* and the *Building Regulations 2018*. The relevant building surveyor will require the protection works notices to be in place prior to issuing a building permit for the development. The purpose of the notices is to implement procedures to protect the adjoining property prior to and during construction.
- A condition for a Construction Management Plan (CMP) is recommended to be included on the permit, if issued. The CMP will be required to be endorsed prior to the commencement of the development and will manage the construction period. Further conditions are recommended to be applied to the permit, if issued, to maintain amenity of the area during development.
- Access to any adjoining property is addressed by the above-mentioned protection works notices. Trespass is a matter and outside the scope of a planning approval.
- Requiring access to an adjoining property will be addressed by the above-mentioned protection works notices. It will be the responsibility of the developer to seek the appropriate permission if access adjoining properties is required.
- Security of the adjoining property will be addressed by the above-mentioned protection works notices and CMP.
- The removal of any stay pegs, and boxing will be addressed by the above-mentioned protection works notices and CMP.
- Placement of building apparatus and material is not a planning matter and the responsibility of the builder onsite if the required permits are issued.
- Access to electricity and water is not a planning matter.
- The conduct of workers on a building site is not a planning matter.
- The proposal has been assessed and meets the requirements of clause 55, which is the key decision-making tool for a development of this nature. The addition of the four proposed dwellings in this established residential area is assessed as being acceptable and consistent with relevant policies and direction.
- The displacement of the tenant of the existing dwelling is not a planning matter.

## **FINANCIAL & RESOURCE IMPLICATIONS**

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

Should any party appeal any decision that Council makes, there would be a Victorian Civil and Administrative Tribunal (VCAT) hearing. Additional costs will be incurred if a VCAT hearing occurs.

## **RISK MANAGEMENT**

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

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

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

## **CONCLUSION**

Planning permit application 154/21 seeks approval for the development of the land for four dwellings and associated works at 28 Outtrim Street, Maryborough.

A Council determination is sought on the application as one objection has been received.

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

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

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

## **ATTACHMENTS**

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

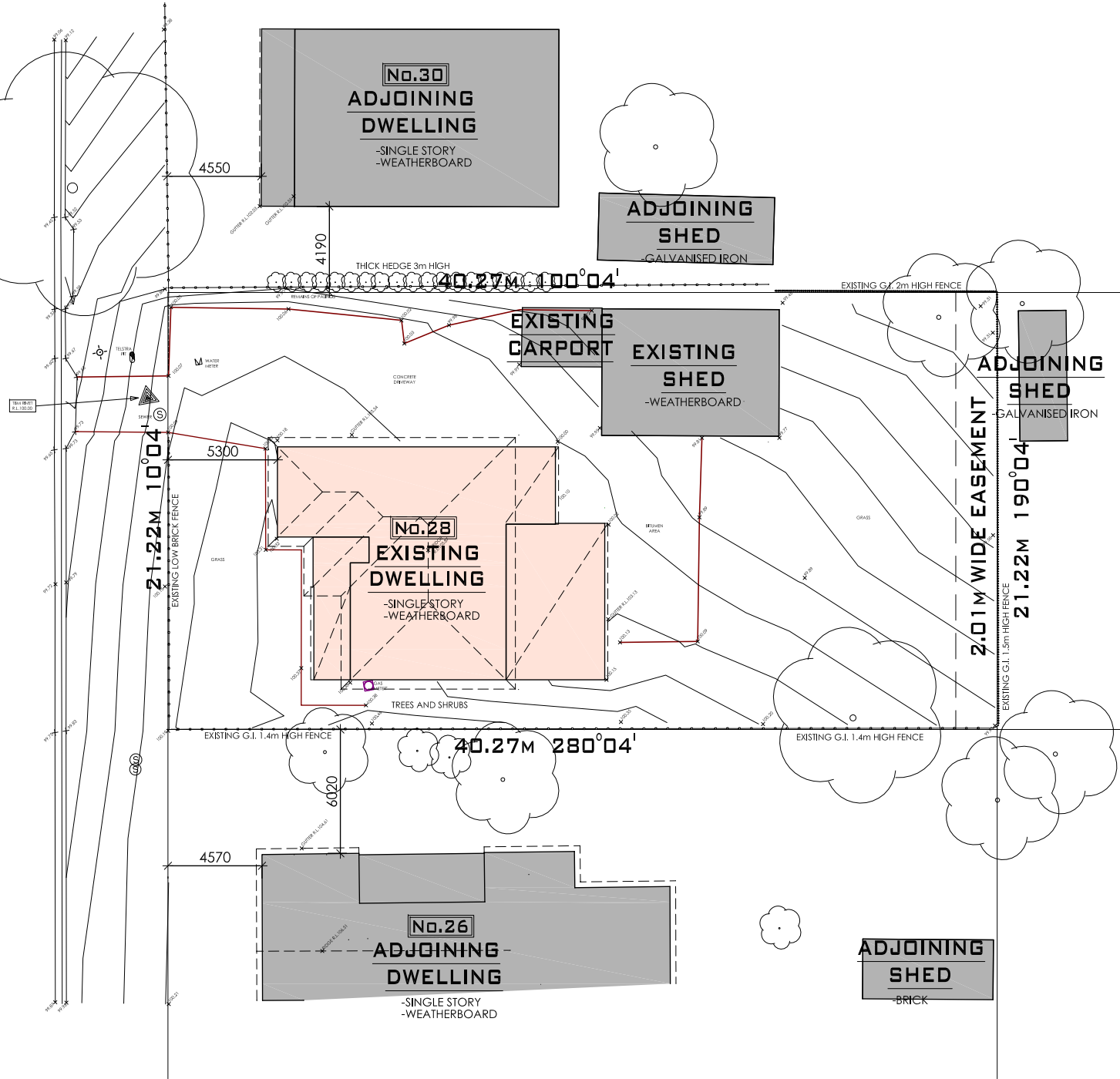
\*DO NOT SCALE THIS DRAWING  
 \*FIGURED DIMENSIONS TO TAKE  
 PRECEDENCE OVER SCALE.  
 BUILDERS & CONTRACTORS TO VERIFY  
 ALL DIMENSIONS ON SITE PRIOR TO  
 COMMENCEMENT OF WORKS



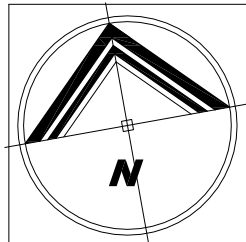
NOTE:  
 EXISTING DWELLING & ALL ASSOCIATED STRUCTURES &  
 VEGETATION ON SITE TO BE REMOVED AS REQUIRED OR  
 OR NOMINATED ON PLAN (MAKE GOOD ALL FINISHES AS  
 REQUIRED)

AREA SUMMARY						
SITE AREA: 854.52 SQM						
	GROUND FLOOR	PORCH-VERANDAH	CARPORNT-GARAGE	FIRST FLOOR	BALCONY	TOTAL
EXISTING DWELLING (M2)	108.96 M2	49.81 M2	64.23 M2	N/A	N/A	223.00 M2
EXISTING DWELLING (SQ)	11.72 sq.	5.36 sq.	6.91 sq.	N/A	N/A	24.00 sq.
SECLUDED PRIVATE OPEN SPACE : EXISTING DWELLING: 402.58 SQ.M						
BUILDING AREA (EXISTING) AT GROUND FLOOR INC. VER.: 223.00 SQ.M 24.00 SQUARES						
SITE COVERAGE AT GROUND FLOOR LEVEL (MAX. 60%): 223.00 M2 26.09%						

OUTTRIM STREET



SITE ANALYSIS PLAN 1:200



Project: **PROPOSED FOUR DWELLING DEVELOPMENT**  
 At: **28 OUTTRIM STREET, MARYBOROUGH VIC. 3465**  
 For: **EQUITY COLLECTION P/L**  
 Sheet size: A-2 at 1:200

No	Amendment	Date	Date	Scale
			17/06/2021	1:200
			Dwg. No.	Sheet No.
			021-21 (TP)	TP-01
			Drawn	Amended
			M.E.	

**EQUITY COLLECTION**  
 www.equitycollection.com.au

PLANNING FOR EQUITY  
 BUILDING FOR EQUITY

ANDREW BAIRD: 0411 135 447  
 (MANAGING DIRECTOR-TOWN PLANNER)  
 andrew@planningforequity.com.au

MARC EVANS: 0412 690 537  
 (SENIOR DESIGN CONSULTANT)  
 Registration: DP-AD 24559

DEVELOPMENT FEASIBILITY TOWN PLANNING CONSTRUCTION BROKERING

This document is copyright © and is not to be retained, copied, altered in whole or in part or used without the written permission of Equity Collection P/L or Tarawill Building Design.

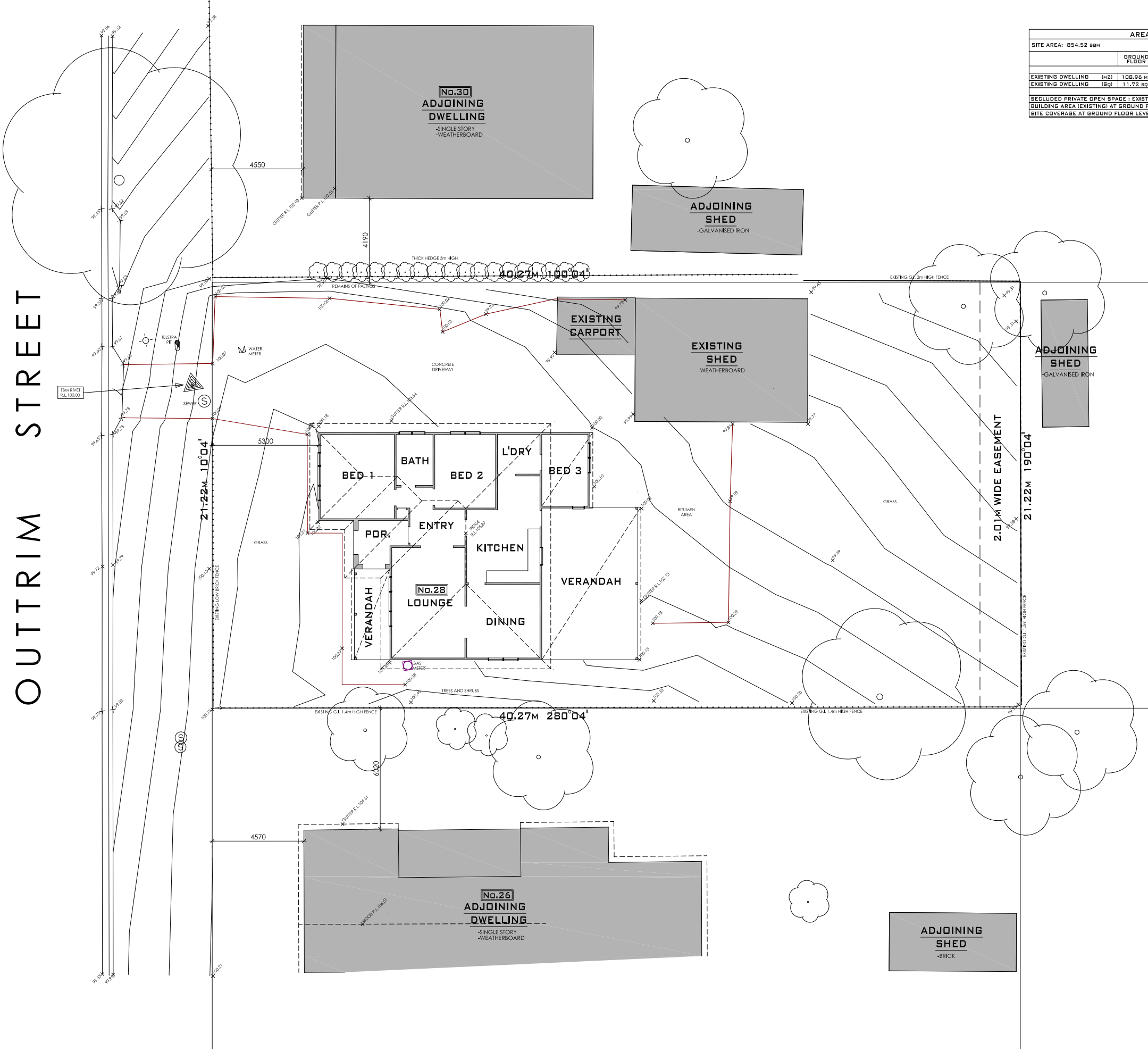


DO NOT SCALE THIS DRAWING  
FIGURED DIMENSIONS TO TAKE  
PRECEDENCE OVER SCALE.  
BUILDERS & CONTRACTORS TO VERIFY  
ALL DIMENSIONS ON SITE PRIOR TO  
COMMENCEMENT OF WORKS

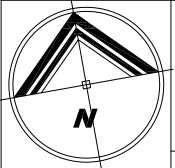


NOTE:  
EXISTING DWELLING & ALL ASSOCIATED STRUCTURES &  
VEGETATION ON SITE TO BE REMOVED AS REQUIRED OR  
OR NOMINATED ON PLAN (MAKE GOOD ALL FINISHES AS  
REQUIRED)

AREA SUMMARY						
SITE AREA: 854.52 sqm						
	GROUND FLOOR	PORCH-VERANDAH	CARPORT-SGARAGE	FIRST FLOOR	BALCONY	TOTAL
EXISTING DWELLING	(m2)	108.96 m2	49.81 m2	64.23 m2	N/A	223.00 m2
EXISTING DWELLING	(sq)	11.72 sq.	5.36 sq.	6.91 sq.	N/A	24.00 sq.
SECLUDED PRIVATE OPEN SPACE : EXISTING DWELLING: 402.58 sq.m						
BUILDING AREA (EXISTING) AT GROUND FLOOR INC. VER.: 223.00 sq.m 24.00 SQUARES						
SITE COVERAGE AT GROUND FLOOR LEVEL (MAX. 60%): 223.00 m2 26.09%						



(DEMOLITION PLAN)  
EXISTING GROUND FLOOR - SITE PLAN 1:100



Project: PROPOSED FOUR DWELLING DEVELOPMENT  
At: 28 OUTTRIM STREET, MARYBOROUGH VIC. 3465  
For: EQUITY COLLECTION P/L  
Sheet size: A-1 at 1:100

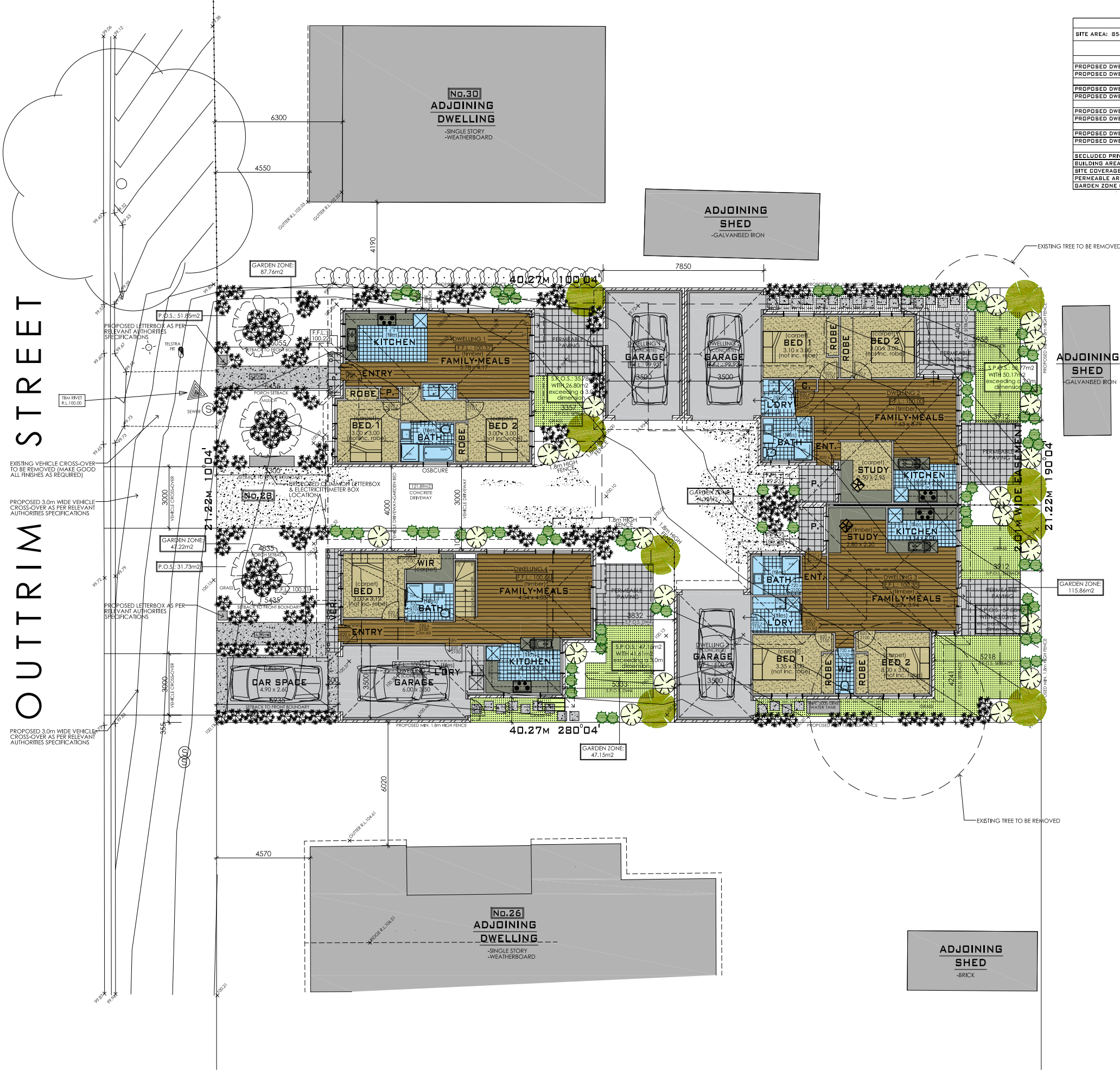
No	Amendment	Date	Date	Scale
			17/06/2021	1:100
			021-21 (TP)	TP-02
			Drawn	Amended
			M.E.	

<p><b>EQUITY COLLECTION</b> www.equitycollection.com.au</p>	
<p>PLANNING FOR EQUITY ANDREW BARDO: 0411 135 447 MANAGING DIRECTOR-TOWN PLANNERS andrew@equitycollection.com.au</p>	<p>BUILDING FOR EQUITY MARC EVANS: 0412 690 537 SENIOR DESIGN CONSULTANT marc@equitycollection.com.au</p>
<p>This document is copyright © and is not to be reprinted, copied, altered in whole or in part or used without the written permission of Equity Collection P/L or Town &amp; Building Design.</p>	

DO NOT SCALE THIS DRAWING  
FIGURED DIMENSIONS TO TAKE  
PRECEDENCE OVER SCALE.  
BUILDERS & CONTRACTORS TO VERIFY  
ALL DIMENSIONS ON SITE PRIOR TO  
COMMENCEMENT OF WORKS

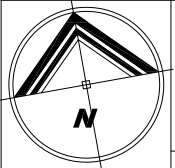


EXISTING DWELLING & ALL ASSOCIATED STRUCTURES &  
VEGETATION ON SITE TO BE REMOVED AS REQUIRED OR  
OR NOMINATED ON PLAN (MAKE GOOD ALL FINISHES AS



AREA SUMMARY						
SITE AREA: 854.52 sqm	GROUND FLOOR	PORCH-VERANDAH	CARPORT-GARAGE	FIRST FLOOR	BALCONY	TOTAL
	PROPOSED DWELLING 1 (W2)	74.61 m2	1.26 m2	25.75 m2	N/A	N/A
PROPOSED DWELLING 1 (S2)	8.03 sq.	0.13 sq.	2.77 sq.	N/A	N/A	10.93 sq.
PROPOSED DWELLING 2 (W2)	79.28 m2	3.48 m2	24.47 m2	N/A	N/A	107.23 m2
PROPOSED DWELLING 2 (S2)	8.53 sq.	1.08 sq.	2.63 sq.	N/A	N/A	11.54 sq.
PROPOSED DWELLING 3 (W2)	85.37 m2	2.70 m2	24.47 m2	N/A	N/A	112.54 m2
PROPOSED DWELLING 3 (S2)	9.18 sq.	0.29 sq.	2.63 sq.	N/A	N/A	12.11 sq.
PROPOSED DWELLING 4 (W2)	68.60 m2	3.02 m2	26.72 m2	47.90 m2	N/A	146.24 m2
PROPOSED DWELLING 4 (S2)	7.38 sq.	0.32 sq.	2.87 sq.	5.15 sq.	N/A	15.74 sq.
EXCLUDED PRIVATE OPEN SPACE : DW1: 35.78 sq.m DW2: 58.77 sq.m DW3: 57.08 sq.m DW4: 41.15 sq.m						
BUILDING AREA (PROPOSED) AT GROUND FLOOR INC. VER.: 419.73 sq.m 45.18 SQUARES						
SITE COVERAGE AT GROUND FLOOR LEVEL (MAX. 60%): 419.73 m2 49.11%						
PERMEABLE AREA (MIN. 20% OR 170.90m2): 291.85 m2 34.15%						
GARDEN ZONE (MIN. 35% OR 299.08 m2): 302.48 m2 35.39%						

PROPOSED GROUND FLOOR - SITE PLAN 1:100



Project: PROPOSED FOUR DWELLING DEVELOPMENT  
At: 28 OUTTRIM STREET, MARYBOROUGH VIC. 3465  
For: EQUITY COLLECTION P/L  
Sheet size: A-1 at 1:100

No	Amendment	Date
1.	Floor plans have been amended to ensure compliance with the garden zone requirements	09/07/2022
2.	Area has been amended as per floor plan amendments	09/07/2022

Date	Date	Scale
09/07/2022	17/06/2021	1:100
	Dwg. No.	Sheet No.
	021-21 (TP)	TP-03
	Drawn	Amended
	M.E.	09/07/2022

**EQUITY COLLECTION**  
www.equitycollection.com.au

PLANNING FOR EQUITY  
ANDREW BARD: 0411 135 447  
MANAGING DIRECTOR-TOWN PLANNERS  
andrew@equitycollection.com.au

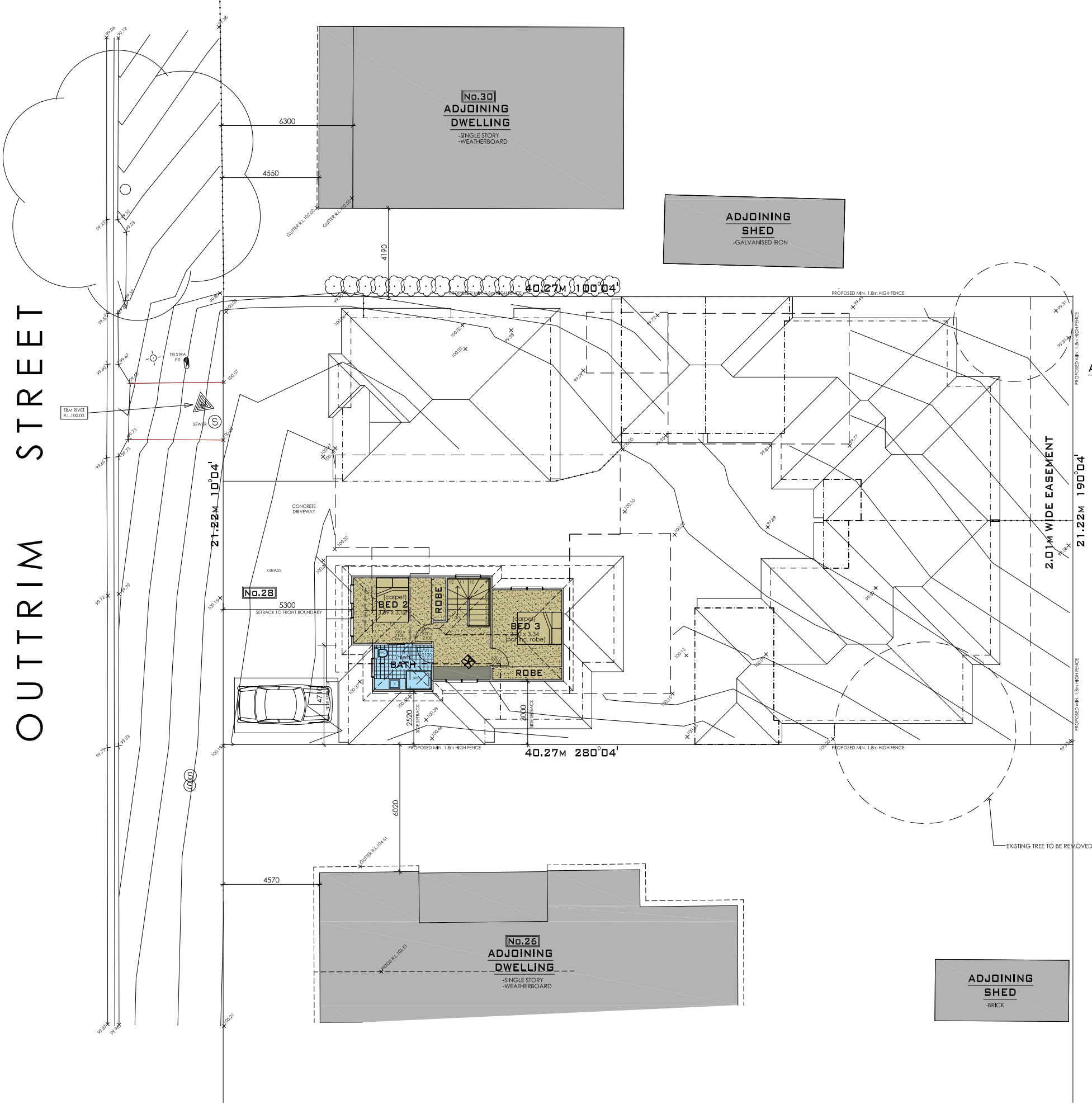
BUILDING FOR EQUITY  
MARC EVANS: 0412 690 537  
SENIOR DESIGN CONSULTANT  
Regulation: SP-AD 24559

This document is copyright © and is not to be reprinted, copied, altered in whole or in part or used without the written permission of Equity Collection Pty. or Town & Building Design.

DO NOT SCALE THIS DRAWING  
FIGURED DIMENSIONS TO TAKE  
PRECEDENCE OVER SCALE.  
BUILDERS & CONTRACTORS TO VERIFY  
ALL DIMENSIONS ON SITE PRIOR TO  
COMMENCEMENT OF WORKS

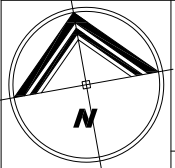


EXISTING DWELLING & ALL ASSOCIATED STRUCTURES &  
VEGETATION ON SITE TO BE REMOVED AS REQUIRED OR  
OR NOMINATED ON PLAN (MAKE GOOD ALL FINISHES AS



AREA SUMMARY						
SITE AREA: 854.52 sqm	GROUND FLOOR	PORCH VERANDAH	CARPORT GARAGE	FIRST FLOOR	BALCONY	TOTAL
	PROPOSED DWELLING 1 (W2)	74.61 m2	1.26 m2	25.75 m2	N/A	N/A
PROPOSED DWELLING 1 (BQ)	8.03 sq.	0.13 sq.	2.77 sq.	N/A	N/A	10.93 sq.
PROPOSED DWELLING 2 (W2)	79.28 m2	3.48 m2	24.47 m2	N/A	N/A	107.23 m2
PROPOSED DWELLING 2 (BQ)	8.53 sq.	1.08 sq.	2.63 sq.	N/A	N/A	11.54 sq.
PROPOSED DWELLING 3 (W2)	85.37 m2	2.70 m2	24.47 m2	N/A	N/A	112.54 m2
PROPOSED DWELLING 3 (BQ)	9.18 sq.	0.29 sq.	2.63 sq.	N/A	N/A	12.11 sq.
PROPOSED DWELLING 4 (W2)	68.60 m2	3.02 m2	26.72 m2	47.90 m2	N/A	146.24 m2
PROPOSED DWELLING 4 (BQ)	7.38 sq.	0.32 sq.	2.87 sq.	5.15 sq.	N/A	15.74 sq.
EXCLUDED PRIVATE OPEN SPACE : DW1: 35.78 sq.m DW2: 58.77 sq.m DW3: 57.08 sq.m DW4: 41.15 sq.m BUILDING AREA (PROPOSED) AT GROUND FLOOR INC. VER.: 419.73 sq.m 45.18 SQUARES SITE COVERAGE AT GROUND FLOOR LEVEL (MAX. 60%): 419.73 m2 49.11% PERMEABLE AREA (MIN. 20% OR 170.90m2): 291.85 m2 34.15% GARDEN ZONE (MIN. 35% OR 299.08 m2): 302.48 m2 35.39%						

**PROPOSED FIRST FLOOR - SITE PLAN 1:100**

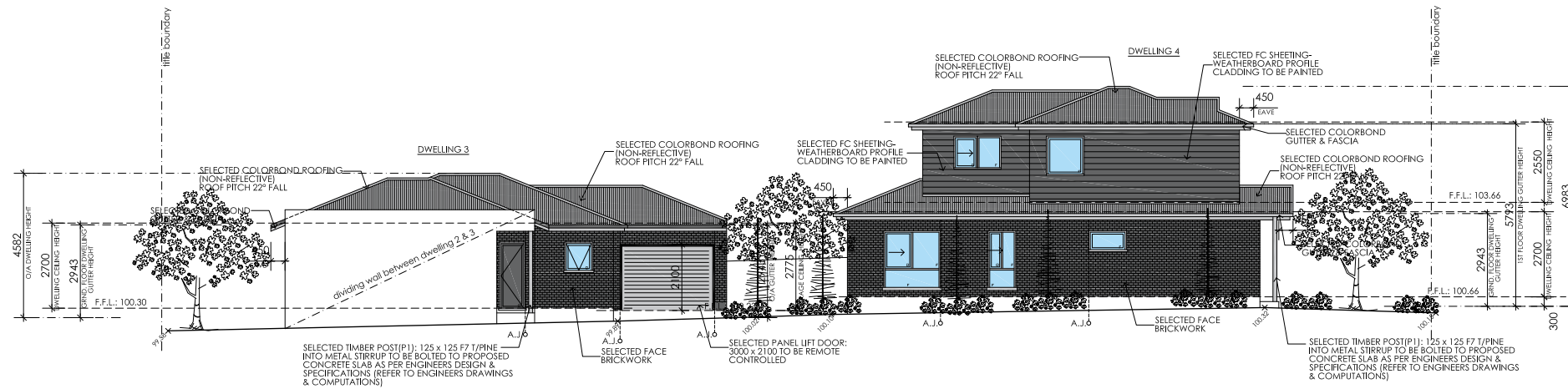


Project: PROPOSED FOUR DWELLING DEVELOPMENT  
At: 28 OUTTRIM STREET, MARYBOROUGH VIC, 3465  
For: EQUITY COLLECTION P/L  
Sheet size: A-1 at 1:100

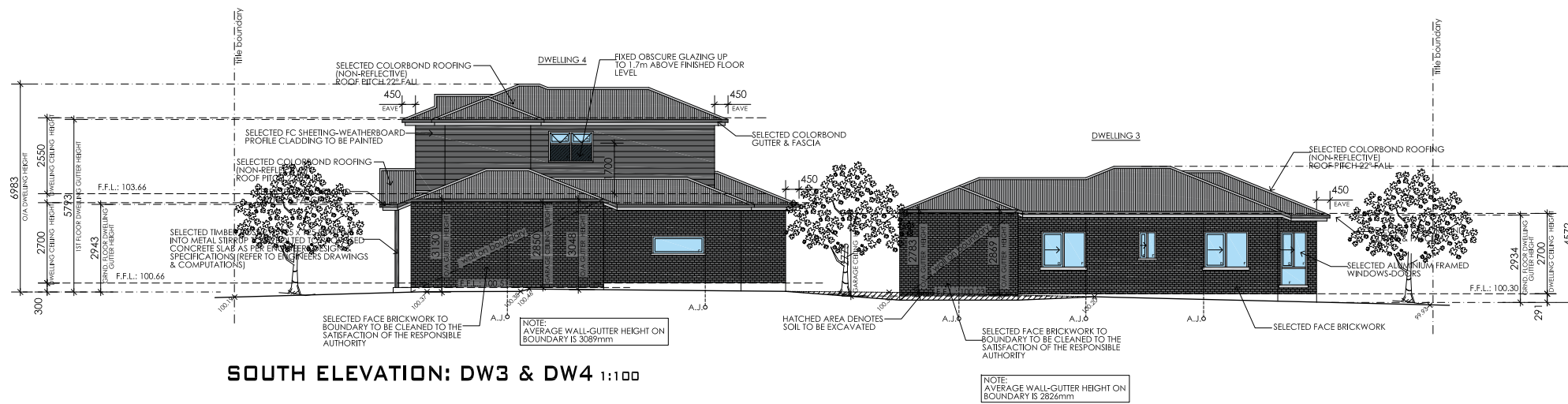
No	Amendment	Date	Date	Scale
1.	Proposed ground floor outline to all dwellings has been amended in response to garden zone amendments as requested by council	09/07/2022	17/06/2021	1:100
2.	Proposed area table has been amended in response to garden zone amendments as requested by council	09/07/2022	021-21 (TP)	TP-04
		Drawn	Amended	
		M.E.	09/07/2022	

<p><b>EQUITY COLLECTION</b> www.equitycollection.com.au</p> <p>PLANNING FOR EQUITY MANAGING DIRECTOR-TOWN PLANNERS andrew@equitycollection.com.au</p>		<p>BUILDING FOR EQUITY MARC EVANS-0412 690 537 (SENIOR DESIGN CONSULTANT) Registration: BP-AD 24559</p>	

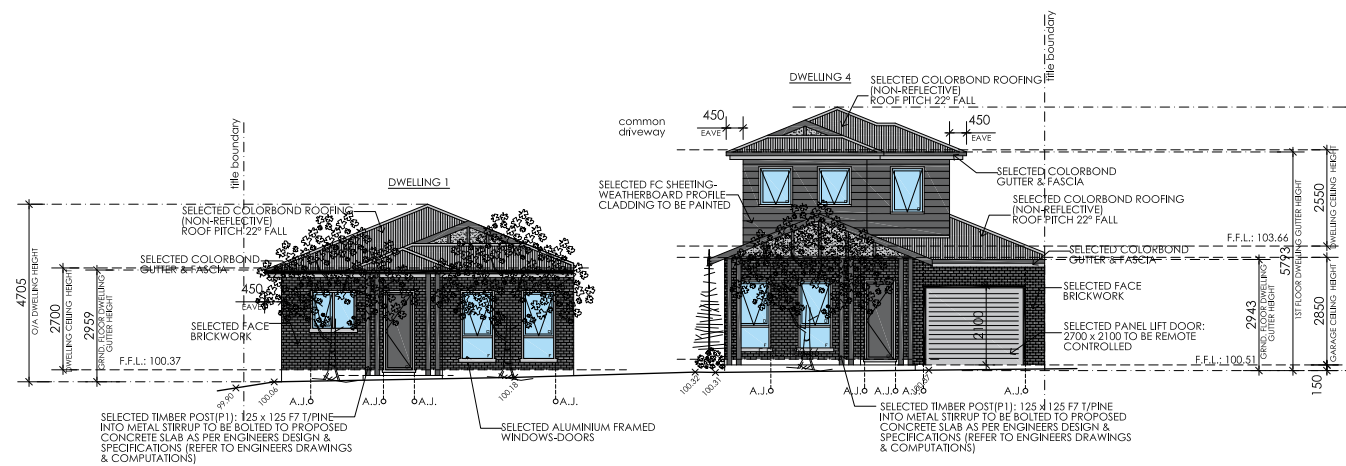
DO NOT SCALE THIS DRAWING  
 FIGURED DIMENSIONS TO TAKE  
 PRECEDENCE OVER SCALE.  
 BUILDERS & CONTRACTORS TO VERIFY  
 ALL DIMENSIONS ON SITE PRIOR TO  
 COMMENCEMENT OF WORKS



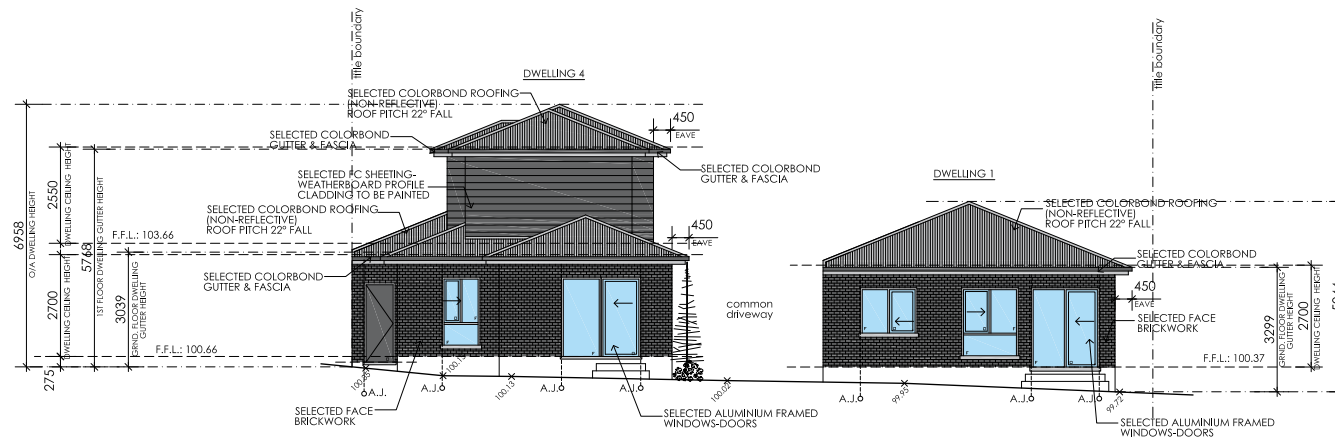
**NORTH INTERNAL ELEVATION: DW3 & DW4 1:100**



**SOUTH ELEVATION: DW3 & DW4 1:100**



**WEST ELEVATION: DW1 & DW4 1:100**



**EAST INTERNAL ELEVATION: DW1 & DW4 1:100**

Amendments: 09/07/2022  
 1. Elevations amended as per floor plan re-design in response to council's request (garden zone)

Builder

**NOTE:**  
 OWNER AND / OR BUILDER  
 TO VERIFY ALL DIMENSIONS  
 ON SITE PRIOR TO THE  
 COMMENCEMENT OF ANY  
 WORKS. IF IN DOUBT,  
 NOTIFY EQUITY COLLECTION  
 IMMEDIATELY.

**DO NOT SCALE DRAWINGS.**  
 USE FIGURED DIMENSIONS.

Sheet size: A-1 at 1:100  
 Am. Date: 27/07/2022  
 Date: 17/06/2021  
 Scale: 1:100  
 Sheet: TP-05  
 Drawn: M.E.  
 Job No.: 021-21 (TP)

**Project:**  
 PROPOSED FOUR  
 DWELLING DEVELOPMENT

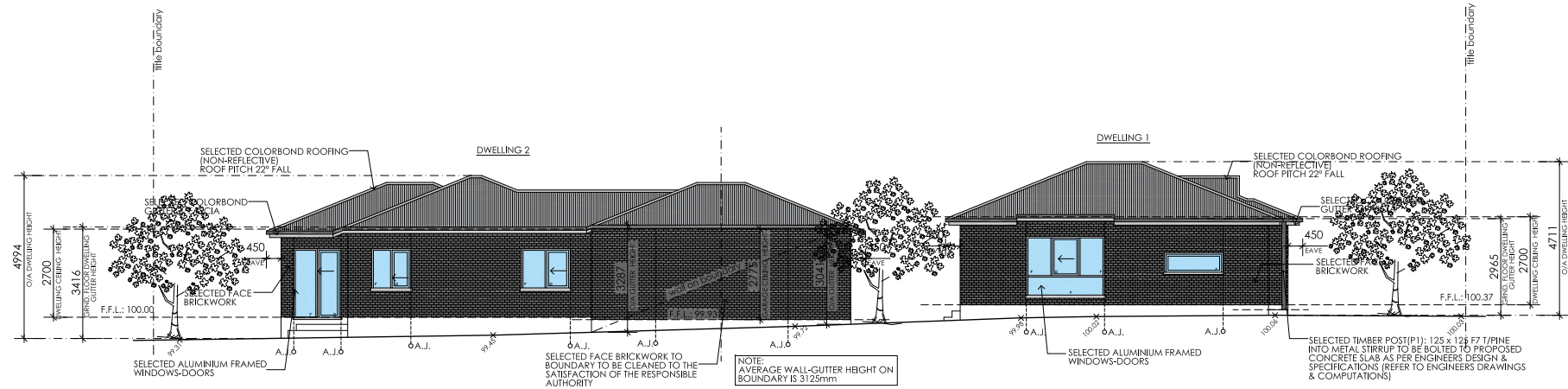
At:  
 28 OUTTRIM STREET,  
 MARYBOROUGH VIC. 3465

For:  
 EQUITY COLLECTION P/L



This document is copyright © and is not to be reprinted, copied, altered in whole or in part or used without the written permission of Equity Collection P/L or Forward Building Solutions.

DO NOT SCALE THIS DRAWING  
 FIGURED DIMENSIONS TO TAKE  
 PRECEDENCE OVER SCALE.  
 BUILDERS & CONTRACTORS TO VERIFY  
 ALL DIMENSIONS ON SITE PRIOR TO  
 COMMENCEMENT OF WORKS



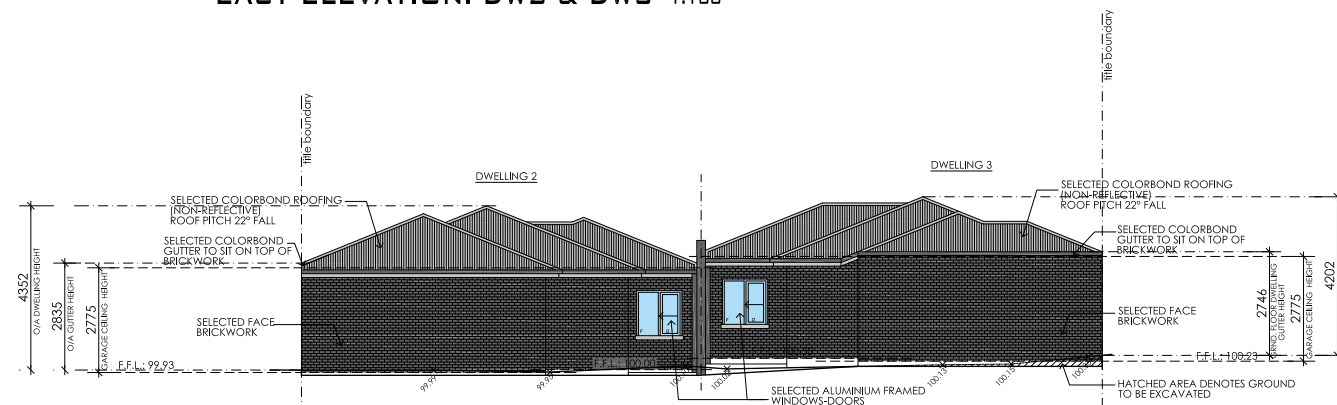
**NORTH ELEVATION: DW1 & DW2 1:100**



**SOUTH INTERNAL ELEVATION: DW1 & DW2 1:100**



**EAST ELEVATION: DW2 & DW3 1:100**



**WEST INTERNAL ELEVATION: DW2 & DW3 1:100**

Amendments: 09/07/2022

1. Elevations amended as per floor plan re-design in response to council's request (garden zone)

Builder

**NOTE:**  
 OWNER AND / OR BUILDER TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO THE COMMENCEMENT OF ANY WORKS. IF IN DOUBT, NOTIFY EQUITY COLLECTION IMMEDIATELY.

**DO NOT SCALE DRAWINGS.**  
 USE FIGURED DIMENSIONS

Sheet size: A-1 at 1:100

Am. Date: 27/07/2022

Date: 17/06/2021

Scale: 1:100

Sheet: TP-06

Drawn: M.E.

Job No.: 021-21 (TP)

Project: PROPOSED FOUR DWELLING DEVELOPMENT

At: 28 OUTTRIM STREET, MARYBOROUGH VIC. 3465

For: EQUITY COLLECTION P/L



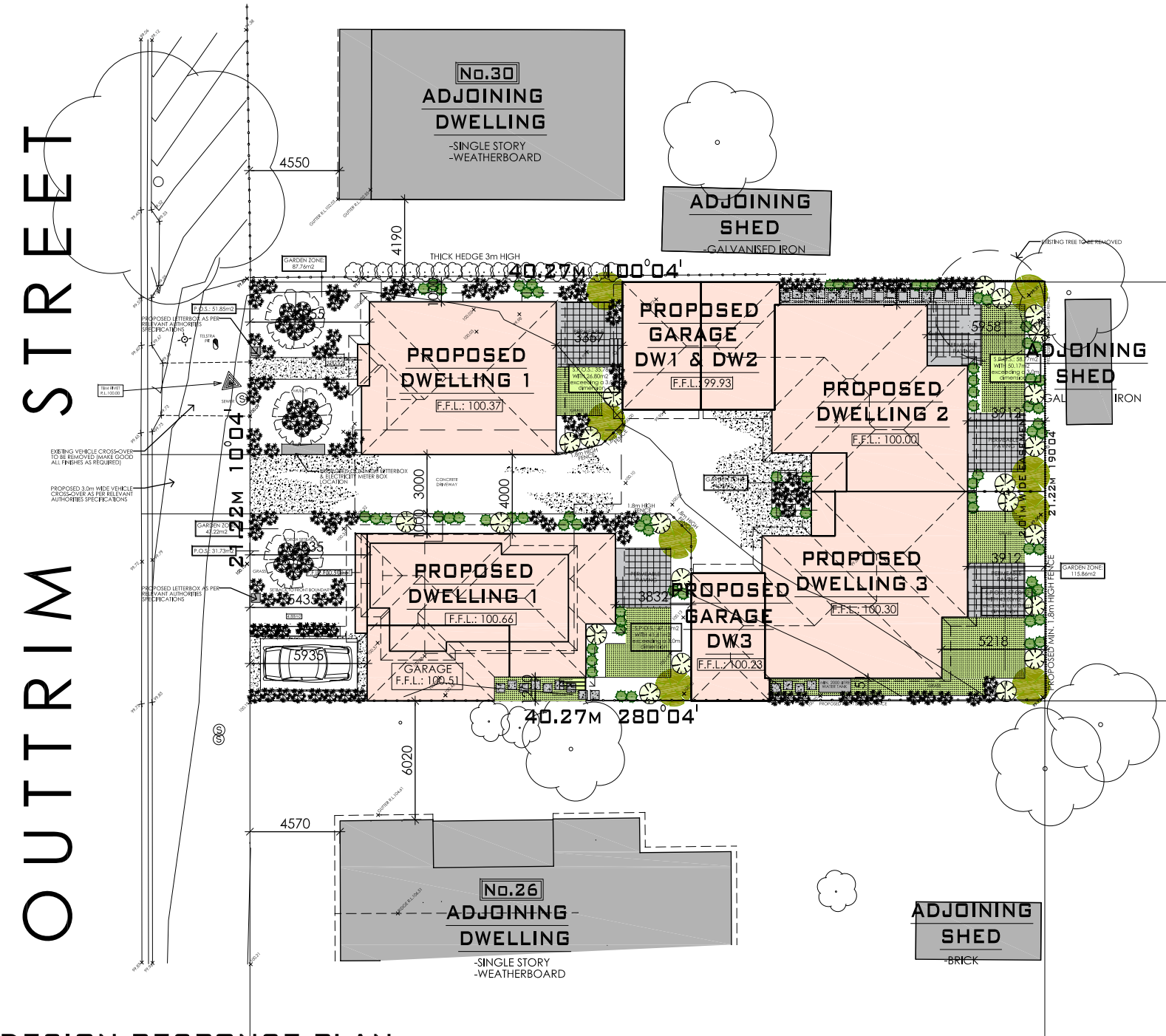
ANALYST: MARIANNE DALL 120 4477 MARK: ERIN 0412 890 437  
 PRODUCT: ARCHITECTURAL DRAWINGS ARCHITECT: EQUITY COLLECTION P/L  
 PROJECT: 28 OUTTRIM STREET, MARYBOROUGH VIC. 3465  
 DRAWN: MARIANNE DALL 120 4477

This document is copyright © and is not to be reprinted, copied, altered in whole or in part or used without the written permission of Equity Collection P/L or its related entities.

\*DO NOT SCALE THIS DRAWING  
 \*FIGURED DIMENSIONS TO TAKE  
 PRECEDENCE OVER SCALE.  
 BUILDERS & CONTRACTORS TO VERIFY  
 ALL DIMENSIONS ON SITE PRIOR TO  
 COMMENCEMENT OF WORKS

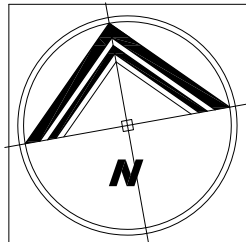


NOTE:  
 EXISTING DWELLING & ALL ASSOCIATED STRUCTURES &  
 VEGETATION ON SITE TO BE REMOVED AS REQUIRED OR  
 OR NOMINATED ON PLAN (MAKE GOOD ALL FINISHES AS  
 REQUIRED)



AREA SUMMARY						
SITE AREA: 854.52 sqm						
	GROUND FLOOR	PORCH-VERANDAH	CARPORT-GARAGE	FIRST FLOOR	BALCONY	TOTAL
PROPOSED DWELLING 1 (M2)	74.61 M2	1.26 M2	25.75 M2	N/A	N/A	101.62 M2
PROPOSED DWELLING 1 (SQ)	8.03 sq.	0.13 sq.	2.77 sq.	N/A	N/A	10.93 sq.
PROPOSED DWELLING 2 (M2)	79.28 M2	3.48 M2	24.47 M2	N/A	N/A	107.23 M2
PROPOSED DWELLING 2 (SQ)	8.53 sq.	1.08 sq.	2.63 sq.	N/A	N/A	11.54 sq.
PROPOSED DWELLING 3 (M2)	85.37 M2	2.70 M2	24.47 M2	N/A	N/A	112.54 M2
PROPOSED DWELLING 3 (SQ)	9.18 sq.	0.29 sq.	2.63 sq.	N/A	N/A	12.11 sq.
PROPOSED DWELLING 4 (M2)	68.60 M2	3.02 M2	26.72 M2	47.90 M2	N/A	146.24 M2
PROPOSED DWELLING 4 (SQ)	7.38 sq.	0.32 sq.	2.87 sq.	5.15 sq.	N/A	15.74 sq.
SECLUDED PRIVATE OPEN SPACE : DW1: 35.78 sq.m DW2: 58.77 sq.m DW3: 57.08 sq.m DW4: 41.15 sq.m						
BUILDING AREA (PROPOSED) AT GROUND FLOOR INC. VER.: 419.73 sq.m 45.18 SQUARES						
SITE COVERAGE AT GROUND FLOOR LEVEL (MAX. 60%): 419.73 M2 49.11%						
PERMEABLE AREA (MIN. 20% OR 170.90M2): 291.85 M2 34.15%						
GARDEN ZONE (MIN. 35% OR 299.08 M2): 302.48 M2 35.39%						

DESIGN RESPONSE PLAN 1:200



Project: **PROPOSED FOUR DWELLING DEVELOPMENT**  
 At: **28 OUTTRIM STREET, MARYBOROUGH VIC. 3465**  
 For: **EQUITY COLLECTION P/L**  
 Sheet size: A-2 at 1:200

No	Amendment	Date	Date	Scale
1.	Proposed ground floor outline to all dwellings has been amended in response to garden zone amendments as requested by council	09/07/2022	17/06/2021	1:200
2.	Proposed area table has been amended in response to garden zone amendments as requested by council	09/07/2022		
			Dwg. No.	Sheet No.
			021-21 (TP)	TP-07
			Drawn	Amended
			M.E.	09/07/2022

**EQUITY COLLECTION**  
www.equitycollection.com.au

PLANNING FOR EQUITY

ANDREW BAIRD: 0411 135 447  
(MANAGING DIRECTOR-TOWN PLANNER)  
andrew@planningforequity.com.au

**BUILDING FOR EQUITY**

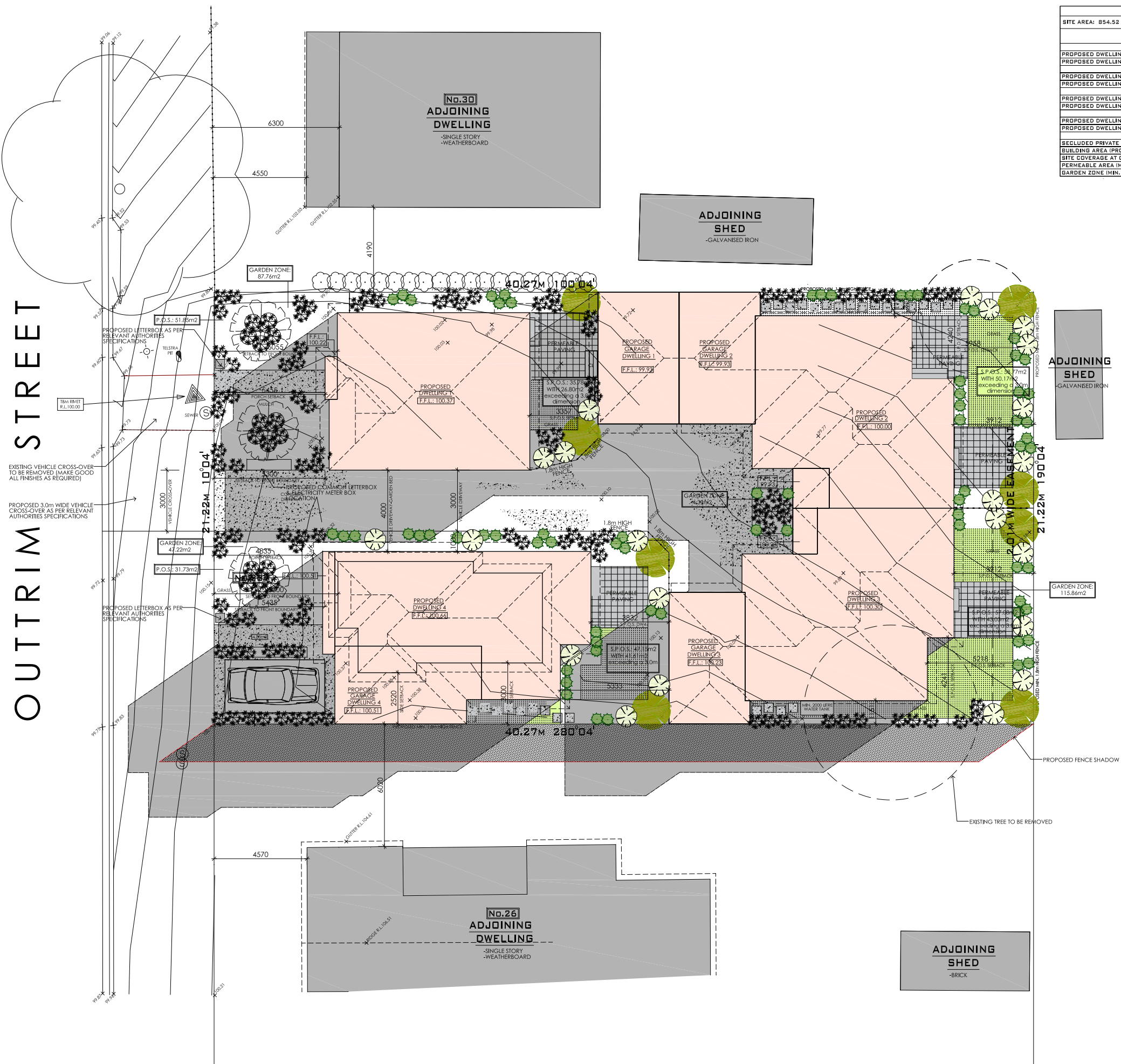
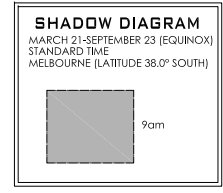
MARC EVANS: 0412 690 537  
(SENIOR DESIGN CONSULTANT)  
Reg: 24559

\*DEVELOPMENT FEASIBILITY \*TOWN PLANNING \*CONSTRUCTION BROKERS  
 This document is copyright © and is not to be retained, copied, altered in whole or in part or used without the written permission of Equity Collection P/L or Tarawill Building Design.

DO NOT SCALE THIS DRAWING  
FIGURED DIMENSIONS TO TAKE  
PRECEDENCE OVER SCALE.  
BUILDERS & CONTRACTORS TO VERIFY  
ALL DIMENSIONS ON SITE PRIOR TO  
COMMENCEMENT OF WORKS



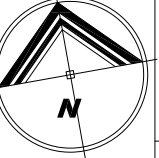
EXISTING DWELLING & ALL ASSOCIATED STRUCTURES &  
VEGETATION ON SITE TO BE REMOVED AS REQUIRED OR  
OR NOMINATED ON PLAN (MAKE GOOD ALL FINISHES AS  
REQUIRED)



AREA SUMMARY						
SITE AREA: 854.52 sqm	GROUND FLOOR					
	GROUND FLOOR	PORCH-VERANDAH	CARPOR-GARAGE	FIRST FLOOR	BALCONY	TOTAL
PROPOSED DWELLING 1 (m2)	74.61 m2	1.26 m2	25.75 m2	N/A	N/A	101.62 m2
PROPOSED DWELLING 1 (sq)	8.03 sq.	0.13 sq.	2.77 sq.	N/A	N/A	10.93 sq.
PROPOSED DWELLING 2 (m2)	79.28 m2	3.48 m2	24.47 m2	N/A	N/A	107.23 m2
PROPOSED DWELLING 2 (sq)	8.53 sq.	1.08 sq.	2.63 sq.	N/A	N/A	11.54 sq.
PROPOSED DWELLING 3 (m2)	85.37 m2	2.70 m2	24.47 m2	N/A	N/A	112.54 m2
PROPOSED DWELLING 3 (sq)	9.18 sq.	0.29 sq.	2.63 sq.	N/A	N/A	12.11 sq.
PROPOSED DWELLING 4 (m2)	68.60 m2	3.02 m2	26.72 m2	47.90 m2	N/A	146.24 m2
PROPOSED DWELLING 4 (sq)	7.38 sq.	0.32 sq.	2.87 sq.	5.15 sq.	N/A	15.74 sq.
EXCLUDED PRIVATE OPEN SPACE : DW1: 35.78 sq.m DW2: 58.77 sq.m DW3: 57.08 sq.m DW4: 41.15 sq.m						
BUILDING AREA (PROPOSED) AT GROUND FLOOR INC. VER: 419.73 sq.m 45.18 SQUARES						
SITE COVERAGE AT GROUND FLOOR LEVEL (MAX. 60%): 419.73 m2 49.11%						
PERMEABLE AREA (MIN. 20% OR 170.90m2): 291.85 m2 34.15%						
GARDEN ZONE (MIN. 35% OR 299.08 m2): 302.48 m2 35.39%						

**OUTTRIM STREET**

**SHADOW DIAGRAM: 9AM 1:100**



Project: **PROPOSED FOUR DWELLING DEVELOPMENT**  
At: **28 OUTTRIM STREET, MARYBOROUGH VIC, 3465**  
For: **EQUITY COLLECTION P/L**  
Sheet size: A-1 at 1:100

No	Amendment
1.	Floor plans have been amended to ensure compliance with the garden zone requirements
2.	Area has been amended as per floor plan amendments
3.	Shadow diagrams have been amended as per floor plan amendments

Date	Date	Scale
09/07/2022	17/06/2021	1:100
09/07/2022	09/07/2022	
09/07/2022	021-21 (TP)	TP-08
	Drawn	Amended
	M.E.	09/07/2022

**EQUITY COLLECTION**  
www.equitycollection.com.au

PLANNING FOR EQUITY  
ANDREW BARDO 0411 135 447  
MANAGING DIRECTOR-TOWN PLANNERS  
andrew@equitycollection.com.au

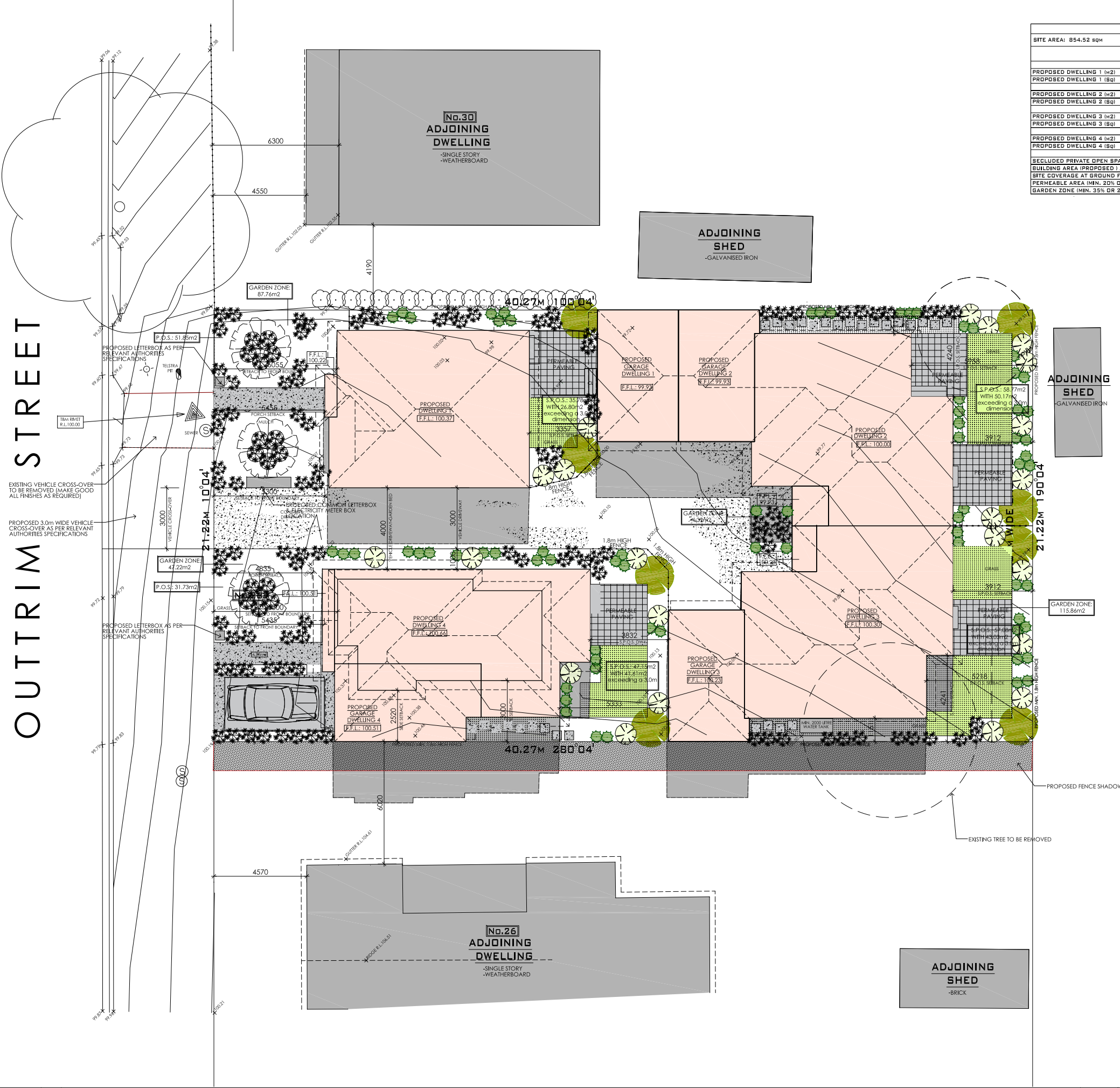
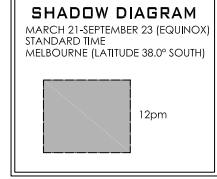
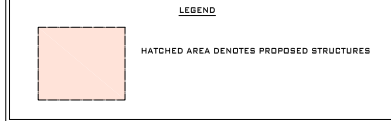
BUILDING FOR EQUITY  
MARC EVANS 0412 690 537  
SENIOR DESIGN CONSULTANT  
marc@equitycollection.com.au

This document is copyright © and is not to be reprinted, copied, altered or used in whole or in part without the written permission of Equity Collection P/L or Town & Building Design.

DO NOT SCALE THIS DRAWING  
FIGURED DIMENSIONS TO TAKE  
PRECEDENCE OVER SCALE.  
BUILDERS & CONTRACTORS TO VERIFY  
ALL DIMENSIONS ON SITE PRIOR TO  
COMMENCEMENT OF WORKS



EXISTING DWELLING & ALL ASSOCIATED STRUCTURES &  
VEGETATION ON SITE TO BE REMOVED AS REQUIRED OR  
OR NOMINATED ON PLAN (MAKE GOOD ALL FINISHES AS



SITE AREA: 854.52 sqm	AREA SUMMARY					TOTAL
	GROUND FLOOR	PORCH/ VERANDAH	CARPORT/ GARAGE	FIRST FLOOR	BALCONY	
PROPOSED DWELLING 1 (W2)	74.61 m <sup>2</sup>	1.26 m <sup>2</sup>	25.75 m <sup>2</sup>	N/A	N/A	101.62 m <sup>2</sup>
PROPOSED DWELLING 1 (Bq)	8.03 sq.	0.13 sq.	2.77 sq.	N/A	N/A	10.93 sq.
PROPOSED DWELLING 2 (W2)	79.28 m <sup>2</sup>	3.48 m <sup>2</sup>	24.47 m <sup>2</sup>	N/A	N/A	107.23 m <sup>2</sup>
PROPOSED DWELLING 2 (Bq)	8.53 sq.	1.08 sq.	2.63 sq.	N/A	N/A	11.54 sq.
PROPOSED DWELLING 3 (W2)	85.37 m <sup>2</sup>	2.70 m <sup>2</sup>	24.47 m <sup>2</sup>	N/A	N/A	112.54 m <sup>2</sup>
PROPOSED DWELLING 3 (Bq)	9.18 sq.	0.29 sq.	2.63 sq.	N/A	N/A	12.11 sq.
PROPOSED DWELLING 4 (W2)	68.60 m <sup>2</sup>	3.02 m <sup>2</sup>	26.72 m <sup>2</sup>	47.90 m <sup>2</sup>	N/A	146.24 m <sup>2</sup>
PROPOSED DWELLING 4 (Bq)	7.38 sq.	0.32 sq.	2.87 sq.	5.15 sq.	N/A	15.74 sq.

EXCLUDED PRIVATE OPEN SPACE : DW1: 35.78 sq.m DW2: 58.77 sq.m DW3: 57.08 sq.m DW4: 41.15 sq.m  
BUILDING AREA (PROPOSED) AT GROUND FLOOR INC. VER.: 419.73 sq.m 45.18 SQUARES  
SITE COVERAGE AT GROUND FLOOR LEVEL (MAX. 60%): 419.73 m<sup>2</sup> 49.11%  
PERMEABLE AREA (MIN. 20% OR 170.90m<sup>2</sup>): 291.85 m<sup>2</sup> 34.15%  
GARDEN ZONE (MIN. 35% OR 299.08 m<sup>2</sup>): 302.48 m<sup>2</sup> 35.39%

SHADOW DIAGRAM: 12PM 1:100

Project: PROPOSED FOUR DWELLING DEVELOPMENT

At: 28 OUTTRIM STREET,  
MARYBOROUGH VIC, 3465

For: EQUITY COLLECTION P/L

Sheet size: A-1 at 1:100

No	Amendment
1.	Floor plans have been amended to ensure compliance with the garden zone requirements
2.	Area has been amended as per floor plan amendments
3.	Shadow diagrams have been amended as per floor plan amendments

Date	Date	Scale
09/07/2022	17/06/2021	1:100
Dwg. No.	Sheet No.	
021-21 (TP)	TP-09	
Drawn	Amended	
M.E.	09/07/2022	

**EQUITY COLLECTION**  
www.equitycollection.com.au

PLANNING FOR EQUITY  
MANAGING DIRECTOR-TOWN PLANNERS  
andrew@equitycollection.com.au

BUILDING FOR EQUITY  
SENIOR DESIGN CONSULTANT  
marc.evans@equitycollection.com.au

This document is copyright © and is not to be reprinted, copied, altered in whole or in part or used without the written permission of Equity Collection Pty. or Town & Building Design.



DO NOT SCALE THIS DRAWING  
 FIGURED DIMENSIONS TO TAKE  
 PRECEDENCE OVER SCALE.  
 BUILDERS & CONTRACTORS TO VERIFY  
 ALL DIMENSIONS ON SITE PRIOR TO  
 COMMENCEMENT OF WORKS



EXISTING DWELLING & ALL ASSOCIATED STRUCTURES &  
 VEGETATION ON SITE TO BE REMOVED AS REQUIRED OR  
 OR NOMINATED ON PLAN (MAKE GOOD ALL FINISHES AS

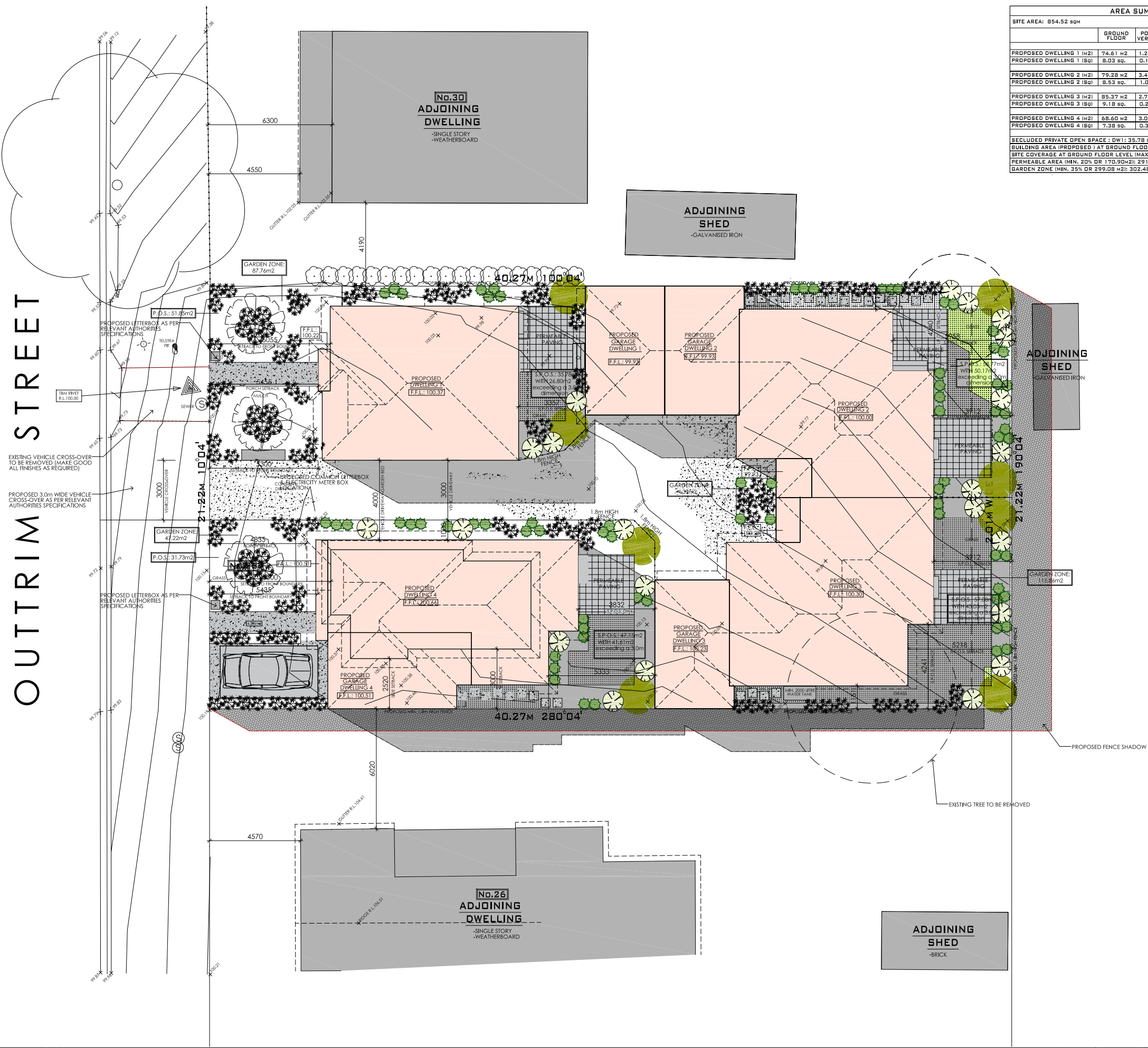
**LEGEND**

HATCHED AREA DENOTES PROPOSED STRUCTURES

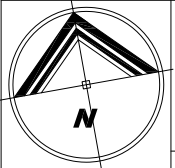
**SHADOW DIAGRAM**  
 MARCH 21-SEPTEMBER 23 (EQUINOX)  
 STANDARD TIME  
 MELBOURNE (LATITUDE 38.0° SOUTH)

3pm

AREA SUMMARY						
SITE AREA: 854.52 sqm	GROUND FLOOR	PORCH-VERANDAH	CARPORT-GARAGE	FIRST FLOOR	BALCONY	TOTAL
	PROPOSED DWELLING 1 (W2)	74.61 m2	1.26 m2	25.75 m2	N/A	N/A
PROPOSED DWELLING 1 (Bq)	8.03 sq.	0.13 sq.	2.77 sq.	N/A	N/A	10.93 sq.
PROPOSED DWELLING 2 (W2)	79.28 m2	3.48 m2	24.47 m2	N/A	N/A	107.23 m2
PROPOSED DWELLING 2 (Bq)	8.53 sq.	1.08 sq.	2.63 sq.	N/A	N/A	11.94 sq.
PROPOSED DWELLING 3 (W2)	85.37 m2	2.70 m2	24.47 m2	N/A	N/A	112.54 m2
PROPOSED DWELLING 3 (Bq)	9.18 sq.	0.29 sq.	2.63 sq.	N/A	N/A	12.11 sq.
PROPOSED DWELLING 4 (W2)	68.60 m2	3.02 m2	26.72 m2	47.90 m2	N/A	146.24 m2
PROPOSED DWELLING 4 (Bq)	7.38 sq.	0.32 sq.	2.87 sq.	5.15 sq.	N/A	15.74 sq.
EXCLUDED PRIVATE OPEN SPACE : DW1: 35.78 sq.m DW2: 58.77 sq.m DW3: 57.08 sq.m DW4: 41.15 sq.m						
BUILDING AREA (PROPOSED) AT GROUND FLOOR INC. VER.: 419.73 sq.m 45.18 SQUARES						
SITE COVERAGE AT GROUND FLOOR LEVEL (MAX. 60%): 419.73 m2 49.11%						
PERMEABLE AREA (MIN. 20% OR 170.90m2): 291.85 m2 34.15%						
GARDEN ZONE (MIN. 35% OR 299.08 m2): 302.48 m2 35.39%						



SHADOW DIAGRAM: 3PM 1:100



Project: PROPOSED FOUR DWELLING DEVELOPMENT  
 At: 28 OUTTRIM STREET, MARYBOROUGH VIC, 3465  
 For: EQUITY COLLECTION P/L  
 Sheet size: A-1 at 1:100

No	Amendment	Date
1.	Floor plans have been amended to ensure compliance with the garden zone requirements	09/07/2022
2.	Area has been amended as per floor plan amendments	09/07/2022
3.	Shadow diagrams have been amended as per floor plan amendments	09/07/2022

Date	Date	Scale
09/07/2022	17/06/2021	1:100
Dwg. No.	Sheet No.	
021-21 (TP)	TP-10	
Drawn	Amended	
M.E.	09/07/2022	

**EQUITY COLLECTION**  
 www.equitycollection.com.au

PLANNING FOR EQUITY  
 ANDREW BARDO: 0411 135 447  
 MANAGER DIRECTOR-TOWN PLANNERS  
 andrew@equitycollection.com.au

BUILDING FOR EQUITY  
 MARC EVANS: 0412 690 537  
 SENIOR DESIGN CONSULTANT  
 marc@equitycollection.com.au


This document is copyright © and is not to be reprinted, copied, altered in whole or in part or used without the written permission of Equity Collection Pty. or Town & Building Design.

DO NOT SCALE THIS DRAWING  
 FIGURED DIMENSIONS TO TAKE  
 PRECEDENCE OVER SCALE.  
 BUILDERS & CONTRACTORS TO VERIFY  
 ALL DIMENSIONS ON SITE PRIOR TO  
 COMMENCEMENT OF WORKS



EXISTING DWELLING & ALL ASSOCIATED STRUCTURES &  
 VEGETATION ON SITE TO BE REMOVED AS REQUIRED OR  
 OR NOMINATED ON PLAN (MAKE GOOD ALL FINISHES AS

**LEGEND**

	HATCHED AREA DENOTES PROPOSED GARDEN AREA GARDEN ZONE (MIN. 35% OR 299.08 m <sup>2</sup> 302.48 m <sup>2</sup> 35.39%)
--	---

**AREA SUMMARY**

SITE AREA: 854.52 sqm	AREA SUMMARY					TOTAL
	GROUND FLOOR	PORCH-VERANDAH	CARPORT-GARAGE	FIRST FLOOR	BALCONY	
PROPOSED DWELLING 1 (W2)	74.61 m <sup>2</sup>	1.26 m <sup>2</sup>	25.75 m <sup>2</sup>	N/A	N/A	101.62 m <sup>2</sup>
PROPOSED DWELLING 1 (S2)	8.03 sq.	0.13 sq.	2.77 sq.	N/A	N/A	10.93 sq.
PROPOSED DWELLING 2 (W2)	79.28 m <sup>2</sup>	3.48 m <sup>2</sup>	24.47 m <sup>2</sup>	N/A	N/A	107.23 m <sup>2</sup>
PROPOSED DWELLING 2 (S2)	8.53 sq.	1.08 sq.	2.63 sq.	N/A	N/A	11.94 sq.
PROPOSED DWELLING 3 (W2)	85.37 m <sup>2</sup>	2.70 m <sup>2</sup>	24.47 m <sup>2</sup>	N/A	N/A	112.54 m <sup>2</sup>
PROPOSED DWELLING 3 (S2)	9.18 sq.	0.29 sq.	2.63 sq.	N/A	N/A	12.11 sq.
PROPOSED DWELLING 4 (W2)	68.60 m <sup>2</sup>	3.02 m <sup>2</sup>	26.72 m <sup>2</sup>	47.90 m <sup>2</sup>	N/A	146.24 m <sup>2</sup>
PROPOSED DWELLING 4 (S2)	7.38 sq.	0.32 sq.	2.87 sq.	5.15 sq.	N/A	15.74 sq.
EXCLUDED PRIVATE OPEN SPACE : DW1: 35.78 sq.m DW2: 58.77 sq.m DW3: 57.08 sq.m DW4: 41.15 sq.m						
BUILDING AREA (PROPOSED) AT GROUND FLOOR INC. VER.: 419.73 sq.m 45.18 SQUARES						
SITE COVERAGE AT GROUND FLOOR LEVEL (MAX. 60%): 419.73 m <sup>2</sup> 49.11%						
PERMEABLE AREA (MIN. 20% OR 170.90m <sup>2</sup> ): 291.85 m <sup>2</sup> 34.15%						
GARDEN ZONE (MIN. 35% OR 299.08 m <sup>2</sup> ): 302.48 m <sup>2</sup> 35.39%						

OUTTRIM STREET



**PROPOSED GARDEN ZONE PLAN 1:100**

Project: PROPOSED FOUR DWELLING DEVELOPMENT  
 At: 28 OUTTRIM STREET, MARYBOROUGH VIC, 3465  
 For: EQUITY COLLECTION P/L  
 Sheet size: A-1 at 1:100

No	Amendment
1.	Floor plans have been amended to ensure compliance with the garden zone requirements
2.	Area has been amended as per floor plan amendments
3.	Garden zone plan has been amended as per floor plan amendments

Date	Date	Scale
09/07/2022	17/06/2021	1:100
09/07/2022	09/07/2022	
09/07/2022	021-21 (TP)	TP-11
	Drawn	Amended
	M.E.	09/07/2022

**EQUITY COLLECTION**  
 www.equitycollection.com.au

PLANNING FOR EQUITY  
 ANDREW BARDO: 0411 135 447  
 MANAGER DIRECTOR-TOWN PLANNERS  
 andrew@equitycollection.com.au

BUILDING FOR EQUITY  
 MARC EVANS: 0412 690 537  
 SENIOR DESIGN CONSULTANT  
 marc@equitycollection.com.au

This document is copyright © and is not to be reprinted, copied, altered in whole or in part or used without the written permission of Equity Collection Pty. or Town & Building Design.





## 8.4 PLANNING PERMIT 002/22 FOR TWO-LOT SUBDIVISION AT 1 CLARENDON STREET, MARYBOROUGH

**Author:** Acting Coordinator Statutory Planning

**Responsible Officer:** General Manager Infrastructure Assets and Planning

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

---

### **SUMMARY/PURPOSE**

The purpose of this report is to seek a Council determination for planning permit application 002/22 for a two-lot subdivision at 1 Clarendon Street, Maryborough.

Notice of the application has been given and one objection was received.

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

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

### **RECOMMENDATION**

*That Council, having caused notice of Planning Permit Application No. 002/22 to be given under section 52 of the Planning and Environment Act 1987 and the Central Goldfields Planning Scheme and having considered all the matters generally required, resolves to grant a planning permit and issue a Notice of Decision to Grant a Permit in respect of Planning Permit Application No. 002/22 for the land known and described as 1 Clarendon Street, Maryborough, for a two-lot subdivision, in accordance with the endorsed plans and subject to the following conditions:*

#### **Endorsed subdivision plans**

1. The layout of the subdivision permitted by this permit as shown on the endorsed plan(s) and/or described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the responsible authority.

#### **Removal of buildings and structures**

2. Prior to the issue of a Statement of Compliance, any existing buildings and structures on proposed Lot 1 must be removed.

#### **Asset protection**

3. At any time, the permit holder must ensure that the operation and condition of Council assets (including street trees, drainage pits and covers, footpaths and kerb and channel) are not damaged by the site construction works. If the responsible authority deems Council assets have been detrimentally affected or damaged by development

construction access, then the assets will be required to be repaired and reinstated by the permit holder to the satisfaction of the responsible authority.

#### **Sediment control**

4. The permit holder must restrict sediment discharges from any construction sites within the land in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995).

#### **Mandatory subdivision conditions**

5. The owner of the land must enter into an agreement with:
  - a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
  - b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network (NBN) will not be provided by optical fibre.
6. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:
  - a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
  - b) a suitably qualified person that fibre ready telecommunications facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
7. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
8. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
9. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with section 8 of that Act.

#### **Mandatory BMO condition**

10. Before the Statement of Compliance is issued under the *Subdivision Act 1988* the owner must enter into an agreement with the responsible authority under Section 173 of the *Planning and Environment Act 1987*. The agreement must:

- State that it has been prepared for the purpose of an exemption from a planning permit under clause 44.06-2 of the Central Goldfields Planning Scheme.
- Incorporate the plan prepared in accordance with clause 53.02-4.4 of this planning scheme and approved under this permit.
- State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.
- Explicitly exclude Lot 2 from the following exemption under clause 44.06-2 of this planning scheme: “A building or works consistent with an agreement under Section 173 of the *Planning and Environment Act 1987* prepared in accordance with a condition of permit issued under the requirements of clause 44.06-5”.

The landowner must pay the reasonable costs of the preparation, execution, and registration of the Section 173 Agreement.

### **Country Fire Authority**

11. The Bushfire Management Plan prepared by Coby Perry (Version 2), dated 12/07/2022) must be endorsed by the responsible authority, be included as an annexure to the Section 173 Agreement prepared to give effect to clause 44.06-5 of the Central Goldfields Planning Scheme and must not be altered unless agreed to in writing by Country Fire Authority and the responsible authority.

### **Council Engineering**

12. Prior to the issue of a Statement of Compliance the following must be undertaken by the applicant/owner to the requirements and satisfaction of the responsible authority:

#### Access

13. Vehicular access to Lot 1 must be provided from provided from either Clarendon Street or Archer Street.
14. The vehicular crossover/driveway must be from the property boundary to kerb (Clarendon Street) or property boundary to edge of road (Archer Street).
15. The permit holder/landowner must make further application for and have approved driveway crossing permit/s for crossover/driveway works. All works constructed or carried out must be in accordance with the approved plans/permit(s).
16. Once constructed, the crossovers must be thereafter maintained by the landowner to the satisfaction of the responsible authority.

#### Drainage

17. All stormwater must be accommodated and treated within the subject land.

18. The permit holder/landowner must design a drainage system to drain Lot 1 to the legal point of discharge.
19. A legal point of stormwater discharge must be provided for Lot 1 to the Clarendon Street kerb and channel to the satisfaction of the responsible authority.

#### Landscaping

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

#### **Permit expiry**

21. This permit will expire if one of the following circumstances applies:
  - a) The plan of subdivision is not certified under the *Subdivision Act 1988* within two years of the date of this permit; or
  - b) Registration of the plan of subdivision is not completed within five years of the certification of the plan of subdivision under the *Subdivision Act 1988*.

The responsible authority may extend the time if a request is made in writing before the permit expires, or within six months afterwards.

## **LEGISLATION AND POLICY CONTEXT**

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

The Community's vision 4. Transparent decision making;

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

## **BACKGROUND INFORMATION**

Planning permit application 002/22 was lodged on 14 January 2022 for a two-lot subdivision at 1 Clarendon Street, Maryborough.

Proposed Lot 1 comprises an area of 344m<sup>2</sup> and is a vacant lot. The lot has a slightly irregular but trapezoidal shape and includes a rectangular shape with maximum dimensions of 14.33m by 17.14m that is clear of any easements. It appears that some existing buildings and structures need to be demolished or removed to enable this lot to be developed for a dwelling. The position of the dwelling on Lot 2 is clear of the new internal boundary, although it is unclear whether an existing concrete shed straddles the boundary.

Proposed Lot 2 comprises an area of 468m<sup>2</sup> and will contain an existing dwelling and outbuildings that are to be retained. The lot also has a slightly irregular but trapezoidal shape but includes a rectangular shape with maximum dimensions of 25.57m by 15.31m that is clear of any easements. The lot has existing vehicle access to Clarendon Street on the western extent of its frontage.

Typical servicing arrangements are proposed in respect of sewerage, stormwater, water supply, electricity, and telecommunications.



No native vegetation removal is proposed.

## **REPORT**

### **Proposal**

The application proposes a two-lot subdivision at 1 Clarendon Street, Maryborough, as described above. Refer to Attachment 1: Proposed plans.

### **Site and Surrounds**

The land is described as Lot 1 on Title Plan 237344G and is trapezoidal in shape with an area of 812m<sup>2</sup>. The site is on the northern side of Clarendon Street and the eastern side of Archer Street and is slopes slightly upwards from south to north. The site contains an existing single-storey dwelling in the eastern part of the site with outbuildings to the rear. There is a vehicle crossover in the central portion of the frontage (southern boundary) to Clarendon Street, with a driveway leading to the rear. There is scattered vegetation throughout, with the eastern portion of the site being grassed.

The site is in the General Residential Zone, Schedule 1 (GRZ1) and affected by the Bushfire Management Overlay, Schedule 1 (BMO1), which relates to the Dunolly and Maryborough BAL-12.5 Areas. The site is within the Loddon River (Laanecoore) special water supply catchment area.

In all directions, the site is surrounded by residential lots of a similar development pattern, all within the GRZ1, except for the Bristol Hill Motor Inn to the southeast (which is in the GRZ1). Most sites contain an established single dwelling although there is evidence of infill subdivision. Further to the north and west is Bristol Hill Reserve, which is in the Public Park and Recreation Zone (PPRZ). The Maryborough town centre is approximately 1km to the northeast. Refer to Attachment 2: Site and surrounding area.

### **Planning Permit Trigger**

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

- Pursuant to clause 32.08-3, a permit is required to subdivide land in the GRZ1.
- Pursuant to clause 44.06-2, a permit is required to subdivide land in the BMO1.

### **Planning Scheme Provisions**

#### **Planning Policy Framework**

The following clauses of the Planning Policy Framework (PPF) are relevant to this application:

##### *13.02-1S Bushfire planning*

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

##### *13.07-1S Land use compatibility*

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

#### *14.02-1S Catchment planning and management*

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

#### *15.01-3S Subdivision design*

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

### **Zones**

#### **32.08 General Residential Zone**

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

### **Overlays**

#### **44.06 Bushfire Management Overlay**

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

### **Particular Provisions**

#### **53.02 Bushfire Planning**

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To ensure that the location, design, and construction of development appropriately responds to the bushfire hazard.

- To ensure development is only permitted where the risk to life, property, and community infrastructure from bushfire can be reduced to an acceptable level.
- To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.

### **53.01 Public Open Space Contribution and Subdivision**

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

### **56 Residential Subdivision**

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

### **General Provisions**

#### **65.01 Approval of an Application or Plan**

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- Any significant effects the environment, including the contamination of land, may have on the use or development.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision. Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the environment, human health and amenity of the area.
- The proximity of the land to any public land. Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction. Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

#### **65.02 Approval of an Application to Subdivide Land**

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

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

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

## **Operational Provisions**

### **71.01 Operation of the Municipal Planning Strategy**

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

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

### **Clause 71.02 Operation of the Planning Policy Framework**

The PPF seeks to ensure that the objectives of planning in Victoria, as set out in section 4 of the Act are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social, and economic factors in the interests of net community benefit and sustainable development.

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

Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of

net community benefit and sustainable development for the benefit of present and future generations.

### **Referrals**

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

<b>Organisation</b>	<b>Response</b>
Goulburn-Murray Water (GMW) cl. 66.02-5	Unconditional consent
Country Fire Authority (CFA) cl. 44.06-6 / 66.03	Conditional consent

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

<b>Department</b>	<b>Response</b>
Council Engineering	Conditional consent

### **ASSESSMENT OF APPLICATION**

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

#### **Subdivision in the General Residential Zone**

Before deciding on an application, the responsible authority must consider various decision guidelines, as appropriate. The following assessment is provided in this regard.

As below, the proposal is considered to accord with the Municipal Planning Strategy and the Planning Policy Framework. Additionally, the proposal is considered to accord with the purpose of the GRZ to encourage development that respects the neighbourhood character of the area as well as to encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.

The pattern of the proposed subdivision is considered to reflect the grain of surrounding development as well as what could be reasonably anticipated under the planning scheme, and the subdivision is suitable regarding the spacing of buildings.

The proposed subdivision achieves the purpose of clause 56 'Residential Subdivision', including creating liveable and sustainable neighbourhoods and urban places with character and identity, as well as achieving residential subdivision outcomes that appropriately respond

to the site and its context (both as an infill site within an established residential area as well as a regional town). Further, the subdivision design suitably provides for policy implementation, liveable and sustainable communities, residential lot design, urban landscape, access and mobility management, integrated water management, site management, and utilities.

The proposed subdivision is considered to meet the objectives and standards of clause 56, particularly clauses 56.03 'Liveable and Sustainable Communities', 56.04 'Lot Design', 56.06 'Access and Mobility Management' and 56.09 'Utilities', as follows:

- The proposed subdivision respects the existing and preferred neighbourhood character and responds to the surrounding urban environment.
- The proposed subdivision includes Lot 1 with an area of 344m<sup>2</sup> and vacant but containing a rectangular shape with maximum dimensions of 14.33m by 17.14m as well as Lot 2 with an area of 468m<sup>2</sup> and containing the existing dwelling:
  - Lot 1 is assessed as being consistent with standards where vacant lots between 300m<sup>2</sup> and 500m<sup>2</sup> should contain a building envelope and be able to contain a rectangle measuring 10m by 15m, as well as according with direction that vacant lots less than 400m<sup>2</sup> must contain at least 25% as garden area. An indicative building envelope has been provided for Lot 1 along with demonstration of the required garden area. The size of the rectangle is greater than required and the lot is assessed as being capable of reasonably containing a dwelling.
  - Lot 2 is consistent with standards where lots between 300m<sup>2</sup> and 500m<sup>2</sup> should contain a building envelope that is consistent with a development approved under the planning scheme (i.e. an existing dwelling).
  - Overall, the lots have areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.
- The lots are not constrained by topography and have appropriate solar orientation.
- The layout will contribute to community social interaction, personal safety, and property security. Further, the layout provides for direct, safe, and easy movement through and between neighbourhoods for pedestrians as well as for safe vehicle access between roads and lots.
- The proposal will provide public utilities to each lot in a timely, efficient, and cost-effective manner.

### **Bushfire**

The application is supported by a Bushfire Management Statement, including a bushfire hazard site assessment, bushfire hazard landscape assessment, and bushfire management plan (BMP). This includes information on defendable space, construction standards, water supply, and access.

The CFA has not objected to the subdivision but has recommended standard conditions be imposed, including the mandatory BMO condition for a Section 173 Agreement as well as the endorsement of the BMP and the annexure of this to the Section 173 Agreement. The Section 173 Agreement must state that if a dwelling is constructed on vacant Lot 1 without a planning

permit, that the bushfire protection measures set out in the BMP must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis. On this basis, the proposal is considered to achieve the purpose of the BMO.

In addition, the proposal is considered to achieve relevant bushfire protection objectives, including the subdivision objectives of clause 53.02-4.4, being to provide lots that are capable of being developed in accordance with the objectives of clause 53.02 as well as to specify (at the subdivision stage) bushfire protection measures to develop a lot with a single dwelling on land zoned for residential purposes.

### **Public Open Space Contribution**

Under section 18(8)(a) of the *Subdivision Act 1988*, a public open space contribution is not required in this instance as the proposal is for a two-lot subdivision that is unlikely to be able to be further subdivided.

### **General Provisions**

The land is assessed as being suitable for subdivision and reflects both the existing use and possible future development of the site and surrounds. An acceptable subdivision pattern is achieved, with both lots having suitable areas and dimensions, access and car parking arrangements, and provision for utilities and servicing,

### **Municipal Planning Strategy and Planning Policy Framework**

Based on the above, the proposed subdivision is considered to give effect to the MPS. Additionally, the proposal is assessed as being an orderly planning outcome that represents net community benefit and sustainable development for the benefit of present and future generations.

## **CONSULTATION/COMMUNICATION**

Notice of the application was given to seven adjoining and surrounding owners and occupiers of land via letters in the mail, with the application documents being placed on Council's website. The application has received one objection. The issues raised in the objection are summarised below:

- Privacy and overlooking impacts.
- Health impacts.
- Neighbours do not want the project to proceed.
- General amenity issues with activities that occur on the site.
- Property devaluation impacts.

### **Planning officer response to objections:**

- Although there may be privacy and overlooking impacts from a future additional dwelling on the new lot to be created, these are anticipated to be within reasonable and expected bounds. There is no guarantee of absolute protection from privacy and overlooking impacts in a residential area, and significantly adverse or unacceptable privacy and overlooking impacts are not expected. Any future dwelling on the vacant lot will need to comply with the 'Rescode' standards of the planning scheme, which protect reasonable amenity values



through controls on building height, site coverage, side and rear setbacks, walls on boundaries, daylight to existing windows, overshadowing open space, and overlooking.

- Health impacts are not a sufficient or appropriate reason to refuse the proposal. The site is zoned for general residential purposes and the proposal generally accords with relevant planning controls and policies. Any amenity impacts from the proposal that may be linked to health impacts are acceptable, while no medical evidence has been presented.
- No assessment can be made on the comment that other neighbours do not want the project to proceed, apart from noting that only one objection has been received.
- Council planning officers are unaware of what the alleged issues are in relation to the occupants of the subject site. In any case, this is not a sufficient or appropriate reason to refuse the proposal. If there are anti-social or other compliance issues with the current occupants of the site, these may be a police matter or enforcement issue for another arm of Council of a different authority, but not a valid reason for refusing a two-lot subdivision of the land.
- While loss of property value is a common concern for neighbours, there is established case law that this is not a material planning consideration.

## **FINANCIAL & RESOURCE IMPLICATIONS**

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

Should any party appeal any decision that Council makes, there would be a Victorian Civil and Administrative Tribunal (VCAT) hearing. Additional costs will be incurred if a VCAT hearing occurs.

## **RISK MANAGEMENT**

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

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

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

## **CONCLUSION**

Planning permit application 002/22 seeks approval for a two-lot subdivision at 1 Clarendon Street, Maryborough.

A Council determination is sought on the application as one objection has been received.

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

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

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

#### **ATTACHMENTS**

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

**LAND DESCRIPTION**  
 LOT 1 ON TP 237344G  
 VOL. 6591 FOL. 091

**CROWN DESCRIPTION**  
 TOWNSHIP of MARYBOROUGH  
 PARISH of MARYBOROUGH  
 SECTION 22A  
 CROWN ALLOTMENT 8 (PART)

**DATUM INFORMATION**  
 LEVEL DATUM:  
 LEVELS SHOWN ARE TO: AHD  
 AHD BASED UPON: MARYBOROUGH PM 324  
 SMES No. 307103240  
 HEIGHT 245.698m  
 QUOTED 06/12/2021

**CO-ORDINATE DATUM:**  
 THE CO-ORDINATE DATUM IN THIS DRAWING IS: LOCAL

THIS PLAN USES GROUND DISTANCES.

**LEGEND**

RIVET	
SPIKE	
TOP OF BANK	
TOE OF BANK	
NATURAL SURFACE	
TREE	
PIPE INVERT	
BITUMEN - SPOT	
BITUMEN - EDGE	
KERB - LIP	
KERB - INVERT	
KERB - BACK	
KERB - TOP	
TRACK	
CONC - EDGE	
SIGN	
FLOOR LEVEL	
HOUSE	
SHED	
VERANDAH	
STRUCTURE	
STEPS	
GUTTER-TOP	
ELECTRICITY - POLE	
ELECTRICITY - OVER HEAD	
TELSTRA - PIT	
GAS METER	
SEWER - PIT	
STOP VALVE	
FIRE PLUG	
WATER METER	
WATER - MARKER POST	
TAP	
STAY	
FENCE	
DENOTES DIRECTION AND POSITION OF PHOTO FOUR	

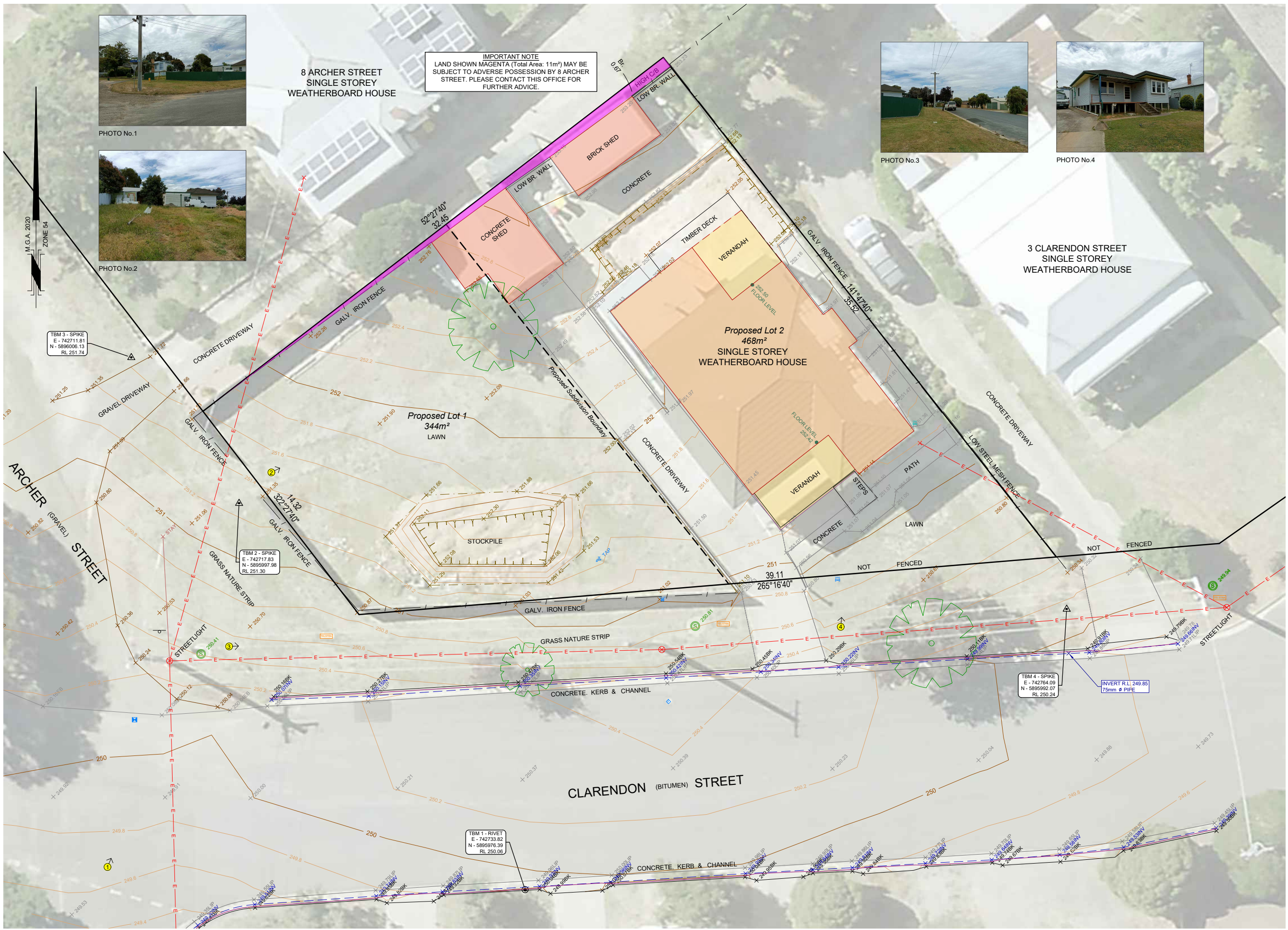
**EXPLANATORY NOTES**

1. DATA ON THIS PLAN MAY ONLY BE MANIPULATED WITH THE PERMISSION OF CARNO TGM.
2. ACCURACY OF DETAIL LOCATION ±0.05m.
3. ACCURACY OF REDUCED LEVELS ±0.02m
4. THIS HARD COPY PLAN IS A VERIFICATION PLOT OF COMPUTER FILE: 22850-01\_FS01-01.dwg DATE: 07/12/2021.
5. LOCATION OF ABUTTING BUILDINGS AND ENVIRONS IS INDICATIVE ONLY UNLESS OTHERWISE SHOWN.
6. TREE SPREAD SHOWN ON THIS PLAN IS INDICATIVE ONLY.
7. ONLY SIGNIFICANT TREES HAVE BEEN LOCATED AND SHOWN ON THIS PLAN.
8. ONLY VISIBLE SERVICES ARE SHOWN ON THIS PLAN.
9. CONTOURS SHOWN TO 0.2m INTERVALS.
10. DATE OF AERIAL IMAGE: 18/02/2021
11. LOCATION OF AERIAL IMAGE INDICATIVE ONLY.
12. DETAILS VISIBLE IN AERIAL IMAGE MAY/MAY NOT REPRESENT EXISTING SITE CONDITIONS.

Original Sheet Size A1

SCALE 1:100

LENGTHS ARE IN METRES



REV	DATE	AMENDMENTS	DRAWN
01	07/12/2021	ORIGINAL RELEASE	ML

Surveyors  
 Drawn  
 Checked  
 Job Ref. 22850-01\_FS01-01.dwg

ML  
 ML  
 MCW

SHEET 1 OF 1

I, Michael Craig Wilson of TGM Group 1315 Sturt Street, BALLARAT 3350, certify that this plan is accurate in all respects & represents the existing site conditions on the 06/12/2021.

Licensed Surveyor

**Cardno TGM**

ABN 11 125 568 461  
 1315 Sturt Street, Ballarat, VIC Australia (PO Box 563W, Ballarat West) 3350  
 Phone +61 3 5330 8888 Fax +61 3 5333 3815  
 Email: victoria@cardno.com.au Web: www.cardno.com

Client : Coby Perry  
 Municipality : Central Goldfields Shire

**PLAN OF FEATURE & LEVEL SURVEY**  
 1 CLARENDON STREET  
 MARYBOROUGH

**LAND DESCRIPTION**  
 LOT 1 ON TP 237344G  
 VOL. 6591 FOL. 091

**CROWN DESCRIPTION**  
 TOWNSHIP of MARYBOROUGH  
 PARISH of MARYBOROUGH  
 SECTION 22A  
 CROWN ALLOTMENT 8 (PART)

**DATUM INFORMATION**  
 LEVEL DATUM:  
 LEVELS SHOWN ARE TO: AHD  
 AHD BASED UPON: MARYBOROUGH PM 324  
 SMES No. 307103240  
 HEIGHT 245.698m  
 QUOTED 06/12/2021

**CO-ORDINATE DATUM:**  
 THE CO-ORDINATE DATUM IN THIS DRAWING IS: LOCAL

THIS PLAN USES GROUND DISTANCES.

**LEGEND**

RIVET	
SPIKE	
TOP OF BANK	
TOE OF BANK	
NATURAL SURFACE	
TREE	
PIPE INVERT	
BITUMEN - SPOT	
BITUMEN - EDGE	
KERB - LIP	
KERB - INVERT	
KERB - BACK	
KERB - TOP	
TRACK	
CONC - EDGE	
SIGN	
FLOOR LEVEL	
HOUSE	
SHED	
VERANDAH	
STRUCTURE	
STEPS	
GUTTER-TOP	
ELECTRICITY - POLE	
ELECTRICITY - OVER HEAD	
TELSTRA - PIT	
GAS METER	
SEWER - PIT	
STOP VALVE	
FIRE PLUG	
WATER METER	
WATER - MARKER POST	
TAP	
STAY	
FENCE	

4 DENOTES DIRECTION AND POSITION OF PHOTO FOUR

**EXPLANATORY NOTES**

1. DATA ON THIS PLAN MAY ONLY BE MANIPULATED WITH THE PERMISSION OF CARNO TGM.
2. ACCURACY OF DETAIL LOCATION ±0.05m.
3. ACCURACY OF REDUCED LEVELS ±0.02m
4. THIS HARD COPY PLAN IS A VERIFICATION PLOT OF COMPUTER FILE: 22850-01\_FS01-01.dwg DATE: 07/12/2021.
5. LOCATION OF ABUTTING BUILDINGS AND ENVIRONS IS INDICATIVE ONLY UNLESS OTHERWISE SHOWN.
6. TREE SPREAD SHOWN ON THIS PLAN IS INDICATIVE ONLY.
7. ONLY SIGNIFICANT TREES HAVE BEEN LOCATED AND SHOWN ON THIS PLAN.
8. ONLY VISIBLE SERVICES ARE SHOWN ON THIS PLAN.
9. CONTOURS SHOWN TO 0.2m INTERVALS.
10. DATE OF AERIAL IMAGE: 18/02/2021
11. LOCATION OF AERIAL IMAGE INDICATIVE ONLY.
12. DETAILS VISIBLE IN AERIAL IMAGE MAY/MAY NOT REPRESENT EXISTING SITE CONDITIONS.

Original Sheet Size A1

SCALE 1:100

LENGTHS ARE IN METRES



REV	DATE	AMENDMENTS	DRAWN
01	07/12/2021	ORIGINAL RELEASE	ML

Surveyors  
 Drawn  
 Checked  
 Job Ref. 22850-01\_FS01-01.dwg

ML  
 ML  
 MCW  
 Licensed Surveyor

SHEET 1 OF 1

I, Michael Craig Wilson of TGM Group 1315 Sturt Street, BALLARAT 3350, certify that this plan is accurate in all respects & represents the existing site conditions on the 06/12/2021.

**Cardno TGM**

ABN 11 125 568 461  
 1315 Sturt Street, Ballarat, VIC Australia (PO Box 563W, Ballarat West) 3350  
 Phone +61 3 5330 8888 Fax +61 3 5333 3815  
 Email: victoria@cardno.com.au Web: www.cardno.com

Client : Coby Perry Municipality : Central Goldfields Shire

**PLAN OF FEATURE & LEVEL SURVEY**  
 1 CLARENDON STREET  
 MARYBOROUGH



Prepared By: Coby Perry

Version: Version 2

Date: 12/07/2022

**Mandatory Condition**

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

**a) Defensible Space**

Defensible space is provided for a distance of 33 metres around the building or to the property boundary whichever is the lesser and managed in accordance with the following:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

**b) Construction Standard**

Building designed and constructed to a minimum Bushfire Attack Level of BAL – 12.5

**c) Water Supply**

The following requirements apply:

- An effective capacity of 2,500 litres.
- Be stored in an above ground water tank constructed of concrete or metal.
- Have all fixed above ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use.

**d) Access**

Access Required: No ✓

**No design or construction requirements as the fire brigade does not need access to water supply.**



## 8.5 COUNCIL PLAN ACTION PROGRESS REPORT

**Author:** Governance Officer

**Responsible Officer:** General Manager Corporate Performance

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

---

### SUMMARY/PURPOSE

The purpose of this report is to provide Council with an update on the status of the projects identified in the 2021-22 Action Plan.

### RECOMMENDATION

*That Council note as detailed in the report an update on the status of the projects identified in the 2021-22 Action Plan.*

### LEGISLATION AND POLICY CONTEXT

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

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

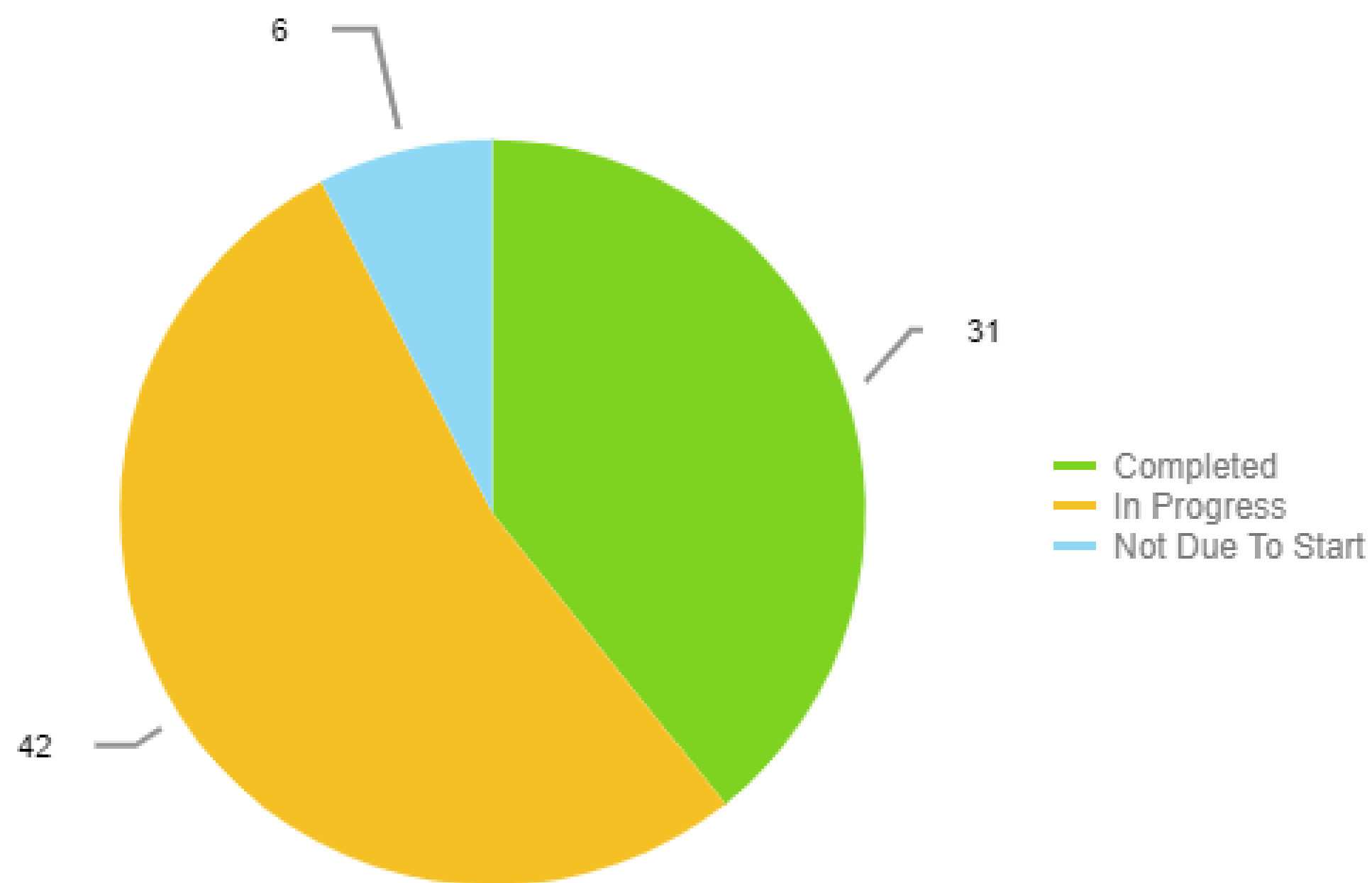
Under Section 90 of the *Local Government Act 2020* Council must prepare a Council Plan which includes; the strategic direction and objectives for achieving the strategic direction, strategies for achieving the objectives for at least the next four financial years, strategic indicators for monitoring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

### BACKGROUND INFORMATION

The 2021-22 Action Plan was developed to support the achievement of the strategic objectives identified in the Council Plan and to provide a reporting framework to measure progress against the Council Plan. The 2021-22 Action Plan was adopted by Council in June 2021.

### REPORT

There has been progress against the initiatives and projects outlined in the 2021-22 Action Plan. There are 79 actions identified in the plan, the chart below provides a summary of progress for the year to end of the fourth quarter. It is important to note some items are across a number of years so carry through each year's action report.



## **CONSULTATION/COMMUNICATION**

Council has developed the Action Plan through consultation with the community during the development of the current Council Plan, through Listening Posts held quarterly across the Shire, and the development of the 2021-22 Budget.

## **FINANCIAL & RESOURCE IMPLICATIONS**

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

## **RISK MANAGEMENT**

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

## **CONCLUSION**

The 2021-22 Action Plan outlines the projects and programs that were undertaken during the year to meet the objectives of the Council Plan. This report provides an update.

## **ATTACHMENTS**

1. 2021-22 Action Plan Progress Report Quarter 4










# **Quarterly Progress Report 2021/2022, Q4**

## Our Community



*A supported, cohesive community, living a full and healthy life.*

**Build an aspiring community, achieving and living a full life where:** • Family Violence is unacceptable in our community • Children are loved and safe • Everyone has the language and literacy skills needed • Young people are celebrated as they strive to reach their full potential • Everyone can learn, earn, achieve and dream



Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
1.1.2	Advancement of projects in areas of • Early Years Literacy • Engagement of Young People • Addressing Family Violence • Work Readiness		Complete implementation of future of Library Services Reports, including investigations for expansion of outreach services to small towns.	General Manager Community Wellbeing	Completed	100%		30/06/2022	
1.1.2	Advancement of projects in areas of • Early Years Literacy • Engagement of Young People • Addressing Family Violence • Work Readiness		Develop a Youth Strategy for the Shire		Not Due To Start	0%	Preliminary discussion with Youth Officers re processes and scope	30/06/2022	
1.1.2	Advancement of projects in areas of • Early Years Literacy • Engagement of Young People • Addressing Family Violence • Work Readiness		Lead a shire wide collaborative project with Central Goldfields to support children and their families to make the transition from kinder to school.	Manager Go Goldfields	In Progress	60%	Two Great Start to School workshops have been held for people working in early childhood/foundation education inclusive of support services, allied health practitioners. Two terms of service coaching for early years services has been undertaken to enhance capability and consistency of early years approach to kinder to school transition. A Great Start to School Governance committee consisting of School Principals, DET representatives, Early Years Centre Directors, Council and MDHS has been formed to oversee the development of a whole of Shire Plan. The Governance group met in February and May 2022.	30/06/2022	
1.1.2	Advancement of projects in areas of • Early Years Literacy • Engagement of Young People • Addressing Family Violence • Work Readiness		To establish a shared understanding across the organisation of family violence that aligns with the Multi-Agency Risk Assessment and Management Framework	Manager Community Services	In Progress	75%	A working group has been established to ensure the Child safe standards are met within the Organisation. The MARAM framework will play an integral role in this implementation and will be incorporated into the agenda of the working group. Work has commenced and action has been carried forward to 2022/2023 priority actions.	30/06/2022	
1.1.3	Develop a 10 year Community Plan		Complete the Maryborough Flood Study	Manager Infrastructure	In Progress	90%	Draft Flood study currently provided for the final round of community engagement, prior to being considered at future council meeting for adopting	30/06/2022	





Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
							(Community consultation session to be held on 10 Aug 2022).		
1.1.3	Develop a 10 year Community Plan		Construct shade sail structures as identified in the community plans in Bealiba, Bet Bet, Dunolly, Majorca, Talbot and Timor.	Manager Infrastructure	Completed	100%	Shade sails didn't proceed at Majorca and Timor due to land ownership. Works were reallocated to Carisbrook (Market Reserve playground).	30/06/2022	
1.1.3	Develop a 10 year Community Plan		Develop a Community Vision which describes the municipal community's aspirations for the future of the municipality.	Manager Community Engagement	Completed	100%		31/10/2021	

### Support and encourage volunteerism in the community



Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
1.2.1	Provide a safe, fun, encouraging and welcoming environment for volunteers and promote the benefits of a volunteer organisation		Implement Year 1 actions identified in the Central Goldfields Volunteer Strategy and Action Plan	Manager Tourism Events and Culture	In Progress	95%	The Volunteer Policy is the final item to be delivered, currently in draft form.	30/06/2022	
1.2.2	Develop a Community Support Policy (including Grants Program) to assist the work of community groups		Support community through Council's annual Community grant program.		Completed	100%	Completed	30/06/2022	

### Ensure that all of our community, regardless of diversity, can live a full and healthy life







Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
1.3.1	Implement Central Goldfields Public Health and Wellbeing Plan		Deliver the Children and Young People First project (2y funding) to improve health and wellbeing outcomes for children and young people.		In Progress	45%	Following the completion of consultations with over 300 young people and children the information collected has been used to develop a systems map of factors influencing their health and wellbeing. Work has now commenced on an action map to plan ways to improve outcomes.	30/06/2022	
1.3.1	Implement Central Goldfields Public Health and Wellbeing Plan		Deliver the Empowered Parents, Empowered Communities program including training and recruitment of practitioners and bringing practitioners and parents together as partners for shared learning and capacity building.	Manager Go Goldfields	Completed	100%	Go Goldfields has partnered with MCRI to train four facilitators in EPEC to deliver the 'Being a Parent' course. Two courses have been offered for parents commencing in term 3 2022.	30/06/2022	

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
1.3.1	Implement Central Goldfields Public Health and Wellbeing Plan		Develop a community action plan to implement youth live 4 life suicide prevention program		Completed	100%	Completed.	30/06/2022	
1.3.1	Implement Central Goldfields Public Health and Wellbeing Plan		Develop a plan with key stakeholders to improve the outcomes for Central Goldfields children and families across the 5 Every Child, Every Chance priority areas.	Manager Go Goldfields	In Progress	95%	Program Logic Mapping for all five areas of the Every Child, Every Chance initiative has been completed. Final endorsement of the mapping is expected in 17 August at the Go Goldfields Leadership Table meeting.	30/06/2022	
1.3.1	Implement Central Goldfields Public Health and Wellbeing Plan		Develop and begin implementation of Council's Municipal Health & Wellbeing Plan 2021-2025		In Progress	75%	Implementation Plan under internal discussion. To be progressed with stakeholders in Spring 2022.	30/06/2022	
1.3.1	Implement Central Goldfields Public Health and Wellbeing Plan		Maternal and Child Health and Immunisation services to develop an extended outreach program.	Manager Community Services	In Progress	85%	Immunisation services have commenced and will continue to deliver outreach programs to the community to meet demand. Maternal and Child health have purchased a multipurpose vehicle to deliver outreach services and plan to launch the vehicle and program in Q2, 2022. Action has been carried over to 2022/2023.	30/06/2022	

**Provide leadership in municipal emergency and fire prevention planning and strengthen public safety**





Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
1.4.1	Coordinate Municipal Emergency Management Plans and Committee		Develop a calendar of communications (aligned with seasonal emergencies) with supporting materials for both Loddon and Central Goldfields		Completed	100%	Project was outsourced and completed. Calendar has been developed.	30/06/2022	
1.4.2	Implement recommendations from flood management plans including flood mitigation works		Implement the Carisbrook Flood and Drainage Management Plan, specifically the completion of the western levy and additional creek clearing	Manager Infrastructure	In Progress	60%	Stage 4 Western Levee construction to commence in August.	30/06/2022	

Promote and enhance passive and active recreation


Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
1.6.1	Develop a Central Goldfields Shire Recreation Plan		Implement recommendations and actions from the Active Central Goldfields: Recreation and Open Space Strategy 2020-2029 1. Develop the Maryborough Master Plans 2. Conduct a feasibility study for water play. 3. Installation of outdoor gym equipment		In Progress	85%	Public Exhibition period completed for the Maryborough Major Reserves Master Plans and feedback being assessed by the Consultants to progress development of the final drafts. Play Spaces Strategy funding application was successful and will commence in 2022/2023. The feasibility study for a water play space will be included in this initiative. The Outdoor Gym Equipment in Princes Park has been installed. The Walking and Cycling Advisory Group has been meeting monthly and is finalizing its action plan to progress recommendations within the Strategy. Implementing the Go and Play program is continuing in partnership with Sports Focus and Healthy Hearts Victoria.	30/06/2022	
1.6.2	Continue to implement priorities from Major Recreation Reserves Master Plans		Construct the Maryborough Skate and Scooter Park		In Progress	50%	Response to Heritage Victoria conditions complete. Site establishment by contractors to take place in August. On track for construction in August/September with completion in October 2022	30/06/2022	
1.6.2	Continue to implement priorities from Major Recreation Reserves Master Plans		Construct the new Carisbrook Recreation Reserve pavilion.		In Progress	80%	Construction is progressing but more slowly than expected due to the impacts of Covid on workforce availability and the impacts on the supply chain for materials.	30/06/2022	
1.6.2	Continue to implement priorities from Major Recreation Reserves Master Plans		Develop a landscape plan for Phillips Gardens, Maryborough	Manager Operations	In Progress	80%	Works are underway to complete irrigation upgrade and forecast to be complete over the coming months	30/06/2022	
1.6.2	Continue to implement priorities from Major Recreation Reserves Master Plans		Finalise concept designs for the Deledio Reserve upgrade in Dunolly and seek funding to support the upgrade.		Completed	100%	Concept plans with indicative costings have been completed. Funding advocacy - identified as a Council Priority Project. Dunolly Recreation Reserve Committee of Management is raising funds.	30/06/2022	
1.6.2	Continue to implement priorities from Major Recreation Reserves Master Plans		Installation of a publicly accessible dump point in Dunolly	Manager Tourism Events and Culture	Completed	100%		30/06/2022	




Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
1.6.2	Continue to implement priorities from Major Recreation Reserves Master Plans		Investigate installation of Deledio Reserve Signage.	Manager Tourism Events and Culture	In Progress	20%	Deledio Reserve Committee undertaking further fact finding with DEWLP.	30/06/2022	

**Support positive development for residents of all ages and abilities.**

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
1.7.1	Develop a Municipal Early Years Plan		Go Goldfields/Maternal Child Health to support in the delivery of childbirth education to pregnant women and their partners in CGSC.	Manager Community Services	Completed	100%	Maternal and child health will continue to monitor and maintain an advocacy role within the childbirth education space and work with key stakeholders to ensure community needs are being met.	30/06/2022	
1.7.1	Develop a Municipal Early Years Plan		Include recommendations from the Regional Early Years and Literature Strategy into the Municipal Early Years Plan.	Manager Community Services	Not Due To Start	0%	The municipal early years plan will commence Q4 (2023) after the development of the Go Goldfields Early Years Statement and the Early Years masterplan project has been completed.	30/06/2022	
1.7.1	Develop a Municipal Early Years Plan		Seek funding to develop a business plan for a new early years integrated centre.	Manager Community Services	Completed	100%	Funding has been received from the state government Building Blocks initiative to complete an Early years masterplan. The project is being undertaken by Public Realm Lab and Semann and Slattery. The project kicked off in July 2022 and will be completed by March 31 2023.	30/06/2022	
1.7.3	Implement priorities from the Positive Ageing Strategy		Finalise and begin implementation of the Positive Ageing Strategy for the community and council to adequately prepare and respond to the needs and ambitions of our older residents.	Manager Community Services	Completed	100%	Review of action items completed. Priorities have been included in the annual action plan for 2022/23, with further planning to continue in the next 12 months.	30/06/2022	

**Maximise all forms of connectivity for the community**






Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
1.8.1	Advocate for enhanced passenger rail services		Advocate for increased passenger rail services working with our Regional partners	Chief Executive Officer	Completed	100%	Advocacy for weekend passenger services has been successful with 2 new services on Saturdays and Sundays announced by the State Government. It is expected these services will commence in the last quarter of 2022	30/06/2022	

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
1.8.3	Deliver local Community Transport Plan		Implementing Integrated transport strategy through a review of the community bus routes and supporting infrastructure projects.	Manager Community Services	Not Due To Start	0%	Funding opportunities to be sourced for project to commence.	30/06/2022	
1.8.4	Implement priorities from the Walking and Cycling Strategy		Build footpaths identified in Walking and Cycling Strategy in Maryborough, Carisbrook, Dunolly, Bealiba.	Manager Infrastructure	Completed	100%		30/06/2022	
1.8.4	Implement priorities from the Walking and Cycling Strategy		Explore the potential to develop a rail trail from Maryborough to Castlemaine via Newstead, with a link to Maldon.	Manager Tourism Events and Culture	In Progress	50%	Funding application successful with procurement of consultant underway. Completion of feasibility study due March 2023	30/06/2022	


## Our Economy

### *A vibrant local economy which contributes to the municipality's economic prosperity*

#### Facilitate an environment which is conducive to industry/business growth and employment growth and retention

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
2.1.1	Develop an Economic Development and Tourism Strategy		Development of a strategic plan for the Central Goldfields Art Gallery	Manager Tourism Events and Culture	In Progress	95%	Draft is complete and being designed ahead of presentation to EMT	30/06/2022	
2.1.1	Develop an Economic Development and Tourism Strategy		Installation of digital infrastructure and an interpretive experience at the Visitor Information Centre	Manager Tourism Events and Culture	In Progress	40%	Interpretive experience to focus on the story of gold and the Maryborough Railway Station with infrastructure able to support further story telling into the future.	30/06/2022	
2.1.1	Develop an Economic Development and Tourism Strategy		Progress the Maryborough Railway Station Activation Project towards completion	Manager Strategy and Economic Development	Completed	100%	Design process for the Station Activation Project complete and ready to commence procurement for building stage, pending approvals from Heritage Victoria and VicTrack. Project on track for completion in 2022-23.	30/06/2022	
2.1.1	Develop an Economic Development and Tourism Strategy		Seek funding for development of a stand alone website for the Central Goldfields Art Gallery	Manager Tourism Events and Culture	Completed	100%	Funding received and website now live	30/06/2022	
2.1.3	Participate in the development and implementation of Regional Economic Development Strategies		Develop a business plan for the Maryborough Aerodrome	Manager Strategy and Economic Development	In Progress	75%	Implementation of Taskforce recommendations undertaken in Q4 with initial works to achieve baseline standards, consultant review of operations and application to federal fund for regional airports. Taskforce attention now turning to the long-term business case, with this work to continue into 2022-23 under proposed time extension to the Terms of Reference.	30/06/2022	




#### Promote Central Goldfields as a place of choice to live, work and play

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
2.3.4	Advocate for a wastewater scheme for Talbot township		Commence and develop the Talbot Futures Project that will provide a business case for sewerage provision in Talbot and a township structure plan to manage future growth, in consultation with the Talbot community. (Year 1 of 2).	Manager Strategy and Economic Development	In Progress	50%	Revised procurement process is underway, splitting the project so that the sewerage engineering component will be managed by Central Highlands Water, while CGSC manages the structure planning and community engagement components. Expected to complete procurement and commence project in Q1 2022-23.	30/06/2022	



Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
2.3.4	Advocate for a wastewater scheme for Talbot township		Development of a Domestic Wastewater Management Plan to address existing and future domestic wastewater issues within unsewered townships.	Manager Statutory Services	In Progress	40%	Development of the plan is underway, and draft will be subject to community engagement in the coming months	30/06/2022	

**Provide a supportive environment for existing business to prosper**

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
2.4.2	Support Committee for Maryborough and other business groups in the Central Goldfields Shire		Continued support for pandemic economic and community recovery	Manager Strategy and Economic Development	Completed	100%	Covid Safe Outdoor Activation Fund project completed, with strong links to Maryborough Retail Recovery Program. Business Support through funded Covid support program (Prue Bagley role) also successfully implemented. Ongoing liaison with key employers and Committee for Maryborough on workforce training, attraction and retention.	30/06/2022	
2.4.2	Support Committee for Maryborough and other business groups in the Central Goldfields Shire		Develop and implement the Maryborough Retail Recovery Program	Manager Strategy and Economic Development	Completed	100%	Maryborough Retail Recovery Program completed and report adopted by Council. Implementation continuing into 2022-23 through the Makers & Collectors Market Trail and retailer skills upgrade program.	30/06/2022	
2.4.2	Support Committee for Maryborough and other business groups in the Central Goldfields Shire		Review options to support activation across the Shire during special events including Christmas and Energy Breakthrough.	Manager Tourism Events and Culture	In Progress	60%	Signage plan complete and ready for production once the Signage Tender Panel awarded.	30/06/2022	

**Capitalise on tourism and the visitor economy through growth of events and promotion of unique local experiences**







Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
2.7.1	Advance the Goldfields Heritage Development and Opportunity Project towards World Heritage Listing		Continue to advocate for Maryborough as the Goldfields and World Heritage Centre.	Chief Executive Officer	Completed	100%	Investment Fast-Track Fund application for \$500,000 to progress the World Heritage Bid will be resubmitted in August 2022.	30/06/2022	
2.7.1	Advance the Goldfields Heritage Development and Opportunity Project towards World Heritage Listing		Development and implementation of a Central Goldfields Shire Heritage Interpretation Strategy that is	Manager Strategy and Economic Development	In Progress	90%	Heritage interpretive elements of the Maryborough Railway Station almost complete. Ongoing support for and participation in the bid	30/06/2022	

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
			integrated with the Maryborough Railway Station Activation Project				for the World Heritage recognition of the Victorian Goldfields.		
2.7.2	Review and update the business and marketing plan for Energy Breakthrough		Develop and implement an Energy Breakthrough infrastructure improvement and marketing plan in consultation with local businesses and the community	Manager Tourism Events and Culture	In Progress	75%		30/06/2022	
2.7.2	Review and update the business and marketing plan for Energy Breakthrough		Upgrade Princes Park Precinct to improve the Energy Breakthrough visitor experience	Manager Tourism Events and Culture	In Progress	75%	Communications infrastructure well underway, local contractor awarded contract to rebuild the required pedestrian bridge. All works set for completion prior to the 2022 event.	30/06/2022	

## Our Built & Natural Environment

### Central Goldfields Shire celebrates the rich built and natural heritage and a sustainable environment






Ensure investment in roads, footpaths and buildings meet community needs now and in the future

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
3.1.1	Undertake service planning to establish asset requirements to deliver services		Design and cost new public toilets for the Rene Fox Gardens Dunolly	Manager Infrastructure	In Progress	80%	Project is progressing with design nearing completion for the purposes of undertaking a tender process to deliver the works	30/06/2022	
3.1.2	Review and update Asset Management Plans and prepare a 10 year capital works program		Complete shire wide buildings condition assessment audit.	Manager Infrastructure	Completed	100%		30/06/2022	
3.1.2	Review and update Asset Management Plans and prepare a 10 year capital works program		Develop an Asset Management Plan and Road Management Plan.	Manager Infrastructure	In Progress	80%	Asset Management Plan adopted by Council. Road Management Plan development underway and will be updated with condition reporting data currently being collated.	30/06/2022	
3.1.2	Review and update Asset Management Plans and prepare a 10 year capital works program		Update the Nolan Street Customer Service Centre and Offices to provide accessible and COVID safe facilities	General Manager Corporate Performance	In Progress	5%	This project has been on hold noting there has been budget allocated in the 2022/23 Capital Budget.	30/06/2022	
3.1.2	Review and update Asset Management Plans and prepare a 10 year capital works program		Upgrade the electrical system in the Maryborough Town Hall	Manager Infrastructure	In Progress	30%	Scope of works developed for design tender process.	30/06/2022	
3.1.3	Develop a plan to divest from assets that are surplus to community needs		Develop a plan to divest from assets that are surplus to community needs	General Manager Corporate Performance	In Progress	10%	This remains an area of opportunity but has not progressed during 2021/22 due to staff changes and vacancies.	30/06/2022	


### Improve the appearance of township entrances and streetscapes

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
3.2.2	Collaborate with township tree committees on tree plantings and maintenance		Complete shire wide tree audit	Manager Operations	In Progress	60%	Tree safety audits are progressing across the shire	30/06/2022	







### Protect and enhance the environment while planning for growth

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
3.3.1	Review and update the Central Goldfields Planning Scheme and Municipal Strategic Statement		Complete a Planning Scheme Amendment to implement key strategic directions developed in the Planning Scheme Review, the Population Housing and Residential Settlement Strategy and the Economic Development Strategy	Manager Strategy and Economic Development	In Progress	30%	Delays in review and authorisation process by DELWP. Progress has been made, with exhibition now anticipated to occur in Q1 2022-23.	30/06/2022	
3.3.1	Review and update the Central Goldfields Planning Scheme and Municipal Strategic Statement		Complete an industrial land study	Manager Strategy and Economic Development	Completed	100%		30/06/2022	
3.3.1	Review and update the Central Goldfields Planning Scheme and Municipal Strategic Statement		Extend the better approvals program to include dwelling proposals	Manager Statutory Services	Completed	100%		30/06/2022	
3.3.1	Review and update the Central Goldfields Planning Scheme and Municipal Strategic Statement		Undertake a Planning Scheme Amendment to correct errors and anomalies in the Central Goldfields Planning Scheme	Manager Strategy and Economic Development	Not Due To Start	0%	Deferred pending completion of the 'omnibus' amendment. Not anticipated to commence until Q3 or Q4 2022-23. Other projects not in 2021-22 Action Plan have taken priority, e.g. successful funding from Victorian Planning Authority for the Maryborough North, Flagstaff and Carisbrook Framework Plan.	30/06/2022	
3.3.4	Implement the actions from Council's Sustainability Plan		Undertake the development of a climate action plan	Manager Strategy and Economic Development	Completed	100%	Climate Action Plan completed and adopted by Council.	30/06/2022	

### Ensure waste management meets current and future demand and standards

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
3.4.1	Review and update Council's Waste Management Plan		Update transfer stations to include separate glass recycling facilities, investigate locations for glass collection facilities throughout Shire.	Manager Infrastructure	Not Due To Start	0%		30/06/2022	



### Protect and preserve our heritage assets

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
3.5.1	Implement recommendations from Cultural Heritage Plans for heritage listed buildings		Finalise the Conservation Management Plan for Princes Park grandstand	Manager Statutory Services	Completed	100%		30/06/2022	
3.5.2	Seek funding assistance to maintain and preserve heritage assets		Advocate for funding for heritage studies and State and Federal support for heritage buildings	Manager Strategy and Economic Development	Completed	100%	Regional Planning Hub is completing procurement for the Review of Heritage Planning Controls in Maryborough - project to progress in 2022-23. Other advocacy is ongoing.	30/06/2022	
3.5.2	Seek funding assistance to maintain and preserve heritage assets		Complete the Maryborough Outdoor Pool Complex Renewal Project		In Progress	15%	Consultants have undertaken a detailed investigation into the current condition of the 50metre pool, including the shell structure and filtration pipework. Remedial options are being prepared.	30/06/2022	
3.5.2	Seek funding assistance to maintain and preserve heritage assets		Design and install new toilets at the Talbot Town Hall.	Manager Infrastructure	In Progress	40%	Building permit currently being obtained prior to site works commencing.	30/06/2022	
3.5.2	Seek funding assistance to maintain and preserve heritage assets		Implement Stage 1, 2 & 3 of the Central Goldfields Art Gallery redevelopment	Manager Tourism Events and Culture	In Progress	75%	Practical completion of Gallery due mid December.	30/06/2022	
3.5.2	Seek funding assistance to maintain and preserve heritage assets		Scope Repairs to Worsley Cottage - internal and external wall repairs	Manager Statutory Services	In Progress	10%	Procurement process is underway to facilitate delivery of these works	30/06/2022	





## Our Organisation

*Central Goldfields Shire is a proactive, well governed, professional and financially sustainable organisation*

Ensure the financial sustainability of Council through efficient and effective delivery of services








Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
4.1.1	Undertake service planning across the organisation to set sustainable service levels that meet community needs		Develop and adopt 10 year financial plan based on information from the service plans, in consultation with community	Manager Finance	Completed	100%		31/10/2021	
4.1.4	Develop a fees and charges policy		Review the Revenue and Rating Plan 2021-25 with regard differential rates and municipal charges	Manager Finance	Completed	100%		31/03/2022	

Provide effective and accessible community information and opportunities community contributions to policy and program development

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
4.2.1	Implement the Community Engagement Framework		Investigate and Implement Customer Relationship Management (CRM) tools to assist in the management and monitoring of customer interactions and complaint handling	General Manager Corporate Performance	In Progress	10%	Funding has been secured through the Rural Council Transformation Program in a joint submission with Pyrenees Shire for this to be progressed in 2022/23.	30/06/2022	
4.2.1	Implement the Community Engagement Framework		Roll out and embed Customer Service Charter across Council	General Manager Corporate Performance	In Progress	60%	Consultation has been completed and draft document developed. finalisation delayed due to staff changes and long service leave.	30/06/2022	
4.2.1	Implement the Community Engagement Framework		Undertake community engagement as part of the implementation of the community townships plans	Manager Community Engagement	Completed	100%		30/06/2022	
4.2.2	Develop a website that is accessible, easy to use and allows all transactions to be conducted online		Improve digital services to community, including expanding online payments and expanding Office 365 implementation	General Manager Corporate Performance	In Progress	80%	There has been increased resource in the 2022/23 budget and work has progressed on an intranet for internal resources.	30/06/2022	

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
4.2.2	Develop a website that is accessible, easy to use and allows all transactions to be conducted online		Redesign Council's public website including enhancing the content and accessibility of the platform	General Manager Corporate Performance	In Progress	10%	Funds have been included in the 2022/23 budget for website upgrades.	30/06/2022	

#### Provide leadership in governance and Council decision making

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
4.3.1	Develop and implement a cultural change program to develop a high performing, customer focused organisation		Complete a workforce plan	Manager People and Culture	Completed	100%	The Workforce Plan was completed and approved by the Chief Executive Officer by 31 December 2021 in accordance with the requirements of the Local Government Act 2020.	30/06/2022	
4.3.1	Develop and implement a cultural change program to develop a high performing, customer focused organisation		Continue to implement the key recommendations from the 2020 Staff Survey	Manager People and Culture	In Progress	50%	TMS consultants conducted further sessions with the Leadership Group in May 2022. These sessions focused on the topics of Culture is the shadow of the leader, First, Climate, How does behaviour lead to culture. The development of an organisational culture is dynamic and ongoing.	30/06/2022	
4.3.1	Develop and implement a cultural change program to develop a high performing, customer focused organisation		Develop a Gender Equality Strategy	Manager People and Culture	Completed	100%	The Gender Equality Strategy was completed and adopted by Council in March 2022	30/06/2022	
4.3.1	Develop and implement a cultural change program to develop a high performing, customer focused organisation		Finalise Reconciliation Action Plan		In Progress	60%	Presented to Councillors for review in June. To be registered with Reconciliation Australia for conditional endorsement	30/06/2022	
4.3.1	Develop and implement a cultural change program to develop a high performing, customer focused organisation		Implement the new payroll system for Council to ensure efficiency and compliance with legislative requirements	Manager People and Culture	In Progress	20%	People and Culture staff are working with the vendor to implement the new payroll system by 30 December 2022. The Employee Self Service functionality to commence implementation in March 2023.	30/06/2022	
4.3.3	Implement recommendations from Internal Audits completed as part of the four year Internal Audit Program		Update processes (and create awareness) for freedom of information, procurement and property functions	General Manager Corporate Performance	In Progress	70%	There has been improvement in procurement and property as work with internal stakeholders continues. Procurement training has been delivered and there is ongoing support by the Coordinator Procurement. Property awareness continues on key issues like leases and property maintenance.	30/06/2022	
4.3.4	Prepare for 2020 General Election and implement the Local Government Act 2020		Continuous of implementation of the Local Government Act 2020, including the development of:	General Manager	Completed	100%		31/12/2021	

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
			Council Plan by 31 October 2021 and updated Procurement Policy by 31 December 2021	Corporate Performance					





**CENTRAL  
GOLDFIELDS**  
SHIRE COUNCIL

## 8.6 GOVERNANCE RULES (DRAFT AMENDED 2022) – VIRTUAL MEETING

**Author:** Governance Officer

**Responsible Officer:** General Manager Corporate Performance

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

---

### SUMMARY/PURPOSE

The purpose of this report is to present to Council the draft amendments proposed to the Central Goldfields Shire Council's Governance Rules in line with changes to the Local Government Act 2020. The amendments include provisions relating to electronic attendance and participation in Council meetings as well as small amendments to apply more gender-neutral language in the document.

### RECOMMENDATION

*That Council:*

- 1. endorse the first draft of the proposed amended Governance Rules for public consultation from 25 August 2022 to 08 September 2022; and*
- 2. Note a further report will be presented to Council at the 27 September 2022 Council Meeting to consider feedback and formally adopt the draft amended Governance Rules*

### LEGISLATION AND POLICY CONTEXT

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

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

Section 60 of the Local Government Act 2020 states that Council must develop, adopt and keep in force Governance Rules for or with respect to the following:

- (a) the conduct of Council meetings;
- (b) the conduct of meetings of delegated committees;
- (c) the form and availability of meeting records;
- (d) the election of the Mayor and the Deputy Mayor;
- (da) the appointment of an Acting Mayor;
- (e) an election period policy in accordance with section 69;
- (f) the procedures for the disclosure of a conflict of interest by a Councillor or a member of a delegated committee under section 130;
- (g) the procedure for the disclosure of a conflict of interest by a Councillor under section 131;
- (h) the disclosure of a conflict of interest by a member of Council staff when providing information in respect of a matter within the meaning of section 126(1);
- (i) any other matters prescribed by the regulations.

Section 60 (6) states that A Council must comply with its Governance Rules.

The Regulatory Legislation Amendment (Reform) Act 2022 (the Amendment Act) received Royal Assent on 29 March 2022 and introduces provisions relating to virtual attendance, participation in Council meetings and delegated committees into the Local Government Act 2020 (the Act) on a permanent basis.

These reforms will be incorporated into Division 2, Part 3 of the Local Government Act 2020 (LG Act), which relates to the procedures for Council decision making, including the holding of meetings. From 2 September 2022, these amendments will supersede Part 12 of the LG Act, which currently enables councils to conduct meetings virtually in response to COVID-19.

To comply with this legislative requirement, the Governance Rules must be amended. The Local Government Act 2020 section 60.(4) dictates Council must ensure that a process of community engagement is followed in developing or amending its Governance Rules. There are no transitional provisions relating to the 2 September 2022 amendments.

## **BACKGROUND INFORMATION**

The COVID-19 Omnibus (Emergency Measures) Bill 2020 (“the Bill”) passed both houses of the Victorian Parliament on 23 April 2020, temporarily changing the operation of the Local Government Act 2020 in response to the COVID-19 pandemic. Part 12 enabled meetings to be conducted by electronic means and ensured Council and other meetings could still proceed, and that information relating to Council and other meetings could continue to be made publicly available despite any necessary restrictive measures resulting from direction under the Public Health and Wellbeing Act 2008 relating to COVID-19. The bill also stated that the requirement for meetings to be open to the public is satisfied if the meeting is streamed live on the internet site of the Council, or if the meeting is recorded and uploaded to the internet site of the Council as soon as practicable after the meeting. Council adopted the Virtual Council Meeting Procedures to assist with running virtual Council Meeting Procedures at the  
26 May 2020 Council meeting.

The current Governance Rules were adopted by Council at the 25 August 2020 Council meeting and came into effect on 1 September 2020. These Rules were developed using a template provided by Maddocks and tailored to Central Goldfields Shire Council by referencing the previous Code of Meetings Procedure 2015 and in consultation with the Audit and Risk Committee and the community.

## **REPORT**

The COVID-19 pandemic has highlighted the need for, and usefulness of, a more flexible and modern approach to conducting Council related meetings. The new Reform Act to be introduced into the Local Government Act 2020 on 2 September 2022 makes permanent the temporary provisions relating to electronic attendance and participation in Council meeting that all Councils have been operating under for the past three years. To comply with our legislative requirements, Council must amend their Governance Rules to reflect the permanent change.

Central Goldfields Shire Council have adapted to virtual meetings during the height of the pandemic, and most recently in a ‘hybrid’ format which mixes in-person and electronic attendance, allowing greater flexibility for Councillors and Officers to attend Council meetings and briefings. This flexibility has been well received and utilised by both Councillors and Officers and reflective of the modern approach to meetings we are seeing today. These hybrid and virtual meetings have been held in accordance with the current Virtual Meeting Procedure.

The introduction of livestreamed Council meetings to the public via Zoom to Facebook has offered a new opportunity for the public to access and engage with Council, offering a level of transparency using modern technology.

The proposed amended Governance Rules include provisions to continue this approach, enabling attendees including Councillors and officers to attend meetings virtually and in person. The preference will certainly continue that Council meetings be conducted in person; however, the Rules will afford for the blended 'hybrid' approach and permanently prescribe how these meetings will be conducted.

The amendments have been drafted referencing the following documentation:

- the updated Governance Rules template from Maddocks;
- current Virtual Meeting Procedure

The Governance Team have also conducted research into how other Councils are amending their Governance Rules with most taking the same approach of a 'hybrid' meeting structure.

The drafted amended Governance Rules included with this report are marked up with changes proposed, summarised as follows:

- definitions added for *attendance* and *Council meeting* to include by electronic means and 'hybrid' format;
- removal of Virtual Council Meeting Procedures;
- amendment to method of voting to include means other than show of hands as determined by the CEO;
- inclusion of provision for electronic or online petitions under Division 9;
- addition of Division 15 titled 'Physical and Remote Attendance' stating provisions around how meetings will be conducted (wholly in person, electronic means or 'hybrid'), how request to attend electronically can be made and in what timeframe, what to do in the event of a disconnection with a Councillor, the Chair or CEO);
- addition of Rule 70. Livestreaming and Recording of Proceedings including rules around the interruptions and obligations under the Privacy and Data Protection Act);
- how to declare and handle a Conflict of Interest whilst in electronic attendance;
- adopt gender-neutral language throughout the document in line with the Gender Equality Act 2020

It is proposed to undertake a community engagement process for a two week period via a submission process Council's website.

In the coming months it is an objective of the Governance team to consult and work with Councillors and the community to undertake a full review of the Governance Rules.

Given the deadline, we sought advice from Maddocks who confirmed that as our Governance Rules do include a provision allowing for meetings to be conducted electronically we can continue with hybrid meetings after 2 September until the amended Rules are adopted.

## **CONSULTATION/COMMUNICATION**

It is proposed to undertake a community engagement process for a two-week period through a notice on Council's website where community members will be able to view the proposed changes and submit feedback.

To guide feedback and facilitate the amendment within the required timeframe for the introduction of the new provisions for electronic meetings, we will seek feedback only on the changes made, not the Rules in their entirety.

The public exhibition will be done in accordance with the Community Engagement Policy.

It is also proposed to seek feedback from the Audit and Risk committee at their next meeting scheduled on the 12 September 2022

## **FINANCIAL & RESOURCE IMPLICATIONS**

- Purchase of the updated Governance Rules template from Maddocks, the cost for which is provided for in Council's budget
- Ongoing IT infrastructure, maintenance, hardware and support for facilitating virtual meetings moving forward including a "Host" Council Officer being present to facilitate Council meetings

## **RISK MANAGEMENT**

This report addresses Council's strategic risk Governance - Failure to transparently govern and embrace good governance practices by ensuring our compliance with updated legislative requirements of the Local Government Act 2020.

## **CONCLUSION**

The draft Governance Rules proposed allow Council to continue their flexible and inclusive approach to Council meetings by including provisions relating to electronic attendance and participation in Council meetings and the livestreaming and recording of Council meetings.

We are seeking endorsement of the draft Rules to engage the community for feedback. Following this, a further report considering submissions from the public and recommending the draft amended Governance Rules (including the Election Period Policy) for adoption will be presented to Council at its meeting on 27 September 2022.

## **ATTACHMENTS**

1. Proposed draft amended Governance Rules with marked up changes



**CENTRAL  
GOLDFIELDS**  
SHIRE COUNCIL

# GOVERNANCE RULES

# GOVERNANCE RULES

## Introduction

### 1. Nature of Rules

These are the Governance Rules of Central Goldfields Shire Council, made in accordance with section 60 of the *Local Government Act 2020*.

### 2. Date of Commencement

These Governance Rules commence on ~~(1 September 2020)~~ INSERT DATE.

### 3. Contents

These Governance Rules are divided into the following Chapters:

Chapter	Name
Chapter 1	Governance Framework
Chapter 2	Meeting Procedure for Council Meetings
Chapter 3	Meeting Procedure for Delegated Committees
Chapter 4	Meeting Procedure for Community Asset Committees
Chapter 5	Disclosure of Conflicts Of Interest
Chapter 6	Miscellaneous
Chapter 7	Election Period Policy

### 4. Definitions

In these Governance Rules, unless the context suggests otherwise the following words and phrases mean:

*Act* means the *Local Government Act 2020*.

*Attend, attending and in attendance* include attend, attending or in attendance by electronic means.

*Chief Executive Officer* includes an Acting Chief Executive Officer.

*Community Asset Committee* means a Community Asset Committee established under section 65 of the Act.

*Council* means Central Goldfields Shire Council.

*Council meeting* has the same meaning as in the Act. and includes a scheduled meeting and unscheduled meeting (whether held as face-to-face (in person) attendance in a set location or via electronic means (virtual) or in a 'hybrid' format that mixes in-person and electronic attendance.

*Delegated Committee* means a Delegated Committee established under section 63 of the Act.

*Mayor* means the Mayor of Council.

|  
|  
These Rules means these Governance Rules.

DRAFT



## 1. Context

*These Rules* should be read in the context of and in conjunction with:

- (a) the overarching governance principles specified in section 9(2) of the *Act*; and
- (b) the following documents adopted or approved by *Council*:

**Virtual Council Meeting Procedures**

Councillor Code of Conduct

## 2. Decision Making

- (a) In any matter in which a decision must be made by *Council* (including persons acting with the delegated authority of *Council*), *Council* must consider the matter and make a decision:
  - (i) fairly, by giving consideration and making a decision which is balanced, ethical and impartial; and
  - (ii) on the merits, free from favouritism or self-interest and without regard to irrelevant or unauthorised considerations
- (b) *Council* must, when making any decision to which the principles of natural justice apply, adhere to the principles of natural justice (including, without limitation, ensuring that any person whose rights will be directly affected by a decision of *Council* is entitled to communicate their views and have their interests considered).
- (c) Without limiting anything in paragraph (b) of this sub-Rule:
  - (i) before making a decision that will directly affect the rights of a person, *Council* (including any person acting with the delegated authority of *Council*) must identify the person or persons whose rights will be directly affected, give notice of the decision which *Council* must make and ensure that such person or persons have an opportunity to communicate their views and have their interests considered before the decision is made;
  - (ii) if a report to be considered at a *Council meeting* concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered;
  - (iii) if a report to be considered at a *Delegated Committee* meeting concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered.

# Chapter 2 – Meeting Procedure for Council Meetings



## Contents

<b>Part A – Introduction</b> .....	<b>97</b>
1. Title .....	97
2. Purpose of this Chapter.....	97
3. Definitions and Notes.....	97
<b>Part B – Election of Mayor</b> .....	<b>118</b>
4. Election of the <i>Mayor</i> .....	118
5. Method of Voting.....	118
6. Determining the election of the <i>Mayor</i> .....	118
7. Election of Deputy Mayor and Chairs of Delegated Committees .....	10129
8. <u>Appointment of Acting Mayor</u> .....	118
<u>Appointment of Acting Mayor</u> .....	139
<b>Part C – Meetings Procedure</b> .....	<b>1310</b>
<b>Division 1 – Notices of Meetings and Delivery of Agendas</b> .....	<b>1310</b>
9. <del>Dates and Times of Meetings Fixed by Council</del> .....	13109
<del>Dates and Times of Meetings Fixed by Council</del> .....	11
10. <del>Council May Alter Meeting Dates</del> .....	131010
<del>Council May Alter Meeting Dates</del> .....	11
11. <del>Meetings Not Fixed by Council</del> .....	131011
<del>Meetings Not Fixed by Council</del> .....	11
12. <del>Notice Of Meeting</del> .....	131012
<del>Notice Of Meeting</del> .....	11
<b>Division 2 – Quorums</b> .....	<b>1411</b>
13. <del>Inability To Obtain A Quorum</del> .....	141113
<del>Inability To Obtain A Quorum</del> .....	13
14. <del>Inability To Maintain A Quorum</del> .....	141114
<del>Inability To Maintain A Quorum</del> .....	13
15. <del>Adjourned Meetings</del> .....	151115
<del>Adjourned Meetings</del> .....	13
16. <del>Time limits for Meetings</del> .....	151216
<del>Time limits for Meetings</del> .....	14
17. <del>Cancellation or Postponement of a Meeting</del> .....	151217

	..... Cancellation or Postponement of a Meeting .....	14
<b>Division 3 – Business of Meetings</b> .....	<b>1512</b>	<b>Division 3 – Business of Meetings</b> .....
	<b>14</b>	
18. — Agenda and the Order Of Business .....	151218	Agenda and the Order Of Business .....
	14	
19. — Change To Order Of Business .....	151219	Change To Order Of Business .....
	14	
20. — Urgent Business .....	161220	Urgent Business .....
	14	
<b>Division 4 – Motions and Debate</b> .....	<b>1613</b>	<b>Division 4 – Motions and Debate</b> .....
	<b>15</b>	
21. — Councillors May Propose <i>Notices Of Motion</i> .....	161321	Councillors May Propose <i>Notices Of Motion</i> .....
	14	
22. — Notice Of Motion .....	161322	Notice Of Motion .....
	14	
23. — Chair's Duty .....	171323	Chair's Duty .....
	15	
24. — Introducing a Report .....	171424	Introducing a Report .....
	15	
25. — Introducing A Motion or an Amendment .....	171425	Introducing A Motion or an Amendment .....
	15	
26. — Right Of Reply .....	181526	Right Of Reply .....
	16	
27. — Moving An Amendment .....	181527	Moving An Amendment .....
	16	
28. — Who May Propose An Amendment .....	181528	Who May Propose An Amendment .....
	16	
29. — How Many Amendments May Be Proposed .....	191529	How Many Amendments May Be Proposed .....
	17	
30. — An Amendment Once Carried .....	191630	An Amendment Once Carried .....
	17	

31.	<del>Foreshadowing Motions</del> .....	<del>Error! Bookmark not defined.</del>	<del>16</del>
312.	Withdrawal Of Motions.....		191617
33.	<del>Separation Of Motions</del> .....		<del>191632</del>
	.....	Separation Of	
	Motions .....		17
34.	<del>Chair May Separate Motions</del> .....		<del>191633</del>
	.....	Chair May Separate	
	Motions .....		17
345.	Priority of address.....		191617
356.	Motions In Writing .....		191617
367.	Repeating Motion and/or Amendment.....		1917
378.	Debate Must Be Relevant To The Motion .....		201718
389.	Speaking Times .....		201718
3940.	Addressing the Meeting.....		201718
404.	Right to Ask Questions .....		2018
<b>Division 5 – Procedural Motions</b> .....		<b>2118</b>	<b>Division 5 – Procedural Motions</b> .....
			<b>19</b>
42.	<del>Procedural Motions</del> .....		<del>211841</del>
	.....	Procedural	
	Motions .....		19
<b>Division 6 – Rescission Motions</b> .....		<b>2420</b>	<b>Division 6 – Rescission Motions</b> .....
			<b>21</b>
423.	Notice of Rescission .....		2420
434.	If Lost .....		252122
445.	If Not Moved .....		252122
456.	May Be Moved By Any Councillor .....		252122
467.	When Not Required .....		252122
<b>Division 7 – Points of Order</b> .....		<b>2621</b>	<b>Division 7 – Points of Order</b> .....
			<b>23</b>
48.	<del>Chair To Decide</del> .....		<del>262147</del>
	.....	Chair To	
	Decide.....		23
489.	Chair May Adjourn To Consider .....		262223
50.	<del>Dissent From Chair’s Ruling</del> .....	<del>Error! Bookmark not defined.</del>	<del>22</del>
5491.	Procedure For Point Of Order .....		262223
5052.	Valid Points Of Order.....		262223
<b>Division 8 – Public Question Time</b> .....		<b>Error! Bookmark not defined.</b>	<b>23</b>
53.	<del>Question Time</del> .....	<del>Error! Bookmark not defined.</del>	<del>23</del>
<b>Division 9 – Petitions and Joint Letters</b> .....		<b>2625</b>	<b>Division 9 – Petitions and Joint Letters</b> .....
			<b>23</b>
54.	<del>Petitions and Joint Letters</del> .....		<del>262551</del>
	.....	Petitions and Joint	
	Letters.....		23
<b>Division 10 – Voting</b> .....		<b>2725</b>	
525.	How Motion <u>is</u> Determined.....		272524
536.	Silence .....		272524
547.	Recount .....		272624
558.	Casting Vote .....		282625
569.	<u>How Votes are Cast</u> By Show Of Hands .....		282625

5760.	Procedure For A Division.....	282625
5864.	No Discussion Once Declared.....	282625
<b>Division 11 – Minutes.....</b>		<b>2927</b>
<b>Minutes.....</b>		<b>26</b>
5962.	Confirmation of Minutes.....	292726
6063.	No Debate on Confirmation Of Minutes.....	292826
614.	Deferral Of Confirmation Of Minutes .....	302927
625.	Form and Availability of Minutes.....	302927
<b>Division 12 – Behaviour.....</b>		<b>3130</b>
<b>Behaviour.....</b>		<b>28</b>
636.	Public Addressing The Meeting .....	313028
647.	Chair May Remove .....	313028
658.	Chair may adjourn disorderly meeting.....	313028
669.	Removal from Chamber.....	313028
<b>Division 13 – Additional Duties of Chair.....</b>		<b>3130</b>
<b>Chair.....</b>		<b>28</b>
6770.	The Chair’s Duties And Discretions.....	313028
<b>Division 14 – Suspension of Standing Orders .....</b>		<b>3234</b>
<b>Orders.....</b>		<b>29</b>
6874.	Suspension of Standing Orders.....	323429
<b>Division 15 – MiscellaneousPhysical and Remote Attendance.....</b>		<b>323429</b>
6972.	Meetings Conducted RemotelyMode of Attendance.....	323429
7073.	Meetings conducted Remotely Procedure not provided in this Chapter .....	3534
71.	Live Streaming and Recording of Proceedings.....	31
74.	Criticism of members of Council staff.....	3532
<b>Divison 16 - Miscellaneous</b>		
72.	Procedure not provided in this Chapter.....	35
73.	Criticism of members of Council staff .....	35

## Part A – Introduction

### 1. Title

This Chapter will be known as the "Meeting Procedure Chapter".

### 2. Purpose of this Chapter

The purpose of this Chapter is to:

- 2.1 provide for the election of the Mayor and any Deputy Mayor;
- 2.2 provide for the appointment of any Acting Mayor; and
- 2.3 provide for the procedures governing the conduct of *Council meetings*.

### 3. Definitions and Notes

3.1 In this Chapter:

*"absolute majority"* means the number of Councillors which is greater than half the total number of the Councillors of a Council;

*"agenda"* means the notice of a meeting setting out the business to be transacted at the meeting;

*"Chair"* means the Chairperson of a meeting and includes a Councillor who is appointed by resolution to chair a meeting under section 61(3) of the Act;

*Note: Section 18(1)(a) of the Act states that the role of the Mayor is to chair Council Meetings.*

*'Host' means Council Officer who will be the 'Host' of the meeting maintaining the technical operation of the meeting.*

*"minute book"* means the collective record of proceedings of *Council*;

*"municipal district"* means the municipal district of *Council*;

*"notice of motion"* means a notice setting out the text of a motion, which it is proposed to move at the next relevant meeting;

*"notice of rescission"* means a *notice of motion* to rescind a resolution made by *Council*;

*"quorum"* means an absolute majority; and

*"written"* includes duplicated, lithographed, photocopied, printed and typed, and extends to both hard copy and soft copy form, and *writing* has a corresponding meaning.

- 3.2 Introductions to Parts, headings and notes are explanatory notes and do not form part of this Chapter. They are provided to assist understanding.

## Part B – Election of Mayor

**Introduction:** This Part is concerned with the annual election of the *Mayor*. It describes how the *Mayor* is to be elected.

### 4. Election of the *Mayor*

The *Chief Executive Officer* must facilitate the election of the *Mayor* in accordance with the provisions of the *Act*.

### 5. Method of Voting

The election of the *Mayor* must be carried out by a show of hands or such other visual or audible means as the Chief Executive Officer determines.

### 6. Determining the election of the *Mayor*

6.1 The *Chief Executive Officer* must open the meeting at which the *Mayor* is to be elected, and invite nominations for the office of *Mayor*.

6.2 Any nominations for the office of *Mayor* must be:

6.2.1 seconded by another Councillor; and

6.2.2 Accepted by the nominee.

6.3 Once nominations for the office of *Mayor* have been received, the following provisions will govern the election of the *Mayor*:

6.3.1 if there is only one nomination, the candidate nominated must be declared to be duly elected;

6.3.2 if there is more than one nomination, the Councillors present-in attendance at the meeting must vote for one of the candidates;

6.3.3 in the event of a candidate receiving an absolute majority of the votes, that candidate is declared to have been elected;

6.3.4 in the event that no candidate receives an absolute majority of the votes, and it is not resolved to conduct a new election at a later date and time, the candidate with the fewest number of votes must be declared to be a defeated candidate. The Councillors present-in attendance at the meeting ~~must~~will then vote for one of the remaining candidates;

6.3.5 if one of the remaining candidates receives an absolute majority of the votes, ~~he or s, that candidate is duly elected. he is duly elected.~~ If none of the remaining candidates receives an absolute majority of the votes, the process of declaring the candidates with the fewest number of votes a defeated candidate and voting for the remaining candidates must be repeated until one of the candidates receives an absolute majority of the votes. That candidate must then be declared to have been duly elected;



6.3.6 in the event of two or more candidates having an equality of votes and one of them having to be declared:

69.1.1 a defeated candidate; and

69.1.2 duly elected

the declaration will be determined by lot.

6.3.7 if a lot is conducted, the *Chief Executive Officer* will have the conduct of the lot and the following provisions will apply:

69.1.1 each candidate will draw one lot;

69.1.2 the order of drawing lots will be determined by the alphabetical order of the surnames of the Councillors who received an equal number of votes except that if two or more such Councillors' surnames are identical, the order will be determined by the alphabetical order of the Councillors' first names; and

69.1.3 as many identical pieces of paper as there are Councillors who received an equal number of votes must be placed in a receptacle. If the lot is being conducted to determine who is a defeated candidate, the word "Defeated" shall be written on one of the pieces of paper, and the Councillor who draws the paper with the word "Defeated" written on it must be declared the defeated candidate (in which event a further vote must be taken on the remaining candidates unless there is only one candidate remaining, in which case that candidate will be declared to have been duly elected).

## **7. Election of Deputy Mayor and Chairs of Delegated Committees**

7.1 At a meeting to elect the Mayor, Council may resolve to elect a Deputy Mayor.

7.2 Any election for:

7.2.1 any office of Deputy Mayor; or

7.2.2 Chair of a *Delegated Committee*

will be regulated by Rules 4-6 (inclusive) of this Chapter, as if the reference to the:

7.2.3 Chief Executive Officer is a reference to the Mayor; and

7.2.4 Mayor is a reference to the Deputy Mayor or the Chair of the Delegated Committee (as the case may be).

## 8. Appointment of Acting Mayor

If *Council* has not established an office of Deputy Mayor and it becomes required to appoint an Acting Mayor, it can do so by:

- 8.1 resolving that a specified Councillor be so appointed; or
- 8.2 following the procedure set out in Rules 5 and 6 (inclusive) of this Chapter, at its discretion.

## Part C – Meetings Procedure

**Introduction:** This Part is divided into a number of Divisions. Each Division addresses a distinct aspect of the holding of a meeting. Collectively, the Divisions describe how and when a meeting is convened, when and how business may be transacted at a meeting.

### Division 1 – Notices of Meetings and Delivery of Agendas

#### 9. Dates and Times of Meetings Fixed by *Council*

Subject to Rule [1140](#), *Council* must from time to time fix the date, time and place of all *Council meetings*.

#### 10. *Council* May Alter Meeting Dates

*Council* may change the date, time and place of any *Council meeting* which has been fixed by it and must provide reasonable notice of the change to the public.

#### 11. Meetings Not Fixed by *Council* ([Unscheduled or Special Meetings](#))

- 11.1 The *Mayor* or at least 3 Councillors may by a *written* notice call a *Council meeting*.
- 11.2 The notice must specify the date and time of the *Council meeting* and the business to be transacted.
- 11.3 The *Chief Executive Officer* must convene the *Council meeting* as specified in the notice.
- 11.4 Unless all Councillors are [present in attendance](#) and unanimously agree to deal with any other matter, only the business specified in the *written* notice can be transacted at the *Council meeting*.

#### 12. Notice Of Meeting

- 12.1 A notice of meeting, incorporating or accompanied by an *agenda* of the business to be dealt with, must be delivered or sent electronically to every Councillor for all *Council meetings* at least 48 hours before the meeting.
- 12.2 Notwithstanding sub-Rule [12.142.1](#), a notice of meeting need not be delivered or sent electronically to any Councillor who has been granted leave of absence unless the Councillor has requested the *Chief Executive Officer*

in *writing* to continue to give notice of any meeting during the period of ~~their~~<sup>his or her</sup> absence.

12.3 Reasonable notice of each *Council meeting* must be provided to the public. *Council* may do this:

12.3.1 for *meetings* which it has fixed by preparing a schedule of meetings annually:

69.1.1 by listing the *Council meeting dates* on its website and;

69.1.2 arranging publication of such schedule in a newspaper generally circulating in the *municipal district* (if such a newspaper exists). either at various times throughout the year, or prior to each such *Council meeting*; and

69.1.3 for any meeting by giving notice on its website and where timing for publishing a notice permits in at least one newspaper generally circulating in the municipal district (if such a newspaper exists).

## Division 2 – Quorums

### 13. Inability To Obtain A Quorum

If after 30 minutes from the scheduled starting time of any *Council meeting*, a quorum cannot be obtained:

13.1 the meeting will be deemed to have lapsed;

13.2 the Mayor must convene another Council meeting, the agenda for which will be identical to the agenda for the lapsed meeting; and

13.3 the Chief Executive Officer must give all Councillors written notice of the meeting convened by the Mayor.

### 14. Inability To Maintain A Quorum

14.1 If during any Council meeting, a quorum cannot be maintained then Rule 13 will apply as if the reference to the meeting is a reference to so much of the meeting as remains.

14.2 Sub-Rule 14.1 does not apply if the inability to maintain a quorum is because of the number of Councillors who have a conflict of interest in the matter to be considered.

*Section 67 of the Act details the process to be followed where a quorum is unable to be maintained because of the number of Councillors who have a conflict of interest in the matter to be considered.*

## 15. Adjourned Meetings

- 15.1 *Council* may adjourn any meeting to another date or time.
- 15.2 *Council* may only adjourn a meeting in session to another location if there is disorder or a threat to the safety of any Councillor or member of Council staff.
- 15.3 The *Chief Executive Officer* must give *written* notice to each Councillor of the date, time and place to which the meeting stands adjourned and of the business remaining to be considered.
- 15.4 If it is impracticable for the notice given under sub-Rule 15.3 to be in *writing*, the *Chief Executive Officer* must give notice to each Councillor by telephone or in person.

## 16. Time limits for Meetings

- 16.1 A *Council meeting* must not continue after 3 hours unless a majority of Councillors ~~present~~ who are in attendance vote in favour of it continuing.
- 16.2 A meeting cannot be continued for more than 30 minutes at a time.
- 16.3 In the absence of such continuance, the meeting must stand adjourned to a time, date and place announced by the *Chair* immediately prior to the meeting standing adjourned. In that event, the provisions of sub-Rules 15.3 and 15.4 apply.

## 17. Cancellation or Postponement of a Meeting

- 17.1 The *Chief Executive Officer* may, in the case of an emergency necessitating the cancellation or postponement of a *Council meeting*, cancel or postpone a *Council meeting*.
- 17.2 The *Chief Executive Officer* must present to the immediately following *Council meeting* a *written* report on any exercise of the power conferred by sub-Rule 17.1.

## Division 3 – Business of Meetings

### 18. Agenda and the Order Of Business

The *agenda* for and the order of business for a *Council meeting* is to be determined by the *Chief Executive Officer* so as to facilitate and maintain open, efficient and effective processes of government.

### 19. Change To Order Of Business

Once an *agenda* has been sent to Councillors, the order of business for that *Council meeting* may be altered with the consent of *Council*.

## 20. Urgent Business

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

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

## Division 4 – Motions and Debate

### 21. Councillors May Propose *Notices Of Motion*

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

### 22. Notice Of Motion

- 22.1 A *notice of motion* must be in *writing* signed by a Councillor, and be lodged with or sent to the *Chief Executive Officer* at least one week before the *Council meeting* to allow sufficient time for ~~him or her~~ the ~~to include the~~ *notice of motion* to be included in agenda papers for a *Council meeting* and to give each Councillor at least 48 hours notice of such *notice of motion*.
- 22.2 The *Chief Executive Officer* may reject any *notice of motion* which:
  - 22.2.1 is vague or unclear in intention
  - 22.2.2 it is beyond *Council's* power to pass; or
  - 22.2.3 if passed would result in *Council* otherwise acting invalidlybut must:
  - 22.2.4 give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so; and
  - 22.2.5 notify in *writing* the Councillor who lodged it of the rejection and reasons for the rejection.
- 22.3 The full text of any *notice of motion* accepted by the *Chief Executive Officer* must be included in the *agenda*.
- 22.4 The *Chief Executive Officer* must cause all notices of motion to be numbered, dated and entered in the notice of motion register in the order in which they were received.
- 22.5 Except by leave of *Council*, each *notice of motion* before any meeting must be considered in the order in which they were entered in the notice of motion register.

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

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

### **23. Chair's Duty**

Any motion which is determined by the *Chair* to be:

23.1 defamatory;

23.2 objectionable in language or nature;

23.3 vague or unclear in intention;

23.4 outside the powers of Council; or

23.5 irrelevant to the item of business on the agenda and has not been admitted as urgent, or purports to be an amendment but is not,

must not be accepted by the *Chair*.

### **24. Introducing a Report**

24.1 Before a *written* report is considered by *Council* and any motion moved in relation to such report, a member of Council staff may introduce the report by indicating in not more than 2 minutes, unless the *Chair* indicates otherwise:

24.1.1 its background; or

24.1.2 the reasons for any recommendation which appears.

### **25. Introducing A Motion or an Amendment**

The procedure for moving any motion or amendment is:

25.1 the mover must state the motion without speaking to it;

25.2 the motion must be seconded and the seconder must be a Councillor other than the mover. If a motion is not seconded, the motion lapses for want of a seconder;

25.3 if a motion or an amendment is moved and seconded the Chair must ask:

"Is the motion or amendment opposed? Does the mover wish to speak to the motion or amendment?"

25.4 if no Councillor indicates opposition and the mover has no desire to speak to it, the Chair may declare the motion or amendment carried without discussion;

- 25.5 if a Councillor indicates opposition or a desire to speak to it, then the Chair must call on the mover to address the meeting;
- 25.6 after the mover has addressed the meeting, the seconder may address the meeting;
- 25.7 after the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting,) the Chair must invite debate by calling on any Councillor who wishes to speak to the motion, providing an opportunity to alternate between those wishing to speak against the motion and those wishing to speak for the motion;
- 25.8 Apart from the mover's right of reply referred to below, a Councillor may only speak once on the motion and once any amendment of a motion;
- 25.9 if, after the mover has addressed the meeting, the Chair has invited debate and no Councillor speaks to the motion, then the Chair must put the motion to the vote.
- 25.10 A Councillor may, with the leave of the Chair, ask a question for the purposes of clarification. In asking such questions Councillors must not offer opinions on the issue to be considered. Asking a question for the purposes of clarification will not be deemed as speaking to the motion.

## **26. Right Of Reply**

- 26.1 The mover of a motion, including an amendment, has a right of reply to matters raised during debate.
- 26.2 After the right of reply has been taken but subject to any Councillor exercising ~~his or her~~ their right to ask any question concerning or arising out of the motion, the motion must immediately be put to the vote without any further discussion or debate.

## **27. Moving An Amendment**

- 27.1 Subject to sub-Rule 27.4 a motion which has been moved and seconded may be amended by leaving out or adding words. Any added words must be relevant to the subject of the motion.
- 27.2 A Councillor may address the meeting once on any amendment, whether or not they have spoken to the original motion but debate must be confined to the terms of the amendment;
- 27.3 The mover of an amendment has no right of reply;
- 27.4 A motion to confirm a previous resolution of *Council* cannot be amended.
- 27.5 An amendment must not be directly opposite to the motion.

## **28. Who May Propose An Amendment**

- 28.1 An amendment may be proposed or seconded by any Councillor, except the mover or seconder of the original motion.

28.2 Any one Councillor cannot move more than two amendments in succession.

## **29. How Many Amendments May Be Proposed**

29.1 Any number of amendments may be proposed to a motion but only one amendment may be accepted by the *Chair* at any one time.

29.2 No second or subsequent amendment, whether to the motion or an amendment of it, may be taken into consideration until the previous amendment has been dealt with.

## **30. An Amendment Once Carried**

30.1 If the amendment is carried, the motion as amended then becomes the motion before the meeting, and the amended motion must then be put.

30.2 The mover of the original motion retains the right of reply to that motion.

## **31. Withdrawal Of Motions**

31.1 Before any motion is put to the vote, it may be withdrawn by the mover and seconder with the leave of *Council*.

31.2 If the majority of Councillors objects to the withdrawal of the motion, it may not be withdrawn.

## **32. Separation Of Motions**

Where a motion contains more than one part, a Councillor may request the *Chair* to put the motion to the vote in separate parts.

## **33. Chair May Separate Motions**

The *Chair* may decide to put any motion to the vote in several parts.

## **34. Priority of address**

In the case of competition for the right of speak, the *Chair* must decide the order in which the Councillors concerned will be heard.

## **35. Motions In Writing**

35.1 The *Chair* may require that a complex or detailed motion be in writing.

35.2 *Council* may adjourn the meeting while the motion is being *written* or *Council* may defer the matter until the motion has been *written*, allowing the meeting to proceed uninterrupted.

## **36. Repeating Motion and/or Amendment**

The *Chair* may request the person taking the minutes of the *Council meeting* to read the motion or amendment to the meeting before the vote is taken.



**37. Debate Must Be Relevant To The Motion**

- 37.1 Debate must always be relevant to the motion before the Chair, and, if not, the *Chair* must request the speaker to confine debate to the motion.
- 37.2 If after being requested to confine debate to the motion before the Chair, the speaker continues to debate irrelevant matters, the *Chair* may direct the speaker to be seated and not speak further in respect of the motion then before the Chair.
- 37.3 A speaker to whom a direction has been given under sub-Rule 38.2 must comply with that direction.

**38. Speaking Times**

A Councillor must not speak longer than the time set out below, unless granted an extension by the *Chair*.

- 38.1 the mover of a motion or an amendment which has been opposed: 5 minutes;
- 38.2 any other Councillor: 3 minutes; and
- 38.3 the mover of a motion exercising a right of reply: 2 minutes.

**39. Addressing the Meeting**

- 39.1 Except for the *Chair*, any Councillor or person who addresses the meeting must stand and direct all remarks through the Chair, However, the *Chair* may permit any Councillor or person to remain seated while addressing the *Council meeting* for reasons of injury, sickness, disability or otherwise at the *Chair's* discretion.
- 39.2 Any person addressing the *Chair* must refer to the *Chair* as:
  - 39.2.1 Mayor; or
  - 39.2.2 Chairas the case may be;
- 39.3 All Councillors, other than the *Mayor*, must be addressed as  
**Cr .....(name).**
- 39.4 All members of Council staff, must be addressed by their official title.

**40. Right to Ask Questions**

- 40.1 A Councillor may, when no other Councillor is speaking, ask any question concerning or arising out of the motion or amendment before the Chair.
- 40.2 The *Chair* has the right to limit questions and direct that debate be commenced or resumed.

## Division 5 – Procedural Motions

### 41. Procedural Motions

- 41.1 Unless otherwise prohibited, a procedural motion may be moved at any time and must be dealt with immediately by the *Chair*.
- 41.2 Procedural motions require a seconder.
- 41.3 Notwithstanding any other provision in this Chapter, procedural motions must be dealt with in accordance with the following table:

**PROCEDURAL MOTIONS TABLE**

<b>Procedural Motion</b>	<b>Form</b>	<b>Mover &amp; Seconder</b>	<b>When Motion Prohibited</b>	<b>Effect if Carried</b>	<b>Effect if Lost</b>	<b>Debate Permitted on Motion</b>
1. Adjournment of debate to later hour and/or date	That this matter be adjourned to *am/pm and/or *date	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion	(a) During the election of a <i>Chair</i> ; (b) When another Councillor is speaking	Motion and amendment is postponed to the stated time and/or date	Debate continues unaffected	Yes
2. Adjournment of debate indefinitely	That this matter be adjourned until further notice	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion	(a) During the election of a <i>Chair</i> ; (b) When another Councillor is speaking; (c) When the motion would have the effect of causing <i>Council</i> to be in breach of a legislative requirement	Motion and any amendment postponed but may be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes
3. The closure	That the motion be now put	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion	During nominations for <i>Chair</i>	Motion or amendment in respect of which the closure is carried is put to the vote immediately without debate of this motion, subject to any Councillor exercising <del>his</del> <u>or her</u> <u>their</u> right to ask any question concerning or arising out of the motion	Debate continues unaffected	No



## Division 6 – Rescission Motions

### 42. Notice of Rescission

*It should be remembered that a notice of rescission is a form of notice of motion.*

*Accordingly, all provisions in this Chapter regulating notices of motion equally apply to notices of rescission.*

- 42.1 A Councillor may propose a *notice of rescission* provided:
- 42.1.1 it is in writing;
  - 42.1.2 the resolution proposed to be rescinded has not been acted on; and
  - 42.1.3 the *notice of rescission* is delivered to the *Chief Executive Officer* within 24 hours of the resolution having been made setting out -
    - 69.1.1 the resolution to be rescinded; and
    - 69.1.2 the meeting and date when the resolution was carried.
- 42.2 Any Councillor proposing a *notice of rescission* is required to provide written justification that must include one or more of the following:
- 42.2.1 The vote may not have accurately reflected the opinion held by the meeting due to the misunderstanding of the motion or for some other reasons; or
  - 42.2.2 New information has become available which may affect the decision of *Council*; or
  - 42.2.3 Some vital information was overlooked in *Council* forming its decision.
- 42.3 A *notice of rescission* must include the written endorsement of one other Councillor.
- 42.4 A resolution will be deemed to have been acted on if:
- 42.4.1 its contents have or substance has been communicated in *writing* to a person whose interests are materially affected by it; or
  - 42.4.2 a statutory process has been commenced
- so as to vest enforceable rights in or obligations on *Council* or any other person.
- 42.5 The *Chief Executive Officer* or an appropriate member of Council staff must defer implementing a resolution which:
- 42.5.1 has not been acted on; and

42.5.2 is the subject of a *notice of rescission* which has been delivered to the *Chief Executive Officer* in accordance with sub-Rule 42.1.3, unless deferring implementation of the resolution would have the effect of depriving the resolution of efficacy.

*By way of example, assume that, on a Monday evening, Council resolves to have legal representation at a planning appeal to be heard on the following Monday. Assume also that, immediately after that resolution is made, a Councillor lodges a notice of motion to rescind that resolution. Finally, assume that the notice of rescission would not be dealt with until the next Monday evening (being the evening of the day on which the planning appeal is to be heard).*

*In these circumstances, deferring implementation of the resolution would have the effect of depriving the resolution of efficacy. This is because the notice of rescission would not be debated until after the very thing contemplated by the resolution had come and gone. In other words, by the time the notice of rescission was dealt with the opportunity for legal representation at the planning appeal would have been lost.*

*Sub-Rule ~~42.541.3~~ would, in such circumstances, justify the Chief Executive Officer or an appropriate member of Council staff actioning the resolution rather than deferring implementation of it.*

**43. If Lost**

If a motion for rescission is lost, a similar motion may not be put before *Council* for at least three months from the date it was last lost, unless *Council* resolves that the *notice of motion* be re-listed at a future meeting.

**44. If Not Moved**

If a motion for rescission is not moved at the meeting at which it is listed, it lapses.

**45. May Be Moved By Any Councillor**

A motion for rescission listed on an *agenda* may be moved by any Councillor *present in attendance* but may not be amended.

**46. When Not Required**

46.1 Unless sub-Rule 46.2 applies, a motion for rescission is not required where *Council* wishes to change policy.

46.2 The following standards apply if *Council* wishes to change policy:

46.2.1 if the policy has been in force in its original or amended form for less than 12 months, a *notice of rescission* must be presented to *Council*; and

46.2.2 any intention to change a *Council* policy, which may result in a significant impact on any person, should be communicated to those

affected and this may include publication and consultation, either formally or informally.

## Division 7 – Points of Order

### 47. Chair To Decide

The *Chair* must decide all points of order by stating the provision, rule, practice or precedent which ~~he or she~~they considers applicable to the point raised without entering into any discussion or comment.

### 48. Chair May Adjourn To Consider

48.1 The *Chair* may adjourn the meeting to consider a point of order but otherwise must rule on it as soon as it is raised.

48.2 All other questions before the meeting are suspended until the point of order is decided.

### 49. Procedure For Point Of Order

A Councillor raising a point of order must:

49.1 state the point of order; and

49.2 state any section, Rule, paragraph or provision relevant to the point of order before resuming ~~his or her seat~~their seat.

### 50. Valid Points Of Order

A point of order may be raised in relation to:

50.1 a motion, which, under Rule 23, or a question which, under Rule 51, should not be accepted by the Chair;

50.2 a question of procedure; or

50.3 any act of disorder.

Rising to express a difference of opinion or to contradict a speaker is not a point of order.

## Division 9 – Petitions and Joint Letters

### 51. Petitions and Joint Letters

51.1 Unless *Council* determines to consider it as an item of urgent business, no motion (other than a motion to receive the same) may be made on any petition, joint letter, memorial or other like application until the next *Council meeting* after that at which it has been presented.

- 51.2 It is incumbent on every Councillor presenting a petition or joint letter to acquaint ~~himself or herself~~themselves with the contents of that petition or joint letter, and to ascertain that it does not contain language disrespectful to *Council*.
- 51.3 Every Councillor presenting a petition or joint letter to *Council* must:
- 51.3.1 write or otherwise record ~~his or her~~their name at the beginning of the petition or joint letter; and
- 51.3.2 confine ~~himself or herself~~themselves to a statement of the persons from whom it comes, the number of signatories to it, the material matters expressed in it and the text of the prayer or request.
- 51.4 Every petition or joint letter presented to *Council* must be in *writing* (other than pencil), ~~typing or printing~~, contain the request of the petitioners or signatories and be signed by at least 12 people.
- 51.5 Every petition or joint letter must be signed by the persons whose names are appended to it by their names or marks, and, except in cases of incapacity or sickness, by no one else and the address of every petitioner or signatory must be clearly stated.
- 51.6 Any signature appearing on a page which does not bear the text of the whole of the petition or request may not be considered by *Council*.
- 51.7 Every page of a hard copy petition or joint letter must be a single page of paper and not be posted, stapled, pinned or otherwise affixed or attached to any piece of paper other than another page of the petition or joint letter.
- 51.751.8 Electronic or online petitions, joint letters, memorials or like applications must contain the name and email address of each petitioner or signatory, which details will, for the purposes for Rule 51, qualify as the address and signature of such petitioner or signatory.
- 51.851.9 If a petition, joint letter, memorial or other like application relates to an operational matter, *Council* must refer it to the *Chief Executive Officer* for consideration.

## **Division 10 – Voting**

### **52. How Motion Determined**

To determine a motion before a meeting, the *Chair* must first call for those in favour of the motion and then those opposed to the motion, and must then declare the result to the meeting.

### **53. Silence**

Subject to Rule 56, vVoting must take place in silence.

### **54. Recount**

The *Chair* may direct that a vote be recounted to satisfy ~~himself or herself~~themselves of the result.



**55. Casting Vote**

In the event of a tied vote, the *Chair* must exercise a casting vote.

**56. ~~B~~How Votes are Cast ~~y~~ ~~Show Of H~~ands**

Voting on any matter is by show of hands or such other visible or audible means as the *Chair* determines.

**57. Procedure For A Division**

57.1 Immediately after any question is put to a meeting and before the next item of business has commenced, a Councillor may call for a division.

57.2 When a division is called for, the vote already taken must be treated as set aside and the division shall decide the question, motion or amendment.

57.3 When a division is called for, the *Chair* must:

57.3.1 first ask each Councillor wishing to vote in the affirmative to raise a hand and, upon such request being made, each Councillor wishing to vote in the affirmative must raise one of ~~his or her hands~~their hands or otherwise signify their support in a manner recognised by the *Chair*. The *Chair* must then state, and the Chief Executive Officer or any authorised officer must record, the names of those Councillors voting in the affirmative; and

57.3.2 then ask each Councillor wishing to vote in the negative to raise a hand and, upon such request being made, each Councillor wishing to vote in the negative must raise one of ~~his or her~~their hands or otherwise signify their opposition in a manner recognised by the *Chair*. The *Chair* must then state, and the *Chief Executive Officer* or any *authorised officer* must record, the names of those Councillors voting in the negative.

57.3.3 Any Councillor which abstains from voting on the question, motion or amendment will be recorded as having abstained from voting.

*Although a Councillor who abstains from voting on a matter will be recorded as so in a division section 61(5)(e) of the Act states that for the purposes of determining the result of a vote, a Councillor present in attendance at the meeting who does not vote is taken to have voted against the question.*

**58. No Discussion Once Declared**

Once a vote on a question has been taken, no further discussion relating to the question is allowed unless the discussion involves:

58.1 a Councillor requesting, before the next item of business is considered, that ~~his or her~~their opposition to a resolution be recorded in the minutes or a register maintained for that purpose; or

- 58.2 foreshadowing a notice of rescission where a resolution has just been made, or a positive motion where a resolution has just been rescinded.

*For example, Rule 58 would allow some discussion if, immediately after a resolution was made, a Councillor foreshadowed lodging a notice of rescission to rescind that resolution.*

*Equally, Rule 58 would permit discussion about a matter which would otherwise be left in limbo because a notice of rescission had been successful. For instance, assume that Council resolved to refuse a planning permit application. Assume further that this resolution was rescinded.*

*Without a positive resolution – to the effect that a planning permit now be granted – the planning permit application will be left in limbo. Hence the reference, in sub-Rule 58.2, to discussion about a positive motion were a resolution has just been rescinded.*

## Division 11 – Minutes

### 59. Confirmation of Minutes

- 59.1 At every *Council meeting* the minutes of the preceding meeting(s) must be dealt with as follows:
- 59.1.1 a copy of the minutes must be delivered to each Councillor no later than 48 hours before the meeting;
  - 59.1.2 A Councillor can express opposition in regard to the items in the minutes on the basis that the record is incomplete or inaccurate;
  - 59.1.3 The Councillor who indicates opposition must specify the particular item or items in the minutes concerned and can, after asking any questions to clarify the matter, only move a motion to rectify the alleged error(s) in the record;
  - 59.1.4 if no Councillor indicates opposition, the minutes must be declared to be confirmed;
  - 59.1.5 a resolution of *Council* must confirm the minutes and the minutes must, if practicable, be signed by the *Chair* of the meeting at which they have been confirmed;
  - 59.1.6 unless otherwise resolved or required by law, minutes of a *Delegated Committee* requiring confirmation by *Council* must not be available to the public until confirmed by *Council*.

### 60. No Debate on Confirmation Of Minutes

No discussion or debate on the confirmation of minutes is permitted except where their accuracy as a record of the proceedings of the meeting to which they relate is questioned.

## 61. Deferral Of Confirmation Of Minutes

*Council* may defer the confirmation of minutes until later in the *Council meeting* or until the next meeting if considered appropriate.

## 62. Form and Availability of Minutes

62.1 The Chief Executive Officer (or other person authorised by the Chief Executive Officer to attend the meeting and to take the minutes of such meeting) must keep minutes of each Council meeting, and those minutes must record:

62.1.1 the date, place, time and nature of the meeting;

62.1.2 the names of the Councillors present in attendance and the names of any Councillors who apologised in advance for their non-attendance;

62.1.3 the names of the members of Council staff present in attendance;

62.1.4 any disclosure of a conflict of interest made by a Councillor, including the explanation given by the Councillor under Chapter 5;

62.1.5 arrivals and departures (including temporary departures) of Councillors during the course of the meeting;

62.1.6 each motion and amendment moved (including motions and amendments that lapse for the want of a seconder);

62.1.7 the vote cast by each Councillor upon a division;

62.1.8 the vote cast by any Councillor who has requested that ~~his or her~~ their vote be recorded in the minutes;

62.1.9 questions upon notice;

62.1.10 the failure of a quorum;

62.1.11 any adjournment of the meeting and the reasons for that adjournment; and

62.1.12 the time at which standing orders were suspended and resumed.

62.2 The *Chief Executive Officer* must ensure that the minutes of any *Council meeting* are:

62.2.1 published on *Council's* website; and

62.2.2 available for inspection at *Council's* office during normal business hours.

62.3 Nothing in sub-Rule 62.2 requires *Council* or the *Chief Executive Officer* to make public any minutes relating to a *Council meeting* or part of a *Council meeting* closed to members of the public in accordance with section 66 of the *Act*.

## Division 12 – Behaviour

### 63. Public Addressing The Meeting

- 63.1 Members of the public do not have a right to address *Council* and may only do so with the consent of the *Chair* or by prior arrangement.
- 63.2 Any member of the public addressing *Council* must extend due courtesy and respect to *Council* and the processes under which it operates and must take direction from the *Chair* whenever called on to do so.
- 63.3 A member of the public present in attendance at a *Council meeting* must not disrupt the meeting.

### 64. Chair May Remove

The *Chair* may order and cause the removal of any person, other than a Councillor, who disrupts any meeting or fails to comply with a direction given under sub-Rule 63.2.

*It is intended that this power be exercisable by the Chair, without the need for any Council resolution. The Chair may choose to order the removal of a person whose actions immediately threaten the stability of the meeting or wrongly threatens their his or her authority in chairing the meeting.*

### 65. Chair may adjourn disorderly meeting

If the *Chair* is of the opinion that disorder at the *Council* table or in the gallery makes it desirable to adjourn the *Council meeting*, the Chair he or she may adjourn the meeting to a later time on the same day or to some later day as he or she they thinks proper. In that event, the provisions of sub-Rules 15.2 and 15.3 apply.

### 66. Removal from Chamber

The *Chair*, or *Council* in the case of a suspension, may ask the *Chief Executive Officer* or a member of the Victoria Police to remove from the Chamber any person who acts in breach of this Chapter and whom the *Chair* has ordered to be removed from the gallery under Rule 64.

## Division 13 – Additional Duties of Chair

### 67. The Chair's Duties And Discretions

In addition to the duties and discretions provided in this Chapter, the *Chair*:

- 67.1 must not accept any motion, question or statement which is derogatory, or defamatory of any Councillor, member of Council staff, or member of the community; and
- 67.2 must call to order any person who is disruptive or unruly during any meeting.

## Division 14 – Suspension of Standing Orders

### 68. Suspension of Standing Orders

- 68.1 To expedite the business of a meeting, *Council* may suspend standing orders.

*The suspension of standing orders should be used to enable full discussion of any issue without the constraints of formal meeting procedure.*

*Its purpose is to enable the formalities of meeting procedure to be temporarily disposed of while an issue is discussed.*

- 68.2 The suspension of standing orders should not be used purely to dispense with the processes and protocol of the government of *Council*. An appropriate motion would be:

"That standing order be suspended to enable discussion on....."

- 68.3 No motion can be accepted by the *Chair* or lawfully be dealt with during any suspension of standing orders, other than a motion to resume standing orders.

- 68.4 Once the discussion has taken place and before any motions can be put, the resumption of standing orders will be necessary. An appropriate motion would be:

"That standing orders be resumed."

## Division 15 – ~~Miscellaneous~~ Physical and Remote Attendance

### ~~69. Mode of Attendance~~ Meetings Conducted Remotely

#### ~~69. If:~~

- ~~69.1~~ by law a meeting may be conducted electronically; and Each notice of meeting must indicate whether the relevant *Council meeting* is to be conducted:

69.1.1 wholly in person;

69.1.2 wholly by electronic means; or

~~69.1.3~~ 69.1.3 partially in person and partially by electronic means (hybrid).

- ~~69.2~~ Council decides that a meeting is to be conducted electronically. The indication in the notice of meeting must be consistent with any Resolution of *Council* that has expressed a preference for, or otherwise specified, when *Council* meetings are to be conducted;

69.2.1 wholly in person;

69.2.2 wholly by electronic means; or

69.2.3 partially in person and partially by electronic means (hybrid)

69.3 If a *Council meeting* is to be conducted wholly in person a Councillors may nonetheless request to attend by electronic means.

69.4 Any request made under sub-Rule 69.3 must:

69.4.1 Be in writing;

69.4.2 Be given to the *Chief Executive Officer* no later than 24 hours prior to the commencement of the relevant *Council meeting*; and

69.4.3 specify the reasons why the Councillor is unable or does not wish to attend the *Council meeting* in person.

69.5 The *Chief Executive Officer* must ensure that any request received in accordance with sub-Rule 69.4 and any other request received from a Councillor to attend by electronic means is made known at the commencement of the relevant *Council meeting*.

69.6 The *Chief Executive Officer* may approve and must not unreasonably refuse any request.

69.7 The *Chief Executive Officer* may approve a request received less than 6 hours prior to the commencement of the relevant Council meeting where there is a personal, health, family emergency or extraordinary circumstance.

69.8 A Councillor who is *attending a Council meeting* by electronic means is responsible for ensuring that they are able to access such equipment and are in such an environment that facilitates participation in the *Council meeting*.

69.9 Without detracting from anything said in sub-Rule 69.8, a Councillor who is *attending by electronic means* must be able to:

69.9.1 hear the proceedings;

69.9.2 see all Councillors and members of Council staff who are also *attending the Council meeting*, at least while a Councillor or member of Council staff is speaking;

69.9.3 be seen by all Councillors, member of Council staff and members of the public who are physically present at the *Council meeting*, and

69.9.4 be heard when they speak.

69.10 If the conditions of sub-Rule 69.8 cannot be met by one or more Councillors *attending a Council meeting*, whether because of technical difficulties or otherwise:

69.10.1 The Council meeting will nonetheless proceed as long as a quorum is present; and

69.10.2 The relevant Councillors (or Councillors) will be treated as being absent from the Council meeting or that part of the Council meeting. The absence will be announced by the Chair to enable recording in the minutes.

Unless the Council meeting has been adjourned in accordance with these Rules.

69.11 Nothing in this Rule 69 prevents a Councillors from joining (or re-joining) a Council meeting at the time that they achieve compliance with sub-Rule 69.8 even if the Council meeting has already commenced or has continued in their absence.

69.12 Should the Chair lose visual or audio connection with the meeting, the Host will notify attendees and the meeting will be adjourned for a maximum period of 30 minutes to allow for the Chair to re-join the meeting.

If the Chair re-connects within 30 minutes, the Chair will restart the meeting.

If the Chair is unable able to reconnect within the 30 minute adjournment period the Council meeting is to be chaired by a Councillor who is present at the meeting and is appointed by a resolution of the Council to chair the meeting.

69.13 Should the CEO or a presenting officer's visual or audio disconnect the Chair may decide whether to adjourn the meeting to allow that attendee to reconnect.

Should the meeting be adjourned the same process for "Loss of Councillor's presence" should be followed.

69.14 Should a loss of all Councillors or attendees occur, and a quorum is not able to be regained within 30 minutes, then the meeting will be automatically adjourned. The remaining items will be held over until the next ordinary meeting or another meeting called for that purpose

## 70. Meetings Conducted Remotely

69.2–

If a Council meeting is conducted wholly or partially by electronic means, the Chair may, with the consent of the meeting, modify the application of any of the Rules in this Chapter to facilitate the more efficient and effective transaction of the business of the meeting.

## 71. Live Streaming and Recording of Proceedings

71.1 Council Meetings will be livestreamed to the public made available through Council's Facebook Page. A recording of proceedings will also be available through the Council website and Council's Facebook page.

71.2 The Host may need to cease the electronic meeting or the livestream should any security threat or technical interruption occur.

71.3 The *Host* will co-ordinate the livestream and alert the meeting *Chair* if the livestream is interrupted or disconnected due to technical issues during the meeting.

The meeting will then be officially adjourned by the meeting chair for a maximum period of 30 minutes to resolve the technical issues. This will be minuted. Should the livestream not be able to be re-connected within 30 minutes the meeting will end and the remaining items will be held over until the next ordinary meeting or an additional meeting called for that purpose.

During adjournment all attendees should remain muted while attempts are made to reconnect the livestream.

Should the livestream be re-connected then the Host will inform the meeting chair who will restart the meeting.

71.4 To comply with its obligations under legislation (including but not limited to the Privacy and Data Protection Act 2014), Council maintains the right to cease transmission of live-streaming at any time in order to prevent the broadcasting of material that it deems to be:

71.4.1 defamatory;

71.4.2 disclosing personal, health or sensitive information about individuals;

71.4.3 offensive on the basis of race colour, national or ethnic origin;

71.4.4 vilification or inciting hatred on religious or racial grounds;

71.4.5 related to sex, drugs, violence or revolting or abhorrent phenomena, which is likely to cause offence to a reasonable person; and/or an

71.4.6 infringement of copyright.

## Division 16 – Miscellaneous

### 70.72. Procedure not provided in this Chapter

In all cases not specifically provided for by this Chapter, resort must be had to the Standing Orders and Rules of Practice of the Upper House of the Victorian Parliament (so far as the same are capable of being applied to *Council* proceedings).

### 71.73. Criticism of members of Council staff

71.73.1 The *Chief Executive Officer* may make a brief statement at a *Council meeting* in respect of any statement by a Councillor made at the *Council meeting* criticising the *Chief Executive Officer* ~~him or her~~ or any member of Council staff.



71.273.2 \_\_\_\_\_ A statement under sub-Rule 71.1 must be made by the *Chief Executive Officer*, through the *Chair*, as soon as it practicable after the Councillor who made the statement has resumed ~~his or her~~their seat.

# Chapter 3 – Meeting Procedure for Delegated Committees

## 1. Meeting Procedure Generally

If *Council* establishes a *Delegated Committee*:

- 1.1 all of the provisions of Chapter 2 apply to meetings of the *Delegated Committee*; and
- 1.2 any reference in Chapter 2 to:
  - 1.2.1 a *Council meeting* is to be read as a reference to a *Delegated Committee* meeting;
  - 1.2.2 a Councillor is to be read as a reference to a member of the *Delegated Committee*; and
  - 1.2.3 the Mayor is to be read as a reference to the Chair of the *Delegated Committee*.

## 2. Meeting Procedure Can Be Varied

Notwithstanding Rule 1, if *Council* establishes a *Delegated Committee* that is not composed solely of Councillors:

- 2.1 *Council* may; or
- 2.2 the *Delegated Committee* may, with the approval of *Council*

resolve that any or all of the provisions of Chapter 2 are not to apply to a meeting of the *Delegated Committee*, in which case the provision or those provisions will not apply until *Council* resolves, or the *Delegated Committee* with the approval of *Council* resolves, otherwise.

# Chapter 4 – Meeting Procedure for Community Asset Committees

## 1. Introduction

In this Chapter, “Instrument of Delegation” means an instrument of delegation made by the *Chief Executive Officer* under section 47(1)(b) of the *Act*.

## 2. Meeting Procedure

Unless anything in the instrument of delegation provides otherwise, the conduct of a meeting of a *Community Asset Committee* is in the discretion of the *Community Asset Committee*.

# Chapter 5 – Disclosure of Conflicts of Interest

## ~~1. Introduction~~

~~The following Rules in this Chapter apply only upon Division 1A of Part 4 of the Local Government Act 1989 being repealed.\*~~

## ~~2. Definition~~

~~In this Chapter:~~

~~2.11.1 “meeting conducted under the auspices of Council” means a meeting of the kind described in section 131(1) of the Act, and includes a meeting referred to in Rule 1 of Chapter 6 (whether such a meeting is known as a ‘Councillor Briefing’ or by some other name); and~~

~~2.21.1 a member of a Delegated Committee includes a Councillor.~~

## 1. Disclosure of a Conflict of Interest at a Council Meeting

In this Chapter:

1.1.1 “meeting conducted under the auspices of Council” means a meeting of the kind described in section 131(1) of the Act, and includes a meeting referred to in Rule 1 of Chapter 6 (whether such a meeting is known as a ‘Councillor Briefing’ or by some other name); and

1.1.2 a member of a Delegated Committee includes a Councillor.

## 3.2. Disclosure of a Conflict of Interest at a Council Meeting

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

~~3.12.1 is present~~are in attendance must disclose that conflict of interest by explaining the nature of the conflict of interest to those in attendance present at the *Council meeting* immediately before the matter is considered; or

~~3.22.2 intends to attend~~be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Council meeting* commences a written notice:

~~3.2.12.2.1~~ advising of the conflict of interest;

~~3.2.22.2.2~~ explaining the nature of the conflict of interest; and

~~3.2.32.2.3~~ detailing, if the nature of the conflict of interest involves a Councillor’s relationship with or a gift from another person, the:

~~\*At the time of making these Rules the date on which Division 1A of Part 4 of the Local Government Act 1989 is expected to be repealed is 24 October 2020.~~

- (a) name of the other person;
- (b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
- (c) nature of that other person's interest in the matter,

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

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

2.3 Should an attendee declare a conflict of interest whilst attending the Council meeting through electronic means, then the meeting chair will pause to allow time for that attendee to be placed in the waiting room – a separated holding space where that attendee cannot participate in the main meeting. The Host will place that attendee in the waiting room upon the declaration. The Host will then notify the meeting chair when the meeting can resume.

The attendee will re-join the meeting at the invitation of the meeting chair at the end of the matter being heard. The meeting Host will be able to reconnect that attendee.

The attendee should remain at their screen and muted ready to return to the meeting when the item has been completed.

#### 4.3. Disclosure of Conflict of Interest at a Delegated Committee Meeting

A member of a *Delegated Committee* who has a conflict of interest in a matter being considered at a *Delegated Committee* meeting at which ~~they~~ he or she:

4.13.1 Are in attendance is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present in attendance at the *Delegated Committee* meeting immediately before the matter is considered; or

4.23.2 Intends to present-attend must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Delegated Committee* meeting commences a written notice:

4.2.13.2.1 advising of the conflict of interest;

4.2.23.2.2 explaining the nature of the conflict of interest; and

4.2.33.2.3 detailing, if the nature of the conflict of interest involves a member of a *Delegated Committee's* relationship with or a gift from another person the:

- (a) name of the other person;

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

4.2.43.2.4 nature of that other person's interest in the matter,

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

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

3.3 Should an attendee declare a conflict of interest whilst attending the Delegated Committee meeting through electronic means, then the meeting chair will pause to allow time for that attendee to be placed in the waiting room – a separated holding space where that attendee cannot participate in the main meeting. The Host will place that attendee in the waiting room upon the declaration. The Host will then notify the meeting chair when the meeting can resume.

The attendee will re-join the meeting at the invitation of the meeting chair at the end of the matter being heard. The meeting Host will be able to reconnect that attendee.

The attendee should remain at their screen and muted ready to return to the meeting when the item has been completed.

#### 5.4. **Disclosure of a Conflict of Interest at a Community Asset Committee Meeting**

A Councillor who has a conflict of interest in a matter being considered at a *Community Asset Committee* meeting at which ~~they~~ *he or she*:

5.14.1 Are in attendance is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those *present-in attendance* at the *Community Asset Committee* meeting immediately before the matter is considered; or

5.24.2 intends to present attend must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Community Asset Committee* meeting commences a written notice:

5.2.14.2.1 advising of the conflict of interest;

5.2.24.2.2 explaining the nature of the conflict of interest; and

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

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

5.2.44.2.4 nature of that other person's interest in the matter,

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

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

4.3 ~~Should an attendee declare a conflict of interest whilst attending the Community Asset Committee meeting through electronic means, then the meeting chair will pause to allow time for that attendee to be placed in the waiting room – a separated holding space where that attendee cannot participate in the main meeting. The Host will place that attendee in the waiting room upon the declaration. The Host will then notify the meeting chair when the meeting can resume.~~

~~The attendee will re-join the meeting at the invitation of the meeting chair at the end of the matter being heard. The meeting Host will be able to reconnect that attendee.~~

~~The attendee should remain at their screen and muted ready to return to the meeting when the item has been completed.~~

## 6.5. **Disclosure at a Meeting Conducted Under the Auspices of Council**

A Councillor who has a conflict of interest in a matter being considered by a meeting ~~held-conducted~~ under the *auspices of Council* at which ~~they are in attendance must: he or she is present must:~~

6.15.1 disclose that conflict of interest by explaining the nature of the conflict of interest to those ~~present in attendance~~ at the meeting immediately before the matter is considered;

6.25.2 absent ~~himself or herself themselves~~ from any discussion of the matter; and

6.35.3 as soon as practicable after the meeting concludes provide to the *Chief Executive Officer* a written notice recording that the disclosure was made and accurately summarising the explanation given to those ~~present in attendance~~ at the meeting.

## 7.6. **Disclosure by Members of Council Staff Preparing Reports for Meetings**

~~7.16.1~~ A member of Council staff who, in ~~his or her~~ their capacity as a member of Council staff, has a conflict of interest in a matter in respect of which ~~he or she~~ they ~~are~~ is preparing or contributing to the preparation of a Report for the consideration of a:

~~7.1.16.1.1~~ 7.1.16.1.1 Council meeting;

~~7.1.26.1.2~~ 7.1.26.1.2 Delegated Committee meeting;

~~7.1.36.1.3~~ 7.1.36.1.3 Community Asset Committee meeting

must, immediately upon becoming aware of the conflict of interest, provide a written notice to the *Chief Executive Officer* disclosing the conflict of interest and explaining the nature of the conflict of interest.

~~7.26.2~~ 7.26.2 The *Chief Executive Officer* must ensure that the Report referred to in sub-Rule 7.1 records the fact that a member of Council staff disclosed a conflict of interest in the subject-matter of the Report.

~~7.36.3~~ 7.36.3 If the member of Council staff referred to in sub-Rule 7.1 is the *Chief Executive Officer*:

~~7.3.16.3.1~~ 7.3.16.3.1 the written notice referred to in sub-Rule 7.1 must be given to the *Mayor*; and

~~7.3.26.3.2~~ 7.3.26.3.2 the obligation imposed by sub-Rule 7.2 may be discharged by any other member of Council staff responsible for the preparation of the Report.

## ~~8.7.~~ 8.7. Disclosure of Conflict of Interest by Members of Council Staff in the Exercise of Delegated Power

~~8.17.1~~ 8.17.1 A member of Council staff who has a conflict of interest in a matter requiring a decision to be made by the member of Council staff as delegate must, immediately upon becoming aware of the conflict of interest, provide a written notice to the *Chief Executive Officer* explaining the nature of the conflict of interest.

~~8.27.2~~ 8.27.2 If the member of Council staff referred to in sub-Rule 8.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.

## ~~9.8.~~ 9.8. Disclosure by a Member of Council Staff in the Exercise of a Statutory Function

~~9.18.1~~ 9.18.1 A member of Council staff who has a conflict of interest in a matter requiring a statutory function to be performed under an Act by the member of Council staff must, upon becoming aware of the conflict of interest, immediately provide a written notice to the *Chief Executive Officer* explaining the nature of the conflict of interest.

~~8.2~~ 8.2 If the member of Council staff referred to in sub-Rule 9.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.

~~9.2~~ 9.2



## 1. Confidential Information

- 1.1 If ~~after the repeal of section 77(2)(c) of the Local Government Act 1989,~~ the *Chief Executive Officer* is of the opinion that information relating to a meeting is confidential information within the meaning of the *Act*, ~~he or she~~they may designate the information as confidential and advise Councillors and/or members of Council staff in writing accordingly.
- 1.2 Information which has been designated by the *Chief Executive Officer* as confidential information within the meaning of the *Act*, and in respect of which advice has been given to Councillors and/or members of Council staff in writing accordingly, will be presumed to be confidential information.

Directorate:	Chief Executive Office
Responsible Manager:	Manager Governance, Property and Risk
Adoption:	Council
Date Adopted:	25 August 2020

## Acknowledgement

---

Central Goldfields Shire Council acknowledges that we are situated on the traditional lands of the Dja Dja Wurrung people, and we offer our respects to their elders past, present and emerging.

### 1. Purpose

---

The purpose of this Policy is to ensure that the election for the Central Goldfields Shire Council is conducted in a manner that is ethical, fair and equitable, and publicly perceived as such.

This Policy will also facilitate the continuation of the ordinary business of local government in Central Goldfields Shire throughout the election period in a responsible and transparent manner, in accordance with statutory requirements and established election period conventions.

This Policy also commits Council during the election period to:

- Avoid making significant new policies or decisions that could unreasonably bind a future Council; and
- Ensure public resources, including staff resources are not used in election campaigning in a way that may improperly influence the result of an election, or improperly advantage existing Councillors as candidates in the election.

### 2. Application and Scope

---

This policy applies to Council, all Councillors, Delegated Committees, Community Asset Committees and Council staff.

### 3. Definitions

---

**Act** means the Local Government Act 2020.

**CEO** means Chief Executive Officer.

**Chief Executive Officer** includes an Acting Chief Executive Officer.

**Election Period** means in relation to a general election means the period that starts on the last day on which nominations for that election can be received and ends at 6pm on election day, a period of 32 days.

**Electoral Material** means an advertisement, handbill, pamphlet or notice that contains electoral matter, but does not include an advertisement in a newspaper that is only announcing holding a meeting.

**Electoral Matter** means matter which is intended to, or likely to, affect voting in an election other than that which is prepared by the Returning Officer for the purposes of conducting the election.

**Handbill** means a small printed advertisement or other notice distributed by hand.

**Publication** includes any means of publication including letters and information on the internet and social media.

**Significant Decision** means a decision that significantly affects the municipality.

Any reference to a Councillor in this Policy is to be read as referring to an Administrator of Council.

## 4. General Provisions

---

### 4.1 Chief Executive Officer

The Chief Executive Officer must ensure, as far as possible, that:

- All Councillors and Council staff are informed of the application of this policy prior to the commencement of the Election period; and
- Matters of Council business requiring major policy or significant decisions are scheduled for Council to enable resolution prior to the commencement of the election period, or deferred where appropriate for determination by the incoming Council.

### 4.2 Decisions By Council

Section 69(2) of the Act prohibits any Council decision during the election period for a general election that:

- a) Relates to the appointment or remuneration of the Chief Executive Officer but not the appointment or remuneration of an Acting Chief Executive Officer;
- b) Commits the Council to expenditure exceeding one percent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year;
- c) The Council considers could be reasonable deferred until the next Council is in place;
- d) The Councils considers should not be made during an election period.

Section 69 (4) of the Act states that a decision made in contravention of a) or b) above is deemed to be invalid under the Act.

Section 69(3) of the Act also prohibits any Council decision during the election period for a general election or a by election that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election.

Council will avoid making decisions that significantly affect the municipality and unreasonably bind the incoming Council.

Council acknowledges that it has an ongoing responsibility to act in the best interests of the community. Where a delay in making a significant decision would result in a significant detriment to the municipality, Council may make an exception where the issue is:

- Urgent
- Cannot be reasonably deferred without major negative repercussions.

It is the responsibility of the CEO to determine if a matter is significant and urgent.

### **4.3 Council Meetings**

Council meeting papers will be carefully vetted to ensure that no agenda item is included that could potentially influence voters' intentions at the forthcoming election or could encourage councillors and candidates to use the item as part of their electioneering.

### **4.4 Briefing Sessions**

Briefing session meeting papers will be carefully vetted to ensure that no agenda item is included that could be perceived as a disadvantage to candidates.

### **4.5 Public Consultation and Events**

Public consultation will not take place during the election period except where there is a legal obligation or the CEO determines that special circumstances exist.

Scheduling of Council events will be permitted but limited during the election period. Council events will only be organised and run by Council administration if they are part of the normal services or operation of the Council and the scheduling of the event during the election period is deemed appropriate.

Where events occur and whether or not a Councillor is to make a speech, Councillors will be conscious of the fact that they are representing Council and are not to use the opportunity for electioneering.

Speeches for Councillors will only be prepared by Council staff in relation to events that are part of the normal services or operation of the Council and such speeches will not be circulated or available for publication.

### **4.6 Council Publications**

### **4.7 Prohibition on publishing material that contains electoral material**

Section 304(2) of the Act prohibits Council from printing, publishing or distributing any electoral material during an election period unless the electoral material only contains information about the election process or is otherwise required in accordance with, or under, any Act or regulation. This is to ensure that Council does not utilise public funds that may influence or be seen to influence people's voting intentions.

#### **4.8 Approval Procedures for Council Publications during the Election Period**

All proposed publications during the election period must be approved by the CEO, or someone authorised by the CEO for the purpose, that they comply with section 304(2) of the Act.

The CEO will determine if there is any electoral material in the proposed publication (other than factual election process information).

Should the proposed publication contain such information, it will be returned to the author for correction.

Should the proposed publication not contain such information, it will be approved for publishing and forwarded to the Manager Community Engagement.

#### **4.9 Website**

Material published on Council's website in advance of the election period is not subject to certification, however existing material that is prominently displayed will be reviewed and consideration given to the removal of any such material that would be considered electoral matter, were it to be published during the election period.

Councillor contact information will remain available on the website during the election period, but Councillor profiles will be removed.

Any material published on Council's website during the election period must be certified by the CEO.

#### **4.10 Annual Report**

The Annual Report will be compiled during the election period and will not contain any material that could be regarded as electioneering or inappropriately promotes individual Councillors. Information about Councillors will be restricted to names, contact details, titles, membership of Committees and other bodies to which they have been appointed by the Council.

#### **4.11 Social Media**

Any publication (comments or new content) on Council-managed social media sites during the election period must be certified by the CEO.

At the commencement of the election period, Council may advise social media subscribers that comments containing electoral material will be deleted.

Councillor's individual (personal) social media pages are not managed by Council and are not subject to the same provisions.

#### **4.12 Council Resources**

Public resources must not be used by Councillors or a member of Council staff in a manner that would influence the way people vote in elections. Council will ensure Council resources are not used inappropriately during the Council election and comply with the requirements of section 304 of the Act.

Council resources, including offices, Council staff, equipment, electronic equipment and stationery will be used exclusively for normal Council business during the election period, and will not be used in connection with any electioneering activity.

#### **4.13 Use of Council Resources by Councillors**

Councillors may continue to use any Council equipment provided to them to facilitate their performance of normal Council duties, subject to existing protocols and terms of use. Councillors standing for re-election must not use Council equipment as a resource to assist with election campaigns.

Photocopying for election campaigning by Councillors or staff on office photo copiers is not permitted.

Databases and mailing lists held by the organisation remain the property of the Council and are therefore not available to members of the public, candidates or Councillors.

The organisation will not prepare or produce any materials associated with Councillors' individual election campaigns.

No Council logos, letterheads or other Council branding should be used for, or linked in any way to, a candidate's election campaign.

Councillors will not use Council issued mobile phone and email addresses for election campaigning purposes.

The use of Council's internet and intranet sites for any activity to do with election campaigning is prohibited. This includes linking Council websites to private candidate websites.

Access to the voters' roll is subject to the requirements of the Act and the Privacy and Data Protection legislation. A copy of the voters' roll will be provided to candidates by the Returning Officer. The voters' roll will be available for inspection during the election period at advertised times.

Council facilities booked for electoral campaigning purposes by Councillors, candidates or supporters or other persons during the election period will be let at the same rates to all hirers.

#### **4.14 Staff Discretion**

Staff must avoid assisting Councillors in ways that are, or could, create perception that staff are assisting Councillors in their election campaign.

If any staff member considers that a particular use of Council resources may influence voting in the election, or be perceived as influencing voting, or be perceived as being part of an election campaign, they must advise the CEO immediately.

#### **4.15 Councillor Expenses Reimbursement**

Reimbursement of Councillor's out-of-pocket expenses during an election period will only apply to costs that have been incurred in the performance of official Council duties as defined and not for expenses that could be perceived as supporting or being connected with a candidate's election campaign.

#### **4.16 Media**

Council publicity during the election period will be restricted to communicating normal Council activities and initiatives and subject to certification by the CEO.

All official media statements during the election period will only be made by the CEO.

Media Releases or other media statements will not refer to specific Councillors or feature any photograph, quote from or name of incumbent Councillors during the Election Period. Where it is necessary to make or clarify any public statement, comment on sensitive or political issues or identify a spokesperson in relation to an issue, the matter must be referred to and approved by the CEO.

Media services, including media releases, will not be provided for individual Councillors by any Council officers, including the CEO, during the election period.

Media statements dealing with their election campaign must be issued by Councillors privately. Statements must be clearly communicated as personal opinion and not undermine the standing of the Council in the community.

Councillors must not use their position as an elected representative or their access to Council staff and resources to gain media attention in support of an election campaign.

#### **4.17 Council staff**

Staff must not provide advice or assistance in the preparation of media releases or other media statements that contain electoral material.

Staff must not make any public statement that can be interpreted as a political comment or have influence on the electoral process, public statement includes social media platforms. Council staff must make it clear when making comments related to the election that they are expressing their own views and not making an official comment.

It is critical that Council staff be, and appear to be, apolitical throughout the election period to maintain the confidence of the Council, Councillors and the community at all times throughout the electoral process.

#### **4.18 Access to Information**

#### **4.19 Candidates**

All election related enquiries from candidates or prospective candidates must be directed to the Returning Officer.

Staff must not provide any information to any candidate or prospective candidate that is not publically available. If staff receive requests from candidates, or prospective candidates, for any information that is not publically available these requests must be forwarded to the Manager Governance, Property and Risk.

If the information requested is appropriate to be released to the candidate, the Manager Governance, Property and Risk will ensure that it is made available to all candidates, not just the candidate who requested the information. This is to ensure that all candidates have fair and equitable access to information.

#### **4.20 Current Councillors**

As Councillors must continue to perform their elected role during the election period, they may receive all necessary information for them to fulfil that role. Information that can be provided to Councillors includes:

- Information that is publicly and freely available – Council Plans, Annual Reports, strategies, policies etc.;
- Information and advice provided by Council’s management as part of Council meeting agendas; and
- Briefing papers in relation to matters to be decided upon at forthcoming Council meetings.

Any information provided to Councillors must be necessary to the carrying out of the Councillor’s role and must not be used for election purposes.

Requests for information which require significant resources to be devoted to making a response or which might be perceived to support an election campaign must be referred to the CEO or the Manager Governance, Property and Risk for consideration.

#### **4.21 Displaying Electoral Material**

Electoral material, including pamphlets, posters and notices must not be visible or available at any council premises, including libraries, during the election period. The only exception to this is material issued by the Returning Officer for the purpose of conducting the election.

#### **4.22 Use of Title**

Councillors may use the title ‘Councillor’ in their election material as they continue to hold the positions in the period; however to avoid confusion, Councillors must ensure that any election publication using the title Councillor clearly indicates that it is their own material and has not been produced or endorsed by Council.

## **5 Human Rights Statement**

---

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act (2006). Central Goldfields Shire Council is committed to consultation and cooperation between management and employees.

## **6 Relevant Legislation and Council Policies**

---

- Local Government Act 2020
- Councillor Code of Conduct



## 8.7 ANNUAL ACTION PLAN 2022-23 FINANCIAL YEAR

**Author:** Manager Community Engagement

**Responsible Officer:** Chief Executive Officer

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

---

### SUMMARY/PURPOSE

The purpose of this report is for Council to consider the draft 2022-2023 Annual Action Plan.

The draft 2022-2023 Annual Action Plan is an important planning tool which ensures that Council delivers services, programs, and projects in accordance with the strategic objectives and priorities of the Council Plan 2021 – 2025.

### RECOMMENDATION

*That Council adopt the draft 2022 – 2023 Annual Action Plan.*

### LEGISLATION AND POLICY CONTEXT

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

The Community's vision      Good governance: Council processes, decision, outcomes, spending and results are accountable, responsible, equitable, responsive, ethical and transparent

Initiative:                      Develop an Annual Action Plan each year to set operational direction

### BACKGROUND INFORMATION

Council's Annual Action Plan is both an annual planning tool and a quarterly reporting framework. As an annual planning tool, the Annual Action Plan ensure that Council delivers services, programs and projects in accordance with the strategic objectives and priorities in the Council Plan. The quarterly progress reports are consolidated as part of Council's Annual Report.

There is no legislative requirement to prepare an Annual Action Plan, but this is considered best practice to manage and monitor progress against the Council Plan. Council has adopted Annual Action Plans since 2018-2019 to outline the services, programs and projects to be delivered in accordance with the Council Plan (the refreshed Council Plan 2017-2021 has now been replaced by the Council Plan 2021 – 2025).

Section 90 of the Local Government Act 2020, which relates to the Council Plan, came into operation on 24 October 2020.

### REPORT

The draft Plan includes key services, programs and projects from the 2022-2023 draft Annual Budget including the capital works program of over \$18 million which will provide a significant stimulus to the local economy and will be supported by grants from State and Federal Government totalling \$12.2 million.

The draft 2022-2023 Annual Action Plan will support the achievement of Council's strategic objectives and priorities identified in the Council Plan 2021-2025. They will also provide a strong reporting framework for Council to measure its progress of achievement against the Council Plan 2021-2025 over the next 12 months.

Prepared with input from Councillors and Council's Leadership Team, highlights of the draft 2022-2023 Annual Action Plan include:

#### Seven major infrastructure projects

1. Ongoing upgrades to the Maryborough Heritage Outdoor Pool Complex
2. Completion of Carisbrook Recreation Reserve upgrade
3. Completion of the Central Goldfields Art Gallery revitalisation project
4. Completion of Stage Two of the Maryborough Train Station activation project
5. Ongoing restoration of Maryborough Town Hall
6. Construction of Maryborough Skate and Scooter Park
7. Completion of the Talbot Futures Project to provide a structure plan and business case for sewerage provision in Talbot

#### Partnering with our community

Through the 2022–2023 Annual Action Plan, Council is delivering on genuine opportunities for the community to have a say, be heard and to work together in partnership with Council on the things that matter most.

In particular, growing community leadership and building the capacity of young people as emerging leaders is a key focus. The following settings, groups and partnerships for community and Council will be established:

- Youth Council
- Youth Pride Group
- Climate Action Partnership
- Health and Wellbeing Partnership
- Carisbrook Town Hall Community Asset Committee
- Tullaroop Leisure Centre Community Asset Committee
- Waterway Management Plan for Carisbrook Governance Committee
- Welcome to Central Goldfields Community Reference Group
- Launch of artist spaces at the Maryborough Railway Station
- A mobile Maternal and Child Health immunisation services for outlying communities
- Support for a Pride Festival in the Shire
- Launch of Council's Reconciliation Action Plan

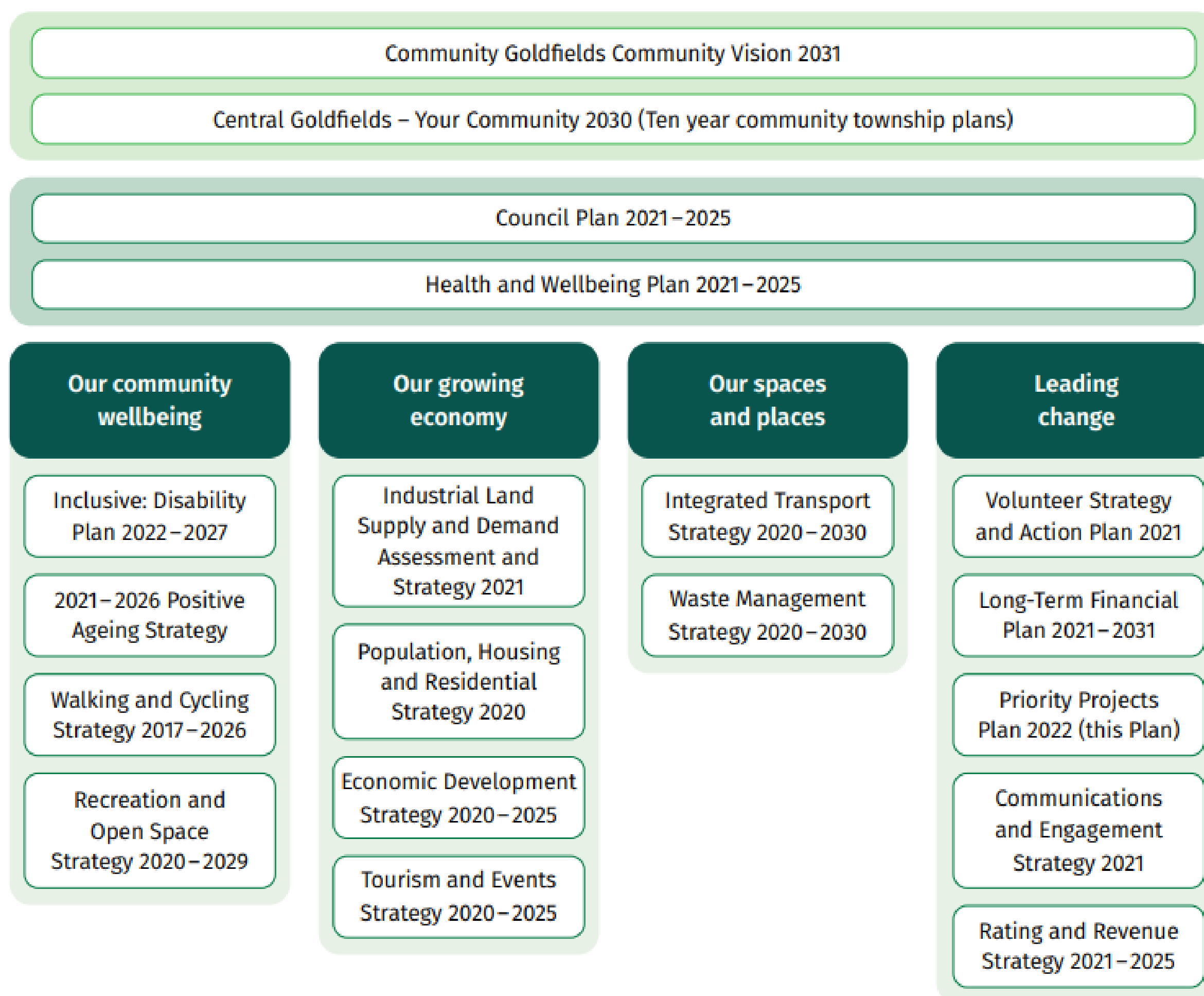
#### Other highlights include:

	<b>Our focus on advocacy</b>	<b>Ongoing initiatives</b>	<b>New initiatives</b>
<b>Our community's wellbeing</b>	<p>Launch of Council's Reflect Reconciliation Action Plan</p> <p>Advocacy for improved digital connectivity</p> <p>Advocacy for increased passenger rail services</p>	<p>Increase the presence and visibility of mental health services</p> <p>Continue to support community groups and organisations through the Community Grant Program</p>	<p>Support and promote volunteer opportunities</p>
<b>Our growing economy</b>	<p>Support for the World Heritage Bid</p> <p>Advocacy for funding for an Events Prospectus</p>	<p>Support the Castlemaine – Maryborough Rail Trail feasibility study</p> <p>Continued delivery of events across Council services</p>	<p>Complete and activate the extended co-working space and artist workshop components of the Maryborough Railway Station Activation Project</p>
<b>Our places and spaces</b>	<p>Advocate for major infrastructure projects in the Priority Projects Plan</p>	<p>Upgrades to existing transport network including roads and footpaths</p> <p>Upgrades to transfer stations in readiness for kerbside transition program</p>	<p>Implement the Maryborough Major Reserves Master Plans</p> <p>Implement the Carisbrook Drainage and Flood Management Plan</p>
<b>Leading change</b>	<p>Improved outcomes for local families through Go Goldfields</p>	<p>Continue to provide a safe, inclusive and supportive workplace</p> <p>Participate in the Go Goldfields Leadership Table with State Government and service providers</p>	<p>Launch of a Youth Council</p> <p>Form a Climate Action Partnership to drive local change</p>

## CONSULTATION/COMMUNICATION

Significant community engagement underpins the 2022-2023 Annual Action Plan via Council's extensive Strategic Planning Framework:

## Our strategic planning framework



Progress on the implementation of the 2022-2023 Annual Action Plan will be reported to Council on a quarterly basis, and form part of Council's Annual Report.

### FINANCIAL & RESOURCE IMPLICATIONS

The annual budget has been prepared in line with the initiatives identified in the Council Plan 2021 – 2025 (and key strategies and plans outlined above). Grant funding from State and Federal Government will be required for some of the initiatives to be delivered. In line with this, appropriate resourcing has been identified and allocated against each of the items in the 2022-2023 Action Plan.

### RISK MANAGEMENT

This report addresses Council's strategic risk Governance - Failure to transparently govern and embrace good governance practices by detailing to Council and the community what key projects and programs the organisation will deliver to implement the strategic objectives in the Council Plan.

### CONCLUSION

The 2022-2023 Annual Action Plan has been developed to forward plan for (and report against) key services, programs and projects that will be undertaken in 2022-2023 to deliver on the strategic objectives and priorities in the Council Plan 2021 - 2025.

## **ATTACHMENTS**

1. 2022 – 2023 Annual Action Plan



# 2022–2023 Annual Action Plan



### Acknowledgement of Traditional Owners

Central Goldfields Shire Council acknowledges the ancestors and descendants of the Dja Dja Wurrung.

We acknowledge that their forebears are the Traditional Owners of the area we are on and have been for many thousands of years.

The Djaara have performed age-old ceremonies of celebration, initiation and renewal.

We acknowledge their living culture and their unique role in the life of this region.



## Contents

### Annual Action Plan Highlights 2

- Seven major infrastructure projects 3
- Partnering with our community 5

### Context 6

- About our Annual Action Plan 6
- Our strategic framework 7

### Annual Action Plan 9

- Seven key infrastructure projects 9
- Our focus on advocacy 12
- New initiatives 14
- Ongoing initiatives 21

# Annual Action Plan Highlights

We are thrilled to present the 2022 – 2023 Annual Action Plan which commits to delivering multiple benefits for the Central Goldfields community over the next 12 months.

With extensive strategic planning now in place, this Annual Action Plan reflects the organisation's commitment to delivering real on the ground improvements through:

**Leveraging** off key infrastructure projects in Maryborough and Talbot to actively develop the Ballarat to Maryborough Growth Corridor

**Revitalising** major community facilities across the Shire (see the seven key infrastructure projects)

**Facilitating** economic development through industrial precinct planning, a growth in tourism offerings, and employment pathways for young people

**Strengthening** community through support for a range of festivals, celebrations, volunteering and leadership opportunities

**Committing** to long-term systemic change including improved outcomes for children and young people, reconciliation and action on climate change

**Advocating** for additional funding for major infrastructure projects, community programs, improved public transport and digital connectivity



Prepared for the financial year 1 July 2022 until 30 June 2023 (and to sit alongside the 2022 – 2023 Annual Budget), here are the major highlights of the Annual Action Plan:

## Seven major infrastructure projects

- 1 Ongoing restoration of the Maryborough Heritage Outdoor Pool Complex
- 2 Completion of Carisbrook Recreation Reserve upgrade
- 3 Completion of the Central Goldfields Art Gallery revitalisation project
- 4 Completion of Stage Two of the Maryborough Train Station activation project
- 5 Ongoing restoration of Maryborough Town Hall
- 6 Construction of Maryborough Skate and Scooter Park
- 7 Completion of the Talbot Futures Project to provide a structure plan and business case for sewerage provision in Talbot



## Annual Action Plan highlights

	Our focus on advocacy	Ongoing initiatives	New initiatives
<b>Our community's wellbeing</b>	<p>Launch of Council's Reflect Reconciliation Action Plan</p> <p>Advocacy for improved digital connectivity</p> <p>Advocacy for increased passenger rail services</p>	<p>Increase the presence and visibility of mental health services</p> <p>Continue to support community groups and organisations through the Community Grant Program</p>	<p>Support and promote volunteer opportunities</p>
<b>Our growing economy</b>	<p>Support for the World Heritage Bid</p> <p>Advocacy for funding for an Events Prospectus</p>	<p>Support the Castlemaine – Maryborough Rail Trail feasibility study</p> <p>Continued delivery of events across Council services</p>	<p>Complete and activate the extended co-working space and artist workshop components of the Maryborough Railway Station Activation Project</p>
<b>Our places and spaces</b>	<p>Advocate for major infrastructure projects in the Priority Projects Plan</p>	<p>Upgrades to existing transport network including roads and footpaths</p> <p>Upgrades to transfer stations in readiness for kerbside transition program</p>	<p>Implement the Maryborough Major Reserves Master Plans</p> <p>Implement the Carisbrook Drainage and Flood Management Plan</p>
<b>Leading change</b>	<p>Improved outcomes for local families through Go Goldfields</p>	<p>Continue to provide a safe, inclusive and supportive workplace</p> <p>Participate in the Go Goldfields Leadership Table with State Government and service providers</p>	<p>Launch of a Youth Council</p> <p>Form a Climate Action Partnership to drive local change</p>



## Partnering with our community

Through the 2022–2023 Annual Action Plan, Council is delivering on genuine opportunities for the community to have a say, be heard and to work together in partnership with Council on the things that matter most.

In particular, growing community leadership and building the capacity of young people as emerging leaders is a key focus.

The following settings, groups and partnerships for community and Council will be established:

- Youth Council
- Youth Pride Group
- Climate Action Partnership
- Health and Wellbeing Partnership
- Carisbrook Town Hall Community Asset Committee
- Tullaroop Leisure Centre Community Asset Committee
- Waterway Management Plan for Carisbrook Governance Committee
- Welcome to Central Goldfields Community Reference Group

# Context

## About our Annual Action Plan

### What is an Annual Action Plan?

The purpose of an Annual Action Plan is to clearly document the services, programs, projects and advocacy work that Council will deliver during a financial year.

This Plan has been prepared for the financial year 1 July 2022 until 30 June 2023 (initiatives that are ongoing beyond this period are noted).

### How is the Annual Action Plan monitored and reported on?

The Annual Action Plan is both a planning and reporting tool. As a monitoring tool, progress is measured against all actions every quarter. As a reporting tool, every twelve months, the achievements of the year are reported on through Council's Annual Report.

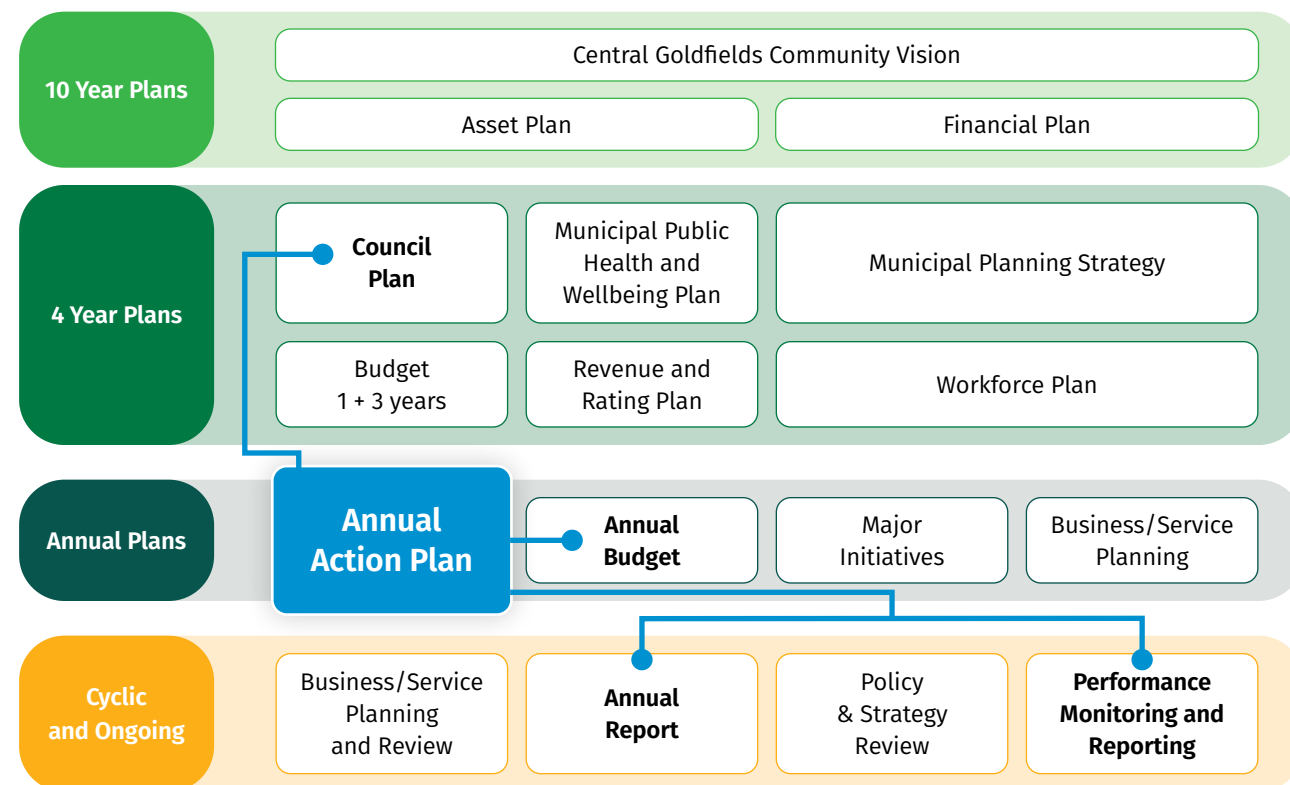
The Annual Action Plan, the quarterly progress reports and the Annual Report are all publicly available documents.



### How does the Annual Action Plan fit into Council's planning framework?

The following table details where the Annual Action Plan fits in the wider planning framework of Council. Importantly, the table shows how the Annual Action Plan delivers on the strategic objectives and priorities of the Council Plan and the integral relationship of the Annual Action Plan to the Annual Budget and the Annual Report (see Figure 1 below).

Figure 1: Central Goldfields Shire Council Planning Framework



## Our strategic framework

All initiatives in the 2022–2023 Annual Action Plan are directed by the strategic objectives and priorities in the four-year Council Plan 2021–2025. As highlighted in the planning framework, all of Council's strategic work (including the Council Plan) is guided by the ten-year Community Vision:

“In 2031, we are an inspiring, thriving and prosperous community of choice, we’ve taken bold steps towards growing our economy and our community is full of optimism and opportunities. We are kind, connected and inclusive and we nurture creativity, leadership and innovation. We value and invest in our young people and our health and wellbeing is high. We live sustainably, cherish and protect our environment and heritage and we have access to outstanding jobs, education, health, community services, infrastructure, and housing.”



Listed below are the strategic objectives and priorities in the Council Plan 2021 - 2025:

Objectives	Priorities
<b>Our community's wellbeing</b> 1 – 6	1. Strengthen and build inclusion and community and intergenerational connections 2. Nurture and celebrate creativity 3. Support positive life journey development for all residents 4. Encourage, support and facilitate healthy and safe communities 5. Maximise volunteer efforts 6. Value, celebrate and actively engage First Nations culture and people
<b>Our growing economy</b> 7 – 11	7. Retain, grow and attract our population 8. Capitalise on tourism opportunities 9. Support existing and new and emerging business and industry 10. Develop a skilled and diverse workforce 11. Strengthen digital infrastructure and capability
<b>Our spaces and places</b> 12 – 16	12. Provide engaging public spaces 13. Provide infrastructure to meet community need 14. Value and care for our heritage and culture assets 15. Manage and reduce and reuse waste 16. Care for the natural environment and take action on climate change
<b>Leading change</b> 17 – 20	17. Actively engage, inform and build the leadership capacity of community members and organisations 18. Provide financial sustainability and good governance 19. Provide a safe, inclusive and supportive workplace 20. Advocate and partner on matters of community importance



# Annual Action Plan

## Seven key infrastructure projects



1

### Ongoing restoration of the Maryborough Heritage Outdoor Pool Complex

- Deliver much-needed maintenance works to the octagonal pool, filter and plant room and entrance pavilion
- A highly valued community asset, both in terms of its recreation function and its heritage value
- Advocate for funding for \$6 million to rebuild the 50 metres pool



2

### Completion of Carisbrook Recreation Reserve

- Create an accessible and inclusive modern sporting facility and community hub
- Increase participation and inclusiveness with female-friendly facilities
- Promote Central Goldfields Shire as a sporting hub



3

### Completion of the Central Goldfields Art Gallery revitalisation project

- Increase the range (breadth) of works exhibited, display a growing collection and attract touring exhibitions of significant cultural merit and worth to the community
- Development of arts and culture experiences which celebrates and promote Dja Dja Wurrung culture
- Increase the number of community members engaged in cultural and educational activities

# Annual Action Plan

## Seven key infrastructure projects



4

### Completion of Stage Two of the Maryborough Train Station activation project

- See the Station become a hub of activity that nurtures small businesses while providing an entry point for visitors
- Transform the Maryborough Railway Station into a visitor and activity hub that will accommodate a mix of tourism, small business, commercial transport and community uses
- Project elements include installation of digital infrastructure and interpretative experiences, upgrades to the café and visitor information centre sites, provision of creative studio spaces and improvements to accessibility, landscaping and parking functions of the Station



5

### Ongoing restoration of Maryborough Town Hall

- The Maryborough Town Hall has architectural significance as a notable and largely intact example of a late nineteenth century provincial town hall
- A revitalised Town Hall will provide direct opportunities to attract new income into the Shire through conferencing and touring productions
- Opportunities for upgrades include, reinstatement of the council chambers, creation of a function and modernised performance space, regional conferencing facilities as well as community and creative industry space



6

### Construction of Maryborough Skate and Scooter Park

- Designed to respect the heritage of the site and to accommodate a range of wheeled sports including skateboarding, scooter riding, roller blading and BMX riding
- The facility will provide opportunities for participation and recreational activities for children, young people and adults
- Identified as a priority after more than 1,000 young people signed a petition and presented it to Council



7

### Substantial progress for the Talbot Futures project

- Funding for the installation of a modern sewerage system would enable growth while improving the quality of life for residents and business expansion
- Detailed design and costings for a sewerage system to connect Talbot to a reticulated sewerage system and planning for future land use, population and housing growth
- An integral project to allow Talbot to play a growing role as a "village-sized" community within the Ballarat to Maryborough Growth Corridor (including Clunes and Creswick)

## Our focus on advocacy

Action	Responsible officer	Council Plan 2021 - 2025 objectives and priorities			
		Community wellbeing	Growing economy	Spaces & places	Leading change
1 Advocate for ongoing operational funding for the art gallery	Manager Tourism, Events and Culture	2 (2)			
2 Seek funding to plan the Bristol Hill Urban Bike Park	Manager Community Partnerships	4 (2)			
3 Continue involvement in the Libraries Change Lives advocacy initiative	General Manager Community Wellbeing	4 (3)			
4 Advocate for ongoing investment and support for Go Goldfields	Chief Executive Officer	4 (3)			
5 Apply for funding to support the delivery of the Gender Equity Action Plan	General Manager Community Wellbeing	4 (4)			
6 Advocate for increased passenger rail services on weekdays for residents and for weekend passenger services to Dunolly	Manager Strategy and Economic Development		7 (6)		
7 Advocate for Myki services at Maryborough Train Station	Manager Strategy and Economic Development		7 (6)		
8 Advocate for funding for an Events Prospectus for Central Goldfields Shire (and events tiering model)	Manager Tourism, Events and Culture		8 (4)		
9 Support the establishment of events (such as the proposed music festival and the Goldrush Festival in Dunolly) through letters of support, navigation of planning processes and advocacy at a regional tourism level	Manager Tourism, Events and Culture		8 (4)		
10 Work with the new Victorian Skills Authority to develop programs for our Shire	Manager Strategy and Economic Development		10 (3)		
11 In partnership with Telstra, develop innovative model for Regional Connectivity Program funding to enhance mobile coverage for Talbot	Manager Strategy and Economic Development		11 (1)		

Action	Responsible officer	Council Plan 2021 - 2025 objectives and priorities			
		Community wellbeing	Growing economy	Spaces & places	Leading change
12 Continue to raise awareness of the Priority Projects Plan and actively advocate for funding for major projects	Chief Executive Officer			13 (6)	20 (4)
13 Support the World Heritage Bid for funding for heritage preservation and continue to advocate for Maryborough as the Goldfields and World Heritage Centre	Chief Executive Officer			14 (4)	
14 Apply for funding to assist moving events into a low waste outcome	Manager Infrastructure			15 (3)	
15 Investigate the Sustainability Victoria Organics Fund for opportunities to reduce contamination and increase the capacity of the Carisbrook facility	Manager Infrastructure			15 (5)	
16 Work with the community and community groups to identify opportunities for collection points for the Container Deposit Scheme (CDS) and facilitate engagement with state government for sites within Central Goldfields Shire	Manager Infrastructure			15 (5)	
17 Advocate for, support and implement system change recommendations in the Go Goldfields 'Every Child, Every Chance' Change Plan	Manager Go Goldfields				20 (1)

## New initiatives

Action	Responsible officer	Timing	Funded	Council Plan 2021 - 2025 objectives and priorities			
				Community wellbeing	Growing economy	Spaces & places	Leading change
18 Celebrate the 30th anniversary of Energy Breakthrough	Manager Tourism, Events and Culture	Q2	Partnership	1 (1)			
19 Support the community to establish a Pride Festival	Manager Tourism, Events and Culture	Q4	Partnership	1 (1)			
20 Support the Inaugural Goldfields Community Festival	Manager Go Goldfields	Q2	Partnership	1 (1)			
21 Purchase equipment to provide an inclusive play space at Goldfields Family Centre	Manager Community Services	Q2	Grant	1 (2)			
22 Support the implementation of the Empowering Parents, Empowering Communities program	Manager Go Goldfields	Ongoing	Grant	1 (3)			
23 Working closely with local leaders to facilitate the Welcome to Central Goldfields project	Manager Community Engagement		Partnership	1 (4)	7 (10)		
24 Launch and activate the Art Gallery through a Dean Bowen sculpture exhibition and including a pop up gallery and educational workshop spaces	Manager Tourism, Events and Culture	Q2	Partnership	2 (2)			
25 Deliver the VicHealth module for Supporting Everyday Creativity by improving opportunities for young people to lead creative programs	Manager Community Partnerships		Grant	2 (3)			
26 Develop the Municipal Early Years Municipal Plan	Manager Community Services	Q4	Council	3 (1)		13 (4)	
27 Develop and Early Years Infrastructure Masterplan in line with Building Blocks Infrastructure Grant	Manager Community Services	Q4	Council	3 (1)		13 (4)	
28 Establish and promote an outreach service for outlying communities within Central Goldfields Shire for Maternal and Child Health and Immunisation services	Manager Community Services	Q3	Partnership	3 (1)			

Action	Responsible officer	Timing	Funded	Council Plan 2021 - 2025 objectives and priorities			
				Community wellbeing	Growing economy	Spaces & places	Leading change
29 Support the implementation of a whole of Shire Transition Plan (co-ordinated transition into Kinder and School)	Manager Go-Goldfields	Q3	Grant	3 (1)			
30 Promote the drop in space for parents at the Maternal and Child Health space at Goldfields Family Centre	Manager Community Services	Q1	Council	3 (3)			
31 Re-launch 'The Nest' incorporating parent drop-in sessions and programming at Go Goldfields HQ	Manager Go Goldfields	Q1	Grant	3 (3)			
32 Support family friendly facilities in the specification for the refurbishment of the main Council office (including the public areas)	Manager Infrastructure	Ongoing	Grant and Council	3 (3)			
33 Establish and provide support to a Youth Council	Manager Community Partnerships	Q1	Grant	3 (4)			17 (3)
34 Prepare a Wastewater Management Plan to address existing and future domestic wastewater issues within unsewered townships	Manager Statutory Services	Q2	Council	4 (1)			
35 Implement the Municipal Public Health and Wellbeing Plan 2021-2025: <ul style="list-style-type: none"> <li>■ Establish the Health and Wellbeing Partnership and governance structure/framework</li> <li>■ Develop year 1 Annual Action Plan</li> </ul>	Manager Community Partnerships	Q4	Partnership	4 (1)			
36 Implement the Central Goldfields Youth Live4Life suicide prevention and mental wellness program	Manager Community Partnerships	Q4	Partnership	4 (1)			
37 Provide leadership for the implementation of the Gender Equity Action Plan	General Manager Community Wellbeing	Q4	Council	4 (1)			
38 Support the Castlemaine – Maryborough Rail Trail feasibility study	General Manager Community Wellbeing	Q4	Partnership	4 (2)			
39 Commence the Local Laws Review	Manager Statutory Services	Q2	Council	4 (5)			

## New initiatives (continued...)

Action	Responsible officer	Timing	Funded	Council Plan 2021 - 2025 objectives and priorities			
				Community wellbeing	Growing economy	Spaces & places	Leading change
40 Implement the Enforcement Strategy	Manager Statutory Services	Q2	Council	4 (5)			
41 Complete and implement the Maryborough Flood Study	Manager Infrastructure	Q1	Grant	4 (7)			
42 Implement the Carisbrook Flood and Drainage Management Plan, specifically the fourth and final phase	Manager Infrastructure	Q3	Grant and Council	4 (7)			
43 Undertake Shire-wide Flood Study in partnership with NCCMA	Manager Infrastructure	Q4	Grant	4 (7)			
44 Complete Social and Affordable Housing Needs Analysis	General Manager Community Wellbeing	Q3	Grant	4 (9)			
45 Establish the Central Goldfields Climate Action Partnership	Manager Community Engagement			4 (10)		16 (3)	17 (5)
46 Review and simplify Council's volunteer recruitment processes	Manager, Tourism Events and Culture	Q4	Council	5 (1)			
47 Build phase 1-3 of the Indigenous Interpretive Garden at the Art Gallery	Manager Tourism, Events and Culture	Q2	Grant	6 (1)			
48 Support and participate in the annual NAIDOC week and Reconciliation week events	Manager Community Engagement			6 (2)			
49 Research best practice and principles that support partnerships with First Nations stakeholders and organisations	Manager Community Engagement			6 (2)			
50 Work collaboratively with Bendigo District Aboriginal Corporation to support Aboriginal parents and carers	Manager Go Goldfields	Ongoing	Grant	6 (4)			
51 Complete Planning Scheme Amendment to implement key recommendations of the Population, Housing and Residential Settlement Strategy	Manager Strategy and Economic Development	Q3	Council	7 (8)			
52 Installation of digital infrastructure and an interpretive experience at the Visitor Information Centre	Manager, Tourism Events and Culture	Q3	Grant	7 (11)			

Action	Responsible officer	Timing	Funded	Council Plan 2021 - 2025 objectives and priorities			
				Community wellbeing	Growing economy	Spaces & places	Leading change
53 Develop partnership with Committee for Maryborough and key shire employers to identify issues and opportunities for both existing and future labour force and seeking funding options	Manager Strategy and Economic Development	Ongoing	Partnership	7 (12)	10 (3)		
54 Review our planning processes, policy and delegations to improve efficiency	Manager Statutory Services	Q1	Council		7 (3)		
55 Feature the story of gold and the journey to world heritage listing as part of the Maryborough Railway Station Activation Project	Manager, Tourism Events and Culture	Q3	Grant		8 (2)		
56 Upgrade Princes Park Precinct to improve the Energy Breakthrough visitor experience	Manager, Tourism Events and Culture	Q2	Grant		8 (4)		
57 Support RV friendly town status for Dunolly	Manager Tourism, Events and Culture				8 (4)		
58 Develop an Implementation Plan for the Maryborough Retail Recovery Program	Manager Strategy and Economic Development	Ongoing	Council		9 (2) 9 (3)		
59 Partner with CVGA to support small business investment in low emissions equipment through Sustainability Victoria's Small Business Energy Saver Program	Manager Strategy and Economic Development	Ongoing	Partnership		9 (4)		
60 Work with local Business Associations to facilitate e-learning training opportunities for small business	Manager Strategy and Economic Development	Q4	Grant and Council		9 (7)		
61 Initiate partnerships between Central Goldfields Art Gallery and local businesses	Manager Strategy and Economic Development	Q2	Partnership		9 (7)		
62 Work with partners on innovative activities to attract and retain early childhood teachers and educators in the Shire	Manager Go Goldfields	Q3	Grant		10 (2)		
63 Complete and activate the extended co-working space and artist workshop components of the Maryborough Railway Station Activation Project	Manager Strategy and Economic Development	Q4	Grant and Council		10 (4)		

## New initiatives (continued...)

Action	Responsible officer	Timing	Funded	Council Plan 2021 - 2025 objectives and priorities			
				Community wellbeing	Growing economy	Spaces & places	Leading change
64 Develop a Play Spaces Strategy	Manager Community Partnerships	Q4	Grant		12 (2)	13 (6)	
65 Commence implementation of the Maryborough Major Reserves Masterplans including completion of all the capital works projects and undertake a review of the rental payments	Manager Community Partnerships	Q4	Grant		12 (2)	13 (6)	
66 Scope potential locations for bike self service stations in the Shire including bike parking in Maryborough	Manager Community Partnerships				12 (5)		
67 Reduce obstructions on footpaths by developing a Safe Street Policy and program of works	Manager Statutory Services	Q4	Council			13 (3)	
68 Review the amount of quality seating along highly pedestrianised routes including parks, public transport stops, walkways and areas near main streets to ensure they provide protection from the sun and inclement weather and enable ageing residents to make best use of the Shire's facilities	Manager Infrastructure	Q4	Council			13 (3)	
69 Review installation priorities from pedestrian crossings with a focus on busy neighbourhood centres and meeting places	Manager Infrastructure	Q4	Council			13 (3)	
70 Implement priority works and a revised procedures and maintenance regime at the Maryborough Aerodrome	Manager Infrastructure	Q4	Council			13 (4)	
71 Develop a business case for long term management of the Maryborough Aerodrome	Manager Strategy and Economic Development	Q3	Council			13 (4)	
72 Update the Nolan Street Customer Service Centre and Offices to provide accessible and COVID Safe facilities	Manager Infrastructure					13 (4)	
73 Install a drinking fountain in Bealiba	Manager Infrastructure					13 (6)	
74 Upgrade the electrical system in the Maryborough Town Hall	Manager Project Management Office					14 (3)	

Action	Responsible officer	Timing	Funded	Council Plan 2021 - 2025 objectives and priorities			
				Community wellbeing	Growing economy	Spaces & places	Leading change
75 Implement building structural upgrade works to Worsley Cottage, Maryborough	Manager Infrastructure	Q4	Council			14 (3)	
76 Identify and review the opportunity for glass bins located throughout the Shire	Manager Infrastructure	Q4	Council			15 (1)	
77 Identify opportunities for glass and other recycled products to be utilised in products such as concrete and asphalt by trialling and demonstrating products through grants	Manager Infrastructure	Q4	Grant			15 (1)	
78 Connect to other Councils in the Loddon and Grampians region through future forums (and informally) and encourage field days at facilities to exchange practical information	Manager Infrastructure	Ongoing	Council			15 (4)	
79 Waterway Management Plan for Carisbrook Governance Committee	Manager Community Engagement					16 (1)	17 (1)
80 Promote design intent of Indigenous Interpretive Garden including the rock wells and fire practices	Manager, Tourism Events and Culture	Q3	Council			16 (4)	
81 Investigate options to track emissions data, including group procurement of emissions data management system in collaboration with other CVGA Councils	Manager Strategy and Economic Development	Q1	Partnership			16 (5)	
82 Implement the new payroll system for Council to ensure efficiency and compliance with legislative requirements	Manager People and Culture	Q2					18 (5)
83 Investigate and implement a customer request management (CRM) tool in collaboration with Pyrenees Shire Council utilising the Rural Council Transformation Program funding to assist in the management and monitoring of customer interactions and complaint handling	Manager Technology and Customer Service	Q4	Grant and Council				18 (9)
84 Implement the key actions identified in the Workforce Plan	Manager People and Culture	Q4	Council				19 (1) 19 (3)



## New initiatives (continued...)

Action	Responsible officer	Timing	Funded	Council Plan 2021 - 2025 objectives and priorities			
				Community wellbeing	Growing economy	Spaces & places	Leading change
85 Implement an Occupational Health and Safety review at the Depot	Manager People and Culture	Q4	Council				19 (2)
86 Develop and implement a Risk & Assurance system and culture change	Manager Governance Property and Risk	Q4	Council				19 (2)
87 Work with Dja Dja Wurrung Corporation (in line with the Reconciliation Action Plan) to deliver Cultural Awareness Training across the organisation	Manager Community Engagement						19 (5)
88 Implement an Intranet platform	Manager Technology and Customer Service	Q3	Council				19 (6)

## Ongoing initiatives

Action	Responsible officer	Timing	Funded	Council Plan 2021 - 2025 objectives and priorities			
				Community wellbeing	Growing economy	Spaces & places	Leading change
89 Undertake a feasibility study for alternative locations for the men's shed to allow it to expand and increase membership	Manager Community Partnerships	Ongoing	Council	1 (1)			
90 Facilitate Healthy Heart of Victoria (HHV) activities locally	Manager Community Partnerships	Ongoing	Partnership	1 (2)			
91 Continue to deliver and improve library services including: <ul style="list-style-type: none"> <li>An annual calendar of events for Maryborough Library including the Words in Winter program</li> <li>A home library service for people unable to visit the library due to living with a disability</li> </ul>	General Manager Community Wellbeing	Ongoing	Council	1 (2)			
92 Coordinate the School Holiday program across the libraries, Art Gallery and Youth Services	Manager Community Engagement	Ongoing	Council	1 (2)			
93 Develop an Implementation Plan for the Disability Action Plan	Manager Community Services	Q3	Council	1 (5)			
94 Facilitate and support the LGBTIQ+ Youth Group	Manager Community Partnerships	Ongoing	Council	1 (6)			
95 Host the annual Community Arts Exhibition as part of the Central Goldfields Art Gallery exhibition program	Manager, Tourism Events and Culture	Q4	Council	2 (2)			
96 Continue to implement the Children and Young People First program funded through the VicHealth Local Government Partnership	Manager Community Partnerships	Ongoing	Partnership	3 (1)			
97 Continue to partner with Mt Alexander Shire Council to influence the Aged Care Reform Review	Manager Community Services	Ongoing	Partnership	3 (6)			
98 Participate in the Go Goldfields Leadership Table with State Government and service providers	Chief Executive Officer	Ongoing	Grant	4 (1)			
99 Develop and implement Child Safe Standards	General Manager Community Wellbeing	Q1	Council	4 (5)			



## Ongoing initiatives (continued...)

Action	Responsible officer	Timing	Funded	Council Plan 2021 - 2025 objectives and priorities			
				Community wellbeing	Growing economy	Spaces & places	Leading change
100 Strengthen emergency management in Central Goldfields Shire through training opportunities and community education	Manager Community Partnerships	Q3	Partnership	4 (6)			
101 Support parents and carers of young children through a range of programs including the healthy and supported pregnancies priority action group	Manager Go Goldfields	Ongoing	Grant	4 (8)			
102 Support delivery of MASH solar and battery information sessions & promotion of community bulk buy opportunity	Manager Strategy and Economic Development	Q4	Partnership	4 (10)			
103 Continue to host an annual volunteer thank you event during National Volunteer Week	Manager, Tourism Events and Culture	Ongoing	Council	5 (1)			
104 Support the Maryborough Volunteer Resource Centre to strengthen volunteering within the municipality	Manager, Tourism Events and Culture	Q4	Council	5 (3)			
105 Finalise the Reflect Reconciliation Action Plan	Manager Community Partnerships	Q2	Council	6 (3)			
106 Complete the Framework Plan for Maryborough North, Flagstaff and Carisbrook	Manager Strategy and Economic Development	Q4	Grant		7 (4)		
107 Participate in the development of the Loddon Mallee Housing Revitalisation Strategy and implement identified actions	General Manager Community Wellbeing	Q4	Council		7 (8)		
108 Participate in Central Victorian Greenhouse Alliance Community Sparks project to investigate feasibility of a community battery site in the Shire	Manager Strategy and Economic Development	Q4	Partnership		9 (6)		
109 Continued participation in the regional Connecting Victoria Program and Bendigo Loddon Campaspe Region 100 Gig Project	Manager Strategy and Economic Development	Ongoing	Partnership		11 (2)		

Action	Responsible officer	Timing	Funded	Council Plan 2021 - 2025 objectives and priorities			
				Community wellbeing	Growing economy	Spaces & places	Leading change
110 Support the growth of digital capability in the Shire through the Digital Connection for Seniors Program and digital devices for loan	Manager Community Services	Ongoing	Council		11 (3)		
111 Investigate other digital literacy programs that are government funded	Manager Community Services	Q3	Partnership		11 (3)		
112 Planning and renewal of toilets in Rene Fox Gardens Dunolly	Manager Infrastructure	Q4	Council		12 (6)		
113 Replace Talbot Town Hall toilets	Manager Infrastructure	Q2	Grant		12 (6)		
114 Review and update the Road Management Plan	Manager Infrastructure	Q2	Council			13 (1)	
115 Undertake key road renewal projects (Porter Avenue, Primrose Street and Cotswold Road)	Manager Infrastructure	Q4	Grant and Council			13 (1)	
116 Continue to upgrade Philips Gardens through the design and installation of an Irrigation Plan	Manager Operations	Q2	Grant			13 (2)	
117 Implement Shire wide footpath upgrade program with a focus on age friendliness and safety for people who use motorised mobility devices	Manager Infrastructure	Q4	Council			13 (3)	
118 Construct the Maryborough Skate and Scooter Park	Manager Community Partnerships	Q3	Grant and Council and Partnership			13 (4)	
119 Complete the construction of Carisbrook Recreation Reserve upgrade project	Manager Community Partnerships	Q3	Grants and Council			13 (5)	
120 Implement major upgrades to the Maryborough Heritage Outdoor Pool Complex	Manager Community Partnerships	Q3	Grant and Council			13 (6) 14 (3)	
121 Complete Review of Heritage Overlay in Central Maryborough	Manager Strategy and Economic Development	Q3	Grant			14 (1) 14 (2)	

## Ongoing initiatives (continued...)

Action	Responsible officer	Timing	Funded	Council Plan 2021 - 2025 objectives and priorities			
				Community wellbeing	Growing economy	Spaces & places	Leading change
122 Continue to involve the community in Council's decision making through high quality communications and engagement (including the Engaging Central Goldfields website)	Manager Community Engagement	Ongoing	Council				17 (1)
123 Redesign Council's website including enhancing the content and accessibility of the platform	Manager Community Engagement	Q2	Council				17 (2)
124 Review Council's e-bulletins to ensure all people and groups are reached with current news and opportunities	Manager Community Engagement	Q2	Council				17 (2)
125 Develop a Community Township Plan for Daisy Hill	Manager Community Engagement						17 (4)
126 Complete a review of Community Asset Committees and create a consistent and equitable approach for the management of buildings	General Manager Community Wellbeing						17 (4)
127 Continue to support the community through Council's annual Community Grant Program and review and improve the process for allocating community grants	Manager Community Partnerships						17 (4)
128 Review 10-year financial plan based on information from the service plans, in consultation with community (following completion of the 2021/2022 financial statements) and, evaluate Council's borrowing requirements and develop a Borrowings Strategy	Manager Finance	Q3	Council				18 (4)
129 Improve the financial reporting to Council through improved cash flow forecasting	Manager Finance	Q2	Council				18 (7)
130 Review, improve and deliver on Council's reporting framework including the Annual Action Plan, Annual Report and LGPRF	Manager Community Engagement	Q1	Council				18 (7)
131 Review and update the Councillor Code of Conduct and Transparency Policy	Manager Governance Property and Risk	Q4	Council				18 (8)

Action	Responsible officer	Timing	Funded	Council Plan 2021 - 2025 objectives and priorities			
				Community wellbeing	Growing economy	Spaces & places	Leading change
132 Report on Community Township Plan progress to the community through the Engaging Central Goldfields website and Councillor updates in the Community Update newsletter	Manager Community Engagement	Ongoing	Council				20 (2)



## 8.8 COMMONWEALTH GAMES EXPRESSION OF INTEREST

**Author:** General Manager Community Wellbeing

**Responsible Officer:** General Manager Community Wellbeing

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

---

### SUMMARY/PURPOSE

The purpose of this report is to present the Expression of Interest (EOI) submission for the 2026 Commonwealth Games to Council for retrospective endorsement following a submission deadline of 12 August 2022.

An EOI process, asking for ideas from local councils, peak bodies, Traditional Owners, cultural organisations and businesses was announced – asking for locations beyond the four major cities to put forward ideas about how they could contribute and benefit from the Commonwealth Games.

The priorities identified in the EOI document have a strong alignment with a number of Council's strategies and plans.

### RECOMMENDATION

*That Council endorse the 2026 Commonwealth Games Expression of Interest submission.*

### LEGISLATION AND POLICY CONTEXT

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

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

Central Goldfields Shire Council's Council Plan 2021-2025 – Our Community's Wellbeing

The Community's vision 2. Engaging and flourishing tourism

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

The Community's vision 1. Socially connected, creative, inclusive, healthy, and safe 'all ages' friendly communities

### BACKGROUND INFORMATION

The Commonwealth Games will be held in Victoria from 17-29 March 2026, with four regional hubs in Ballarat, Bendigo, Geelong, and Gippsland delivering a multi-city model.

An EOI process, asking for ideas from local councils, peak bodies, Traditional Owners, cultural organisations and businesses was announced – providing an opportunity for locations beyond

the four major cities to put forward ideas about how they could contribute and benefit from the Commonwealth Games.

## **REPORT**

A four-page EOI document has been developed, drawing focus to:

- Central Goldfields being located between the two delivery cities of Bendigo and Ballarat
- The Maryborough Railway Station being perfectly placed as a gateway to the visitor experience and aligned with public transport connectivity
- The Recreational significance of Princes Park
- Our proven capacity to delivery enduring events of scale
- The opportunity to deliver a legacy of improved social and economic outcomes through investment in key infrastructure
- The opportunity to take the Goldfields heritage to a global audience while the Central Victorian Goldfields World Heritage Bid is under active consideration

## **CONSULTATION/COMMUNICATION**

The priorities identified in the EOI document have a strong strategic alignment with our:

- Community Vision 2031
- Central Goldfields Shire Council Plan 2021-2025
- Priority Projects Plan 2022
- Active Central Goldfields: Recreation and Open Space Strategy 2020-2029
- Princes Park Grandstand Conservation Management Plan 2021
- Maryborough Major Reserves Master Plans 2021 (to be adopted August 2022)
- Municipal Public Health and Wellbeing Plan 2021
- Walking and Cycling Strategy 2017-2026
- Tourism and Events Strategy 2020-2025
- Economic Development Strategy 2020-2025

## **FINANCIAL & RESOURCE IMPLICATIONS**

\$111 million will be spent on tourism and supporting events across Victoria in the lead up to the 2026 Commonwealth Games. This EOI process has been established to capture ideas for this investment.

## **RISK MANAGEMENT**

This report addresses Council's strategic risk Property and Assets - Failure to maintain, renew and expand our assests in a timely and robust way, that considers service and delivery needs by advocating for significant heritage assets to be repaired, promoted and be accessible to the community.

## **CONCLUSION**

The EOI was submitted by the 12 August deadline and is being presented for retrospective endorsement.

## ATTACHMENTS

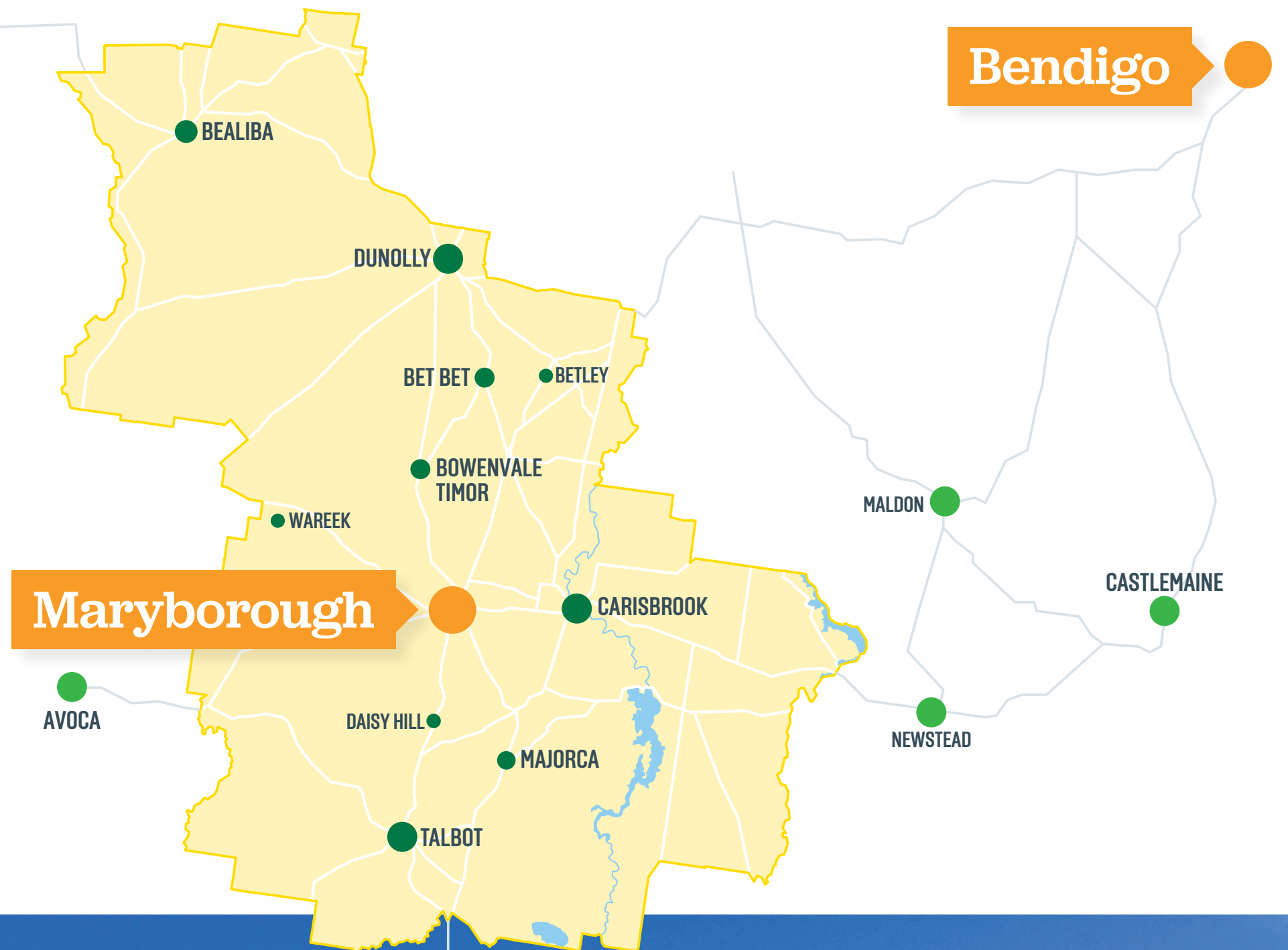
1. CGSC Commonwealth Games EOI

# Central Goldfields Shire Council Commonwealth Games Expression of Interest

## Heart of the Goldfields

Central Goldfields Shire is uniquely located between the two regional cities of Bendigo and Ballarat.

Located at the geographic heart of Victoria, the Shire is home to over 13,000 people, with Maryborough the Shire's major retail, business and health centre for surrounding towns including Castlemaine, St Arnaud, Avoca, Talbot, Dunolly and Carisbrook.



## Gateway to visitor experience

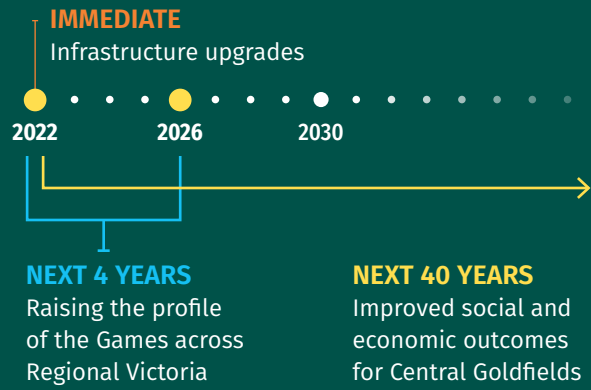
The Maryborough Railway Station is perfectly placed as a gateway to the Shire and visitor experience, while also promoting journeys through the broader Central Victorian Goldfields. Currently undergoing a \$2m development that includes planning and design of visitor access and movement, as well as contemporary immersive design, the transformation is well underway into a game-changing local and visitor hub.

Stage three will deliver a contemporary world class immersive interpretation centre focused on the story of gold and the Central Victorian gold rush including its impact on the region, Victoria and the world. It will be a massive visitor drawcard, placing it as a key Commonwealth Games attraction aligned to public transport connectivity.





# The Timeline



The Highland Gathering

# Events

Princes Park has a strong affinity with events and a proven capacity to deliver annual events at scale, with two notable examples that have stood the test of time:

- **The Highland Gathering** (left) has been held on New Year's Day at the Park since 1859 and is claimed to be the longest continuous sporting event in Australia.
- **Energy Breakthrough** (right) has been attracting over 150 schools from across Victoria to Princes Park for over 30 years.



Energy Breakthrough

## To support the delivery of a premier event in regional Victoria, we need:

- Funding for Stage three of the redevelopment of Maryborough Railway Station precinct, including detailed design and implementation of a contemporary world class immersive interpretation centre – **\$3 million**
- Funding to complete essential restoration works at the Maryborough Outdoor Pool Complex while preserving the heritage values as outlined in the Conservation Management Plan – **\$6,500,000**
- Funding for a business case, detailed design and construction for upgrades to Princes Park Grandstand while preserving the heritage values as outlined in the Conservation Management Plan – **\$5,000,000**
- Funding for the research and development of a prospectus aimed at attracting events to the Shire by showcasing facilities, market strengths and identified regional target markets – **\$100,000 – \$150,000**

## Recreational significance

Located at the very edge of the main retail district of Maryborough, Prince's Park is an extensive area of over 26 hectares of public recreation land. It is one of the oldest recreation reserves in Victoria and has long served as a public meeting place for sporting contests, community events and for passive recreation, since first being used as a cricket ground in 1857.

Today the park provides recreational facilities for a range of sporting groups – including Australian Rules Football, soccer, cricket, netball, tennis and swimming – and provides space for less structured leisure with walking tracks, a large lake and trees and ornamental gardens.

The most imposing structure in the park is the late nineteenth century grandstand on the western edge of the main oval. Taking pride of place from 1895, the grandstand remains an evocative symbol of the rise of organised sport and leisure in the late nineteenth century. The Grandstand is the only example of this type of building by Thomas Watts and Sons and was modelled on the 1886 South Melbourne grandstand designed by William Elliot Wells which was destroyed by fire in 1926 and a similar grandstand at Victoria Park, Collingwood which was demolished in 1966.

## The Proposal

In the lead-up to the games we propose to assist in raising the profile of the games through an opportunity to participate in a community Triathlon, encompassing:



A bike ride around the Energy Breakthrough Track



Swimming in the Maryborough outdoor pool



A run through the broader 26-hectare Princes Park recreational precinct



With presentations to be centred around the Heritage Grandstand.



There is also an opportunity for this to coincide with the Queens baton relay.

## A rare example of untouched Art Deco design

The heritage listed swimming complex in Princes Park is architecturally significant as a rare, intact example of an out-door seasonal swimming pool complex designed in the 1930s. It is historically significant as an example of a municipal pool complex illustrating the development of swimming in Victoria during the inter-war period. The pool complex also has historical significance for its special association with Frank Beaurepaire, being one of the few surviving pools opened by him as part of his long commitment to swimming in Victoria.



## Legacy of the Games

Central Goldfields Shire was ranked as the most-disadvantaged Local Government Area in Victoria through the Australian Bureau of Statistics Socio-Economic Indexes for Areas (SEIFA) report from 2016.

This ranking reflects the employment and economic challenges faced by the area as well as a broader, inter-connected set of social issues including poor health, low education and skill levels, limited access to social and cultural resources, food insecurity, lack of access to digital technology and high crime rates.

Funding to develop historical recreational and tourism assets will leave a legacy that extends well beyond the 2026 Commonwealth Games demonstrating a visible partnership between Council and the Victorian Government to create future prosperity, opportunity and wellbeing.





## Homegrown heroes

One of Australia's finest homegrown athletes, Matthew Dellavedova began playing basketball in Maryborough at the age of four. He attended Maryborough Regional College and played junior basketball for the Maryborough Blazers. After rising to fame in the NBA, the Maryborough Sports and Leisure Centre named its basketball stadium after the star – serving as an inspiration to future athletes of the Shire and further highlighting the opportunities access to facilities can provide.



THE CENTRAL VICTORIAN  
**GOLDFIELDS**  
WORLD HERITAGE BID

## World heritage

Hosting the 2026 Commonwealth Games in Regional Victoria presents a significant opportunity to profile and promote the Central Victorian Goldfields region. With the growth cities of Bendigo and Ballarat playing leading roles in the event schedules, it provides a unique opportunity to market their World Heritage credentials, together with those of the rest of the region. Ensuring that the goldfields heritage is taken to a global audience while the Central Victorian Goldfields World Heritage Bid is under active consideration for listing.



## Strategic context

### Community Vision 2031

- Strengthen and create new social connections through community-based events, programs and activities that are welcoming, accessible for people of all abilities, inclusive and affordable
- Increase tourist activity throughout the Shire through events, festivals, activities, and experiences such as Energy Breakthrough, Agri-tourism, food, arts and culture, gold tourism and history and heritage tourism
- Connect Central Goldfields to the wider region through touring routes and storytelling
- Further develop, grow, and promote history and heritage tourism
- Utilise Maryborough Railway Station to tell the story of Gold and develop a world class experience facility
- Accessible, engaging, visually attractive and well-maintained facilities, infrastructure, and spaces that support culture and creativity, social connections, and active and healthy living
- Protect, maintain, and preserve cultural heritage and heritage buildings and assets

### Central Goldfields Shire Council Plan 2021–2025

- Capitalise on tourism opportunities
- Provide infrastructure to meet community need
- Value and care for our heritage and cultural assets

### Priority Projects Plan 2022

- Lead change through enhancing existing assets and strengthening the role of the Shire in the region
- Events Prospectus
- Maryborough Railway Station Activation
- Maryborough Outdoor Pool
- Princes Park Grandstand

### Active Central Goldfields: Recreation and Open Space Strategy 2020 – 2029

- Continue planning to make the Princes Park Complex the Premier Sport, Recreation and Open Space
- Increasing multi-use shared by clubs/associations
- Grandstand Renewal

### Princes Park Grandstand Conservation Management Plan 2021

- The CMP recommends the Princes Park Grandstand be restored to its former glory

### Maryborough Major Reserves Master Plans 2021 (to be adopted by Council August 2022)

### Municipal Public Health and Wellbeing Plan 2021

- Improve mental wellbeing and social connection
- Increase active living

### Walking and Cycling Strategy 2017 – 2026

### Tourism and Events Strategy 2020 – 2025

### Economic Development Strategy 2020 – 2025

## 8.9 MARYBOROUGH EMERGENCY SERVICES PRECINCT – COUNCIL SUPPORT

**Author:** Emergency Management Coordinator

**Responsible Officer:** General Manager Community Wellbeing

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

---

### SUMMARY/PURPOSE

The purpose of this report is to seek Council support on the request from emergency services agencies in Maryborough to provide advocacy and support for the scoping and planning of a Maryborough Emergency Services Precinct. The emergency services being Maryborough Victoria State Emergency Service (SES), Maryborough Country Fire Authority (CFA) and Maryborough Ambulance Victoria (AV).

### RECOMMENDATION

*That Council support the emergency services by way of letters of support and advocacy for funding for the planning and construction of their purpose-built Maryborough Emergency Service Precinct.*

### LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2021-2025 – Our Community's Wellbeing

The Community's vision 1. Socially connected, creative, inclusive, healthy, and safe 'all ages' friendly communities

Initiative: Work together with key partners and the community to promote and enhance community safety.

### BACKGROUND INFORMATION

Maryborough Victoria State Emergency Service (SES), Maryborough Country Fire Authority (CFA) and Maryborough Ambulance Victoria (AV) have approached Council to request support for an Emergency Services Precinct which will require funding from State and Federal governments. Funding is required to scope, plan for and eventually build a more functional and purpose-built facility that can accommodate all three emergency services on one site.

The local emergency services are currently all accommodated in premises that are outdated and no longer sufficient for their operational needs. Deficiencies include not enough room for the provision of training and the servicing of equipment or adequate rest areas for those on rotating shifts.

### REPORT

Council's Climate Action Plan outlines the impacts of climate change including the increase in frequency and scale of flood, fire and storm events that will increase the demand on our local emergency services. For the emergency services to adequately protect and serve the

community of Maryborough and Central Goldfields more broadly, facilities need to be updated and located where access and egress is easier and safer for them and the community.

### **CONSULTATION/COMMUNICATION**

The emergency services sector (SES, CFA and AV) have approached council as a collective to support them to advocate for improved facilities in a more central location.

Consultation within the services themselves has taken place so far. Community consultation would occur during the scoping and planning stage of the project.

### **FINANCIAL & RESOURCE IMPLICATIONS**

Council is providing support for the concept of an Emergency Services Precinct in Maryborough, which is to be scoped and funded by State or Federal Government grants.

### **RISK MANAGEMENT**

This report addresses Council's strategic risk Community Well-being - Failure to recognise and manage the impact of changing social and economic conditions on the community by engaging with and supporting the emergency services sector to provide a better service to the community.

### **CONCLUSION**

The Maryborough emergency services consisting of the State Emergency Service, the Country Fire Authority and Ambulance Victoria have requested support from Council for the planning and development of a Maryborough Emergency Services Precinct.

### **ATTACHMENTS**

Nil

# Notices of motion

*Council meeting*

## **Notices of Motion**

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

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

### 22. Notice Of Motion

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

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

22.2.1 is vague or unclear in intention

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

22.2.3 if passed would result in Council otherwise acting invalidly

but must:

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

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

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

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

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

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

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

# **Urgent business**

*Council meeting*

## **Urgent Business**

The Governance Rules provide for urgent business as follows:<sup>1</sup>

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

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

---

<sup>1</sup> Chapter 2, Rule 20.



# Other Business

*Council meeting*

## 11.1 OTHER BUSINESS: ADVOCACY – LETTER TO THE MINISTER FOR PUBLIC TRANSPORT

**Author:** Acting Chief Executive Officer

**Responsible Officer:** Chief Executive Officer

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

---

### SUMMARY/PURPOSE

The purpose of this report is for Council to note the letter sent to the Hon. Ben Carroll MP Minister for Public Transport advocating for State Government support on the Ballarat Maryborough growth corridor – passenger rail and related opportunities for the Central Goldfields Shire community.

### RECOMMENDATION

*That Council note the letter to the Hon. Ben Carroll Minister for Public Transport and the issues and projects requiring support from the State Government of Victoria.*

### LEGISLATION AND POLICY CONTEXT

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

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

The Council Plan outlines a number of key opportunities for growth as well as a number of key challenges and commits to advocacy on these issues.

### BACKGROUND INFORMATION

Council continues to advocate for added investment in passenger rail services and other related initiatives which would improve passenger rail services for Shire residents. There is also opportunity for the use and attraction to the iconic Maryborough Railway Station as a major tourism destination and how it can contribute to boost local and regional economy.

### REPORT

The key issues that the letter advocates for include:

- Passenger rail services - regional development - Maryborough, Mildura
- Maryborough Railway Station – Activation (Stage 3)
- Maryborough Railway Station – Former Goods Shed

- Maryborough Railway Station – V/Line Crew Depot, Refuelling Facility and Railyard Development

## **ATTACHMENTS**

1. Letter to the Minister for Public Transport, Hon Ben Carroll



*Please Quote Reference:  
Enquiries:<Mayor Cr Meddows-Taylor>*

15 August 2022

The Hon Ben Carroll MP  
Minister for Public Transport  
Level 20  
1 Spring Street  
Melbourne, 3000

Via email - [ben.carroll@parliament.vic.gov.au](mailto:ben.carroll@parliament.vic.gov.au)

Dear Minister

**RE: BALLARAT MARYBOROUGH GROWTH CORRIDOR – PASSENGER RAIL  
AND RELATED OPPORTUNITIES**

The purpose of this letter is to put the case for added investment in passenger rail services in the Ballarat Maryborough sector and other related initiatives which would improve passenger rail services for Shire residents. The letter also discusses the use and attraction of the iconic Maryborough Railway Station as a major tourism destination and how it can create a much-needed boost to the local and regional economy. I understand that some of the proposals raised here are part of other Ministerial portfolios, especially Minister Allan. These Ministers are copied into this letter. Council's hope is that you might champion these from a whole of government perspective.

As outlined in my letter to the Treasurer on 20 June 2022, also copied to you, Central Goldfields Shire is the most disadvantaged LGA within the State using the SEIFA Disadvantage Index, and yet we sit between two of the fastest growing regional cities in Australia with a natural growth corridor supported by passenger rail between Ballarat and Maryborough. Further development of that passenger rail service and other initiatives which support it, is a key to developing that corridor and creating the added prosperity, opportunity and wellbeing that our community seeks. Council is seeking the active partnership of the Victorian Government to achieve this.

Firstly Council wishes to offer its deep thanks and appreciation for the four new weekend services in the current State Budget. This was a key priority and will make an immense contribution to a recovering tourism and hospitality economy which was our key priority. It will also add to the liveability and attraction of Central Goldfields and surrounding municipalities as residents have added travel options. We hope that the services can commence in the very near future and thank the Department of Transport (DoT) for their early implementation discussions with Council.

The key initiatives which Council believes will create real value and meet our needs are summarised in the following paragraphs.

### **Added Weekday Passenger Rail Services**

This is our key priority. Soon after the return of passenger rail by the Brumby Labor Government in 2010, the Minister at the time indicated that there should be similar service provision to Ararat. This did not eventuate and the patronage on our sector has been limited by the available services and the inflexibility of that. Many prefer to use our sector but are unable to do so. An added weekday service departing Maryborough later in the morning and returning from Melbourne mid to late evening would create significant added commuter opportunity to access higher education, medical services and employment

DoT raised the option of using Sprinter services for weekend provision. More regular weekday provision using Sprinter connectivity between Ballarat and Maryborough would be a welcome alternative.

### **Myki Activation**

Unfortunately V-line services at Maryborough Station including the ticket office have been reduced and this has concerned our community. There is also the inconvenience of ticket purchase. Myki readers have been provided in the sector but are not activated. Given we have single class travel only in the sector, Council is keenly seeking Myki activation which would be very warmly welcomed by our community. This issue was raised in recent discussions with DoT in relation to the new weekend services.

### **Public Relations and Marketing**

Another issue raised with DoT in relation to weekend services, but with broader application, is Council's proposal that DoT or V/line would create and implement a marketing and PR campaign to promote the key visitor destinations and attractions in our sector. This would help boost attraction and visitation and enhance the value of the Government's investment in added passenger services.

### **Passenger Rail Services – Regional Development – Geelong, Ballarat, Maryborough Bendigo**

Council has previously championed the proposal developed by the Rail Futures Institute (RFI) to connect the three major regional cities by passenger rail through Maryborough. More recently the RFI has updated their proposal to suggest a staged development (attached) within the context of the Commonwealth Games and its legacy. This has taken into account an understanding that the Geelong Ballarat sector is being actively investigated for passenger rail connectivity.

Council has championed this regionally and certainly there are very significant benefits to Maryborough and our Shire. The RFI recognises that the final stage of the proposal which would connect Maryborough to Bendigo through Dunolly, Inglewood and Eaglehawk would be a later development. The RFI is proposing a coach service to connect Maryborough Station and Bendigo during the Commonwealth Games.

---

22 Nolan Street, Maryborough VIC 3465  
PO Box 194, Maryborough VIC 3465 DX 46504  
Phone 03 5461 0610 • Fax 03 5461 0666  
[www.centralgoldfields.vic.gov.au](http://www.centralgoldfields.vic.gov.au)  
f @CentralGoldfields | t @CG\_Shire

## **Passenger Rail Services – Regional Development – Maryborough, Mildura**

The North West Victoria Regional Passenger Transport Study recognises that there is a community drive for return of passenger rail but that “deeper investigations and a detailed business case will be required to ensure support at all levels for the return of passenger rail.” Council accepts this is primarily a matter of advocacy for the City of Mildura and immediate regional stakeholders. Obviously should there be a future decision to return passenger rail services to Mildura, there would be benefits to Maryborough our Shire and rail sector and Council would gladly support this.

### **Maryborough Railway Station – Activation (Stage 3)**

The proposal and benefits of the third stage of Maryborough Railway Station activation is outlined in my earlier letter to the Treasurer of 20 June which was copied to you. Put simply the objective is to transform this magnificent heritage legacy to become a global destination as a leading-edge interpretation centre telling the story of gold and the central Victorian Goldfields World Heritage Listing bid. It will form a key element in Council’s Commonwealth Games investment proposal.

### **Maryborough Railway Station – Former Goods Shed**

The former goods shed is a significant feature of the fine heritage legacy of the Station and we feel there is huge benefit in its allocation to Council for sustainable re-use to meet contemporary community needs. This would create real and fitting value. A key priority is a need to accommodate the Maryborough Men’s Shed and this would be an ideal facility to do this, recognising the need for fit-out and refurbishment of its interior.

### **Maryborough Railway Station – V/line Crew Depot, Refuelling Facility and Railyard Development**

Council believes there is an opportunity for a V-line crew depot at Maryborough Station and possibly a refuelling facility. This would add important economic benefit to the local economy and we believe it could be an attractive option which should be explored. Maryborough is a strategic three-way junction. Reopening the multi-user fuel point would also encourage other rail operators to undertake operations at Maryborough. There is space for further rail tracks to be added within the yards which would enhance capacity and opportunity.

## **Conclusion**

Maryborough historically was a most important rail town that made a significant contribution to the local and regional economy and success. The need and the opportunity exists to recreate this to meet real needs but within the context of present and future directions. Council needs the Victorian Government to partner with it to create added benefits both to passenger rail services and Maryborough Station.


Passenger rail services were restored to Maryborough in 2010 when the then Premier, Hon John Brumby MP, arrived at Maryborough Station. 2020 marked the ten-year anniversary of this very exciting development, unfortunately, Covid restrictions prevented any celebration of this anniversary.

---

22 Nolan Street, Maryborough VIC 3465  
PO Box 194, Maryborough VIC 3465 DX 46504  
Phone 03 5461 0610 • Fax 03 5461 0666  
[www.centralgoldfields.vic.gov.au](http://www.centralgoldfields.vic.gov.au)  
f @CentralGoldfields | t @CG\_Shire

There is a real opportunity for that anniversary to take place in 2022 (allowing for the two Covid years) and to regenerate the enthusiasm of 2010. This would be a wonderful opportunity for the Government to commit to its partnership with Council in its growth objectives to create much needed prosperity, opportunity and wellbeing, and to indicate how added Government investment in passenger rail, Maryborough Railway Station development and related initiatives can work to achieve this. We would warmly welcome you and other Ministers to Maryborough for that celebration.

Yours sincerely



Chris Meddows-Taylor  
MAYOR, CENTRAL GOLDFIELDS SHIRE

Encl.

cc

Minister for Transport Infrastructure, The Hon Jacinta Allan  
Treasurer/Minister for Economic Development, Mr Tim Pallas  
Minister for Suburban Development, The Hon Melissa Horne  
Minister for Regional Development, The Hon Harriet Shing  
Minister for Employment/Small Business/Member for Western Victoria, The Hon Jaala Pulford  
Parliamentary Secretary for Regional Victoria, Danielle Green MP

---

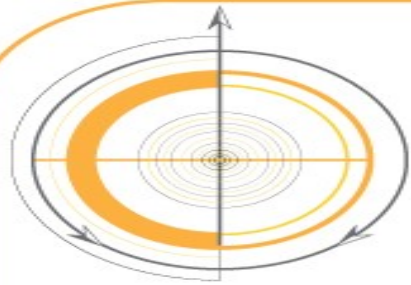
22 Nolan Street, Maryborough VIC 3465  
PO Box 194, Maryborough VIC 3465 DX 46504  
Phone 03 5461 0610 • Fax 03 5461 0666  
[www.centralgoldfields.vic.gov.au](http://www.centralgoldfields.vic.gov.au)  
f @CentralGoldfields | @CG\_Shire



# **Rail Futures Institute Inc**

**Advocating cost effective  
sustainable  
solutions for  
Passengers  
& Freight**

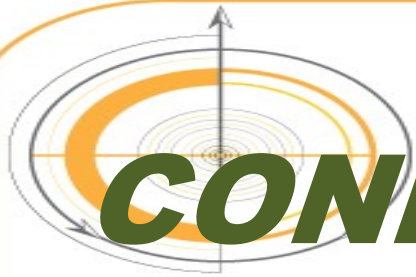




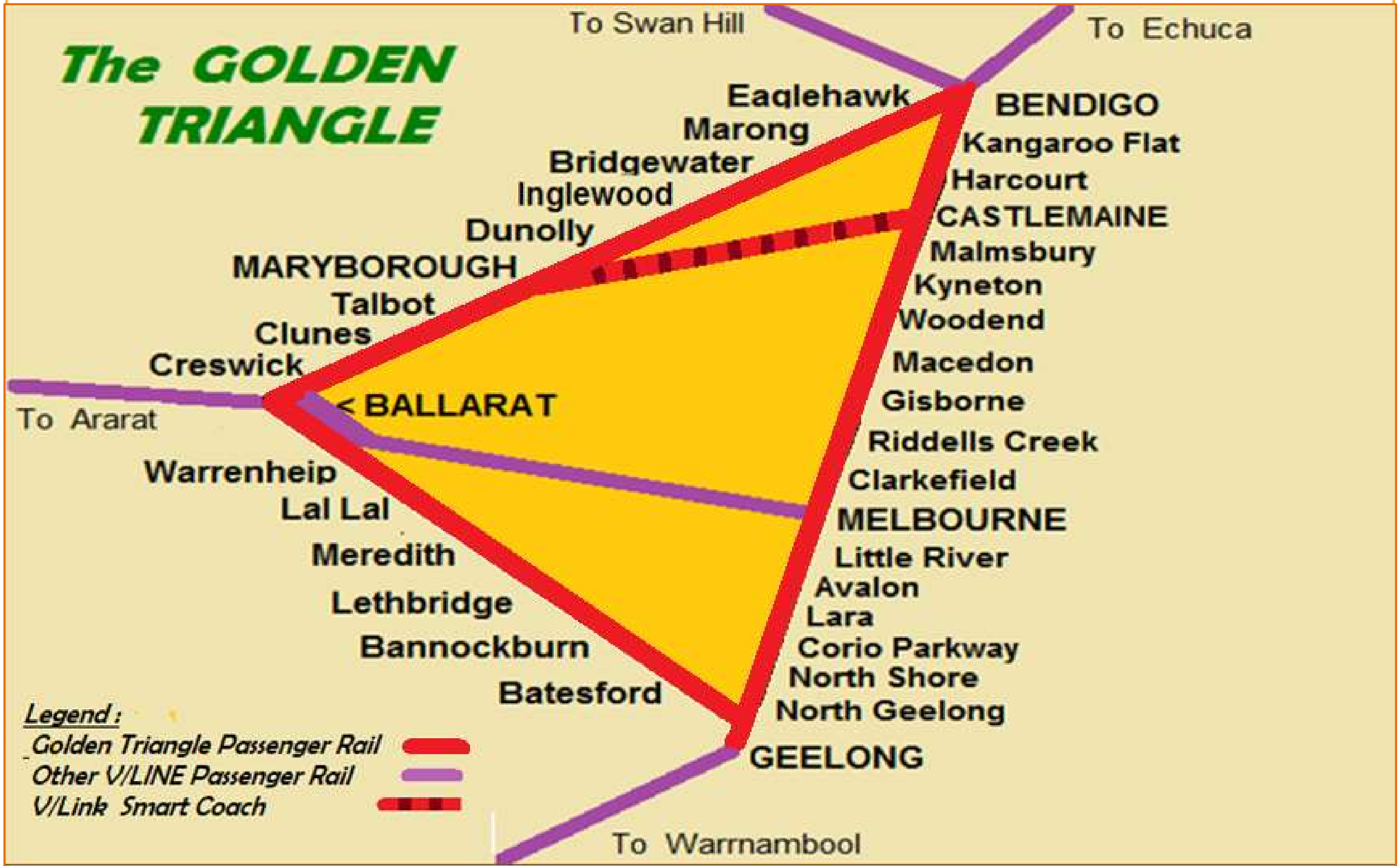
# **V/LINE**

## ***Passenger Issues***

- ★ **DEVELOPING THE  
“GOLDEN TRIANGLE”  
(Ballarat - Maryborough - Bendigo)**
- ★ **Eaglehawk – Maiden Gully - Marong**
- ★ **Maryborough – Dunolly**
- ★ **Dunolly – Inglewood – Marong**

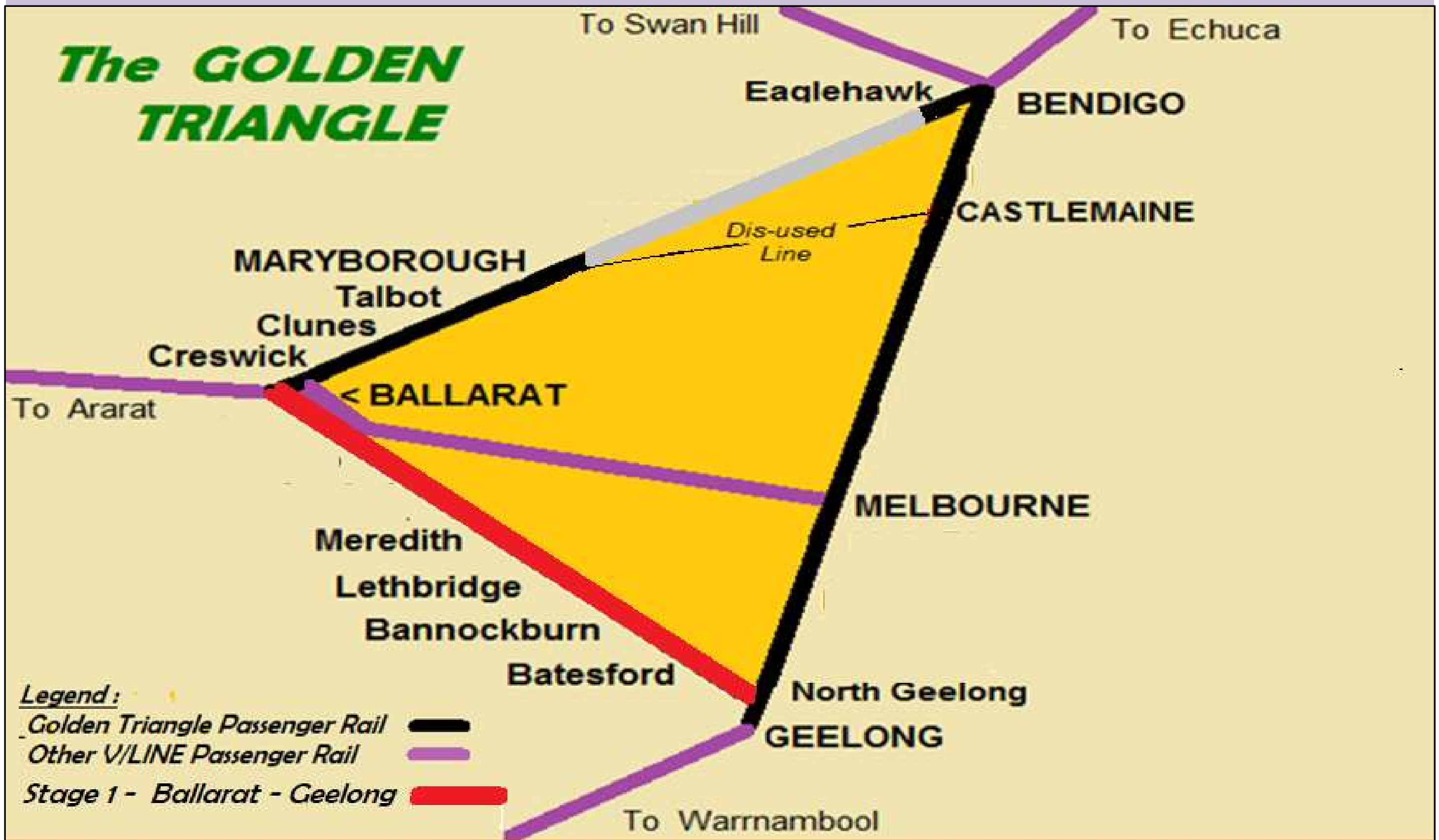


# CONNECTING THE GOLDEN TRIANGLE



# Connecting the GOLDEN TRIANGLE

## STAGE – 1 Ballarat - Geelong



# Golden Triangle Facts & Figures

Section	Distance kms	Level Crossings	Protected LX	Run Time	
				Up	Down
<b>Geelong - Ballarat</b>	83 kms	20	12	1 hr 10 mins	1 hr 20 mins
<b>Ballarat - Maryborough</b>	68 kms	45	45	55 mins	55 mins
<b>Maryborough - Dunolly</b>	22 kms	9	4	19 mins	19 mins
<b>Dunolly - Inglewood</b>	40 kms	30	3	32 mins	32 mins
<b>Inglewood - Bendigo</b>	49 kms	28	15	55 mins	55 mins
<b>Maryborough - Castlemaine</b>	55 kms	27	Nil	1 hr 15 mins	1 hr 15 mins

# **Rail Futures Institute Inc.**

## **Golden Triangle Facts & Figures**

With Line Speed 100 km/h Ave speed 80 km/h \*

Ballarat to Bendigo via Castlemaine 2 hrs 45 mins

*NB: Track between Moloort and Maldon Junction largely removed.*

Ballarat to Bendigo TRAIN via Inglewood 2 hrs 45 mins

*Requires re-activation of Inglewood – Eaglehawk section.*

Road Coach Ballarat – Bendigo Existing VLP 2 hrs 20 mins

**Potentially VLP Train via Maryborough**

**then V/Line SMARTbus via Maldon 2 hrs 10 mins**

**Potentially Thru VLP SMARTbus Ballarat to Bendigo  
via Castlemaine and Maldon 2 hrs 10 mins**

# **Bendigo – Marong – Inglewood - Dunolly – Maryborough – Ballarat**

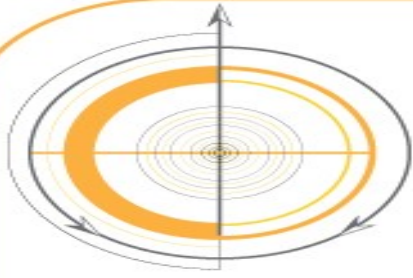
The **GOLDEN TRIANGLE** potentially offers an attractive rural lifestyle within 45 minutes of either Bendigo or Ballarat

**This GOLDEN TRIANGLE is within commuter range of Melbourne**  
with one change of train at either Bendigo or Ballarat

**Controlled population growth in the corridor Bendigo <> Ballarat**  
**building on the existing strengths of two great regional cities**

**Bringing an era of new vitality to 10 towns along these corridors with**  
**the planned best use of land and existing local town infrastructure**

Facilitated by fast frequent Sprinter shuttles linking **Bendigo** – Eaglehawk – Maiden Gully - Marong - Bridgewater – Tarnagulla – Dunolly – Maryborough – Talbot – Clunes – Creswick – **Ballarat**



# ***Population Facts***

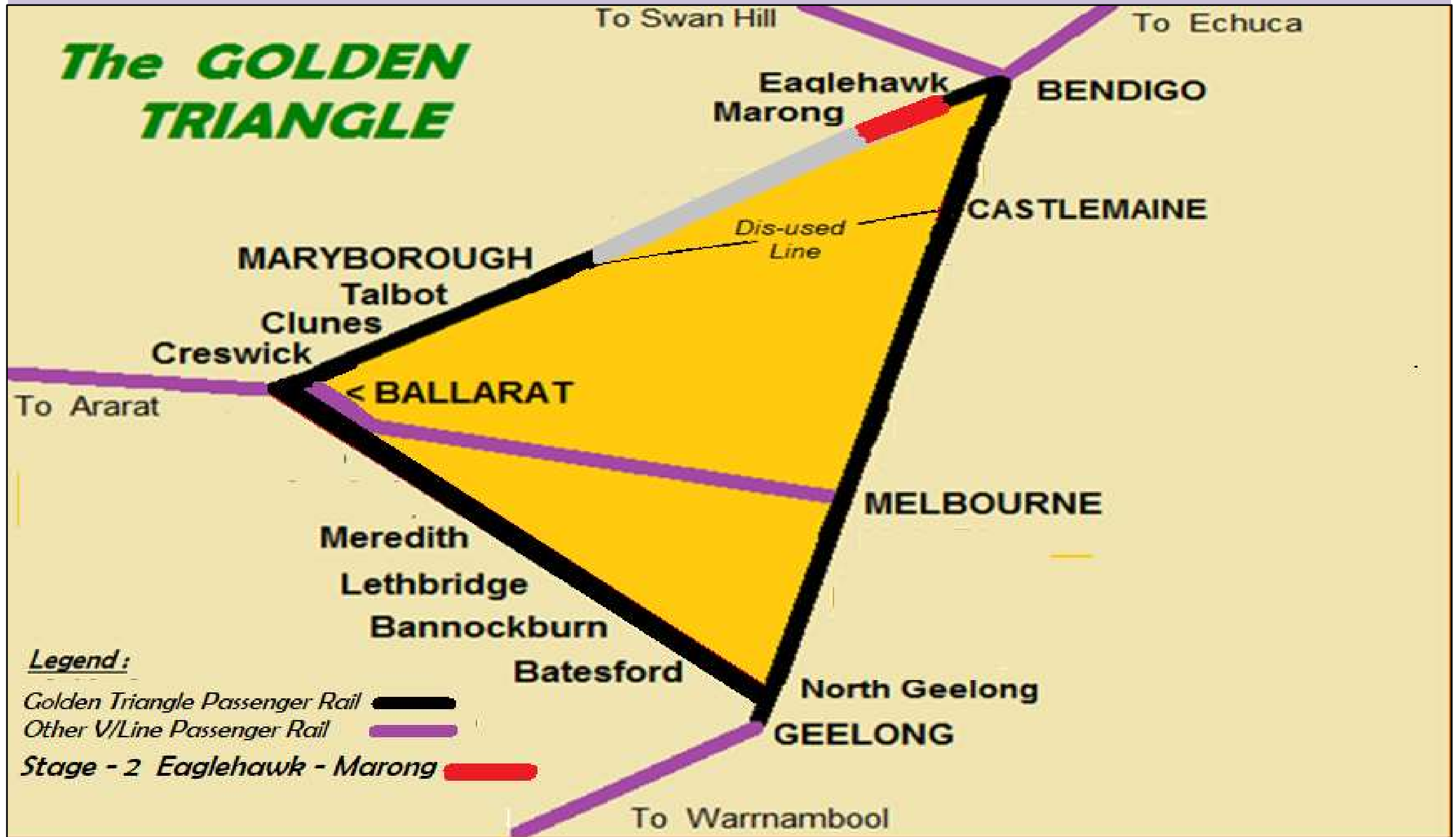
## ***- 1982 v. 2022***

- **The combined population of Greater Ballarat & Greater Bendigo has more than DOUBLED :**
- **From 104,000 in 1982**
- **To 235,000 in 2022**

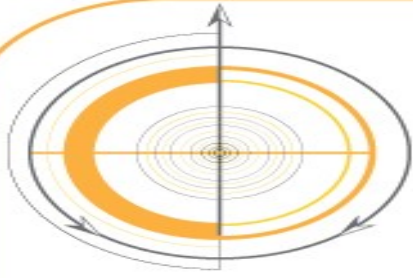
**YET BALLARAT and BENDIGO ARE NOT  
DIRECTLY LINKED BY CROSS COUNTRY TRAINS**

# Connecting the GOLDEN TRIANGLE

## STAGE – 2 Eaglehawk – Marong







# ***Population Projection*** ***- 2022 v. 2042***

- **The combined population of Greater Ballarat & Greater Bendigo will further increase :**

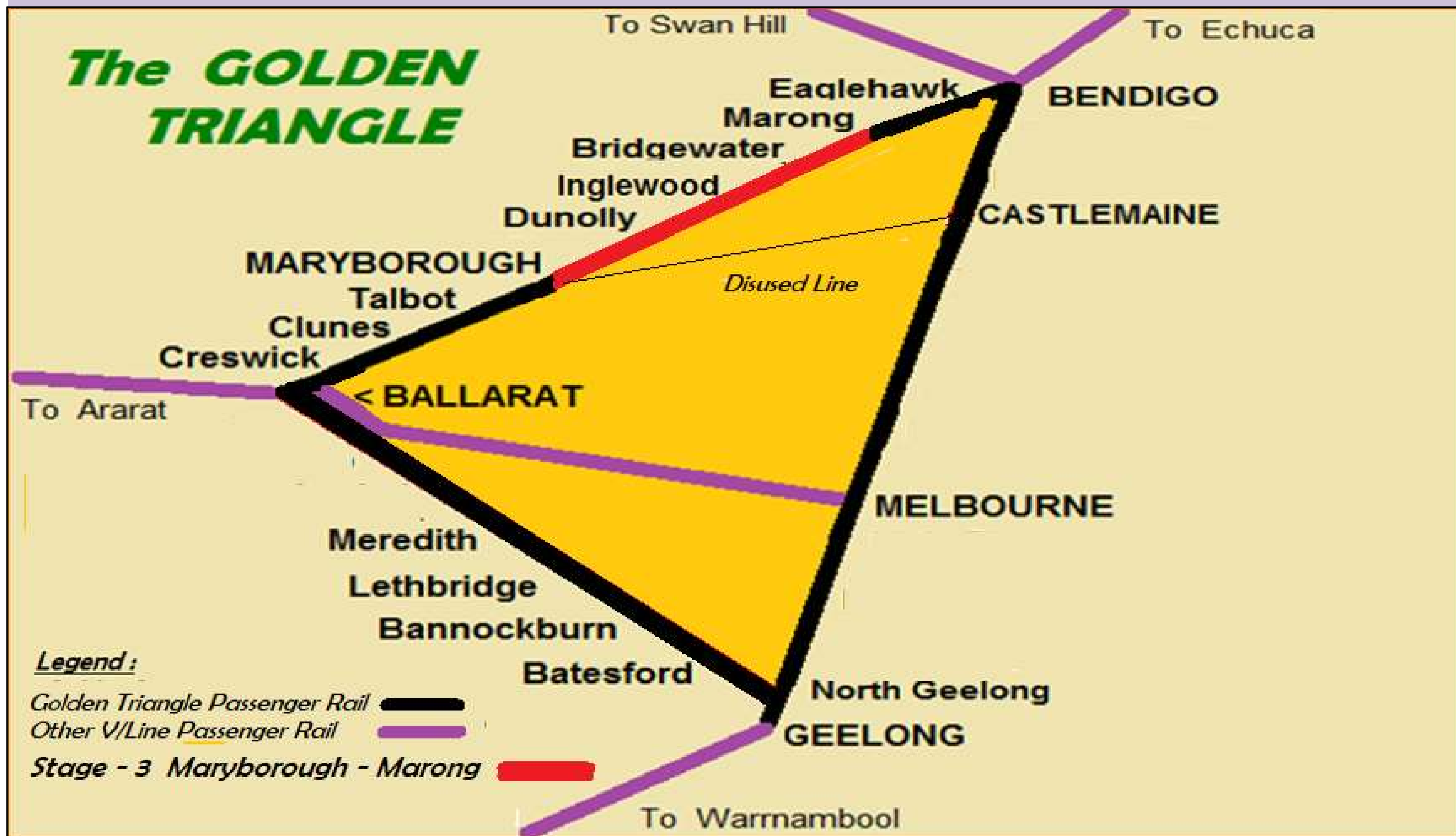
- **From 235,000 in 2022**

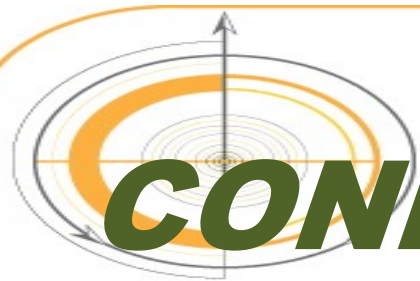
- **To 315,000 in 2042**

**FROM 2026 PROGRESSIVELY MOVE IN STAGES TO RESTORE RAIL PASSENGER SERVICES BETWEEN MARYBOROUGH - DUNOLLY & MARONG by 2030**

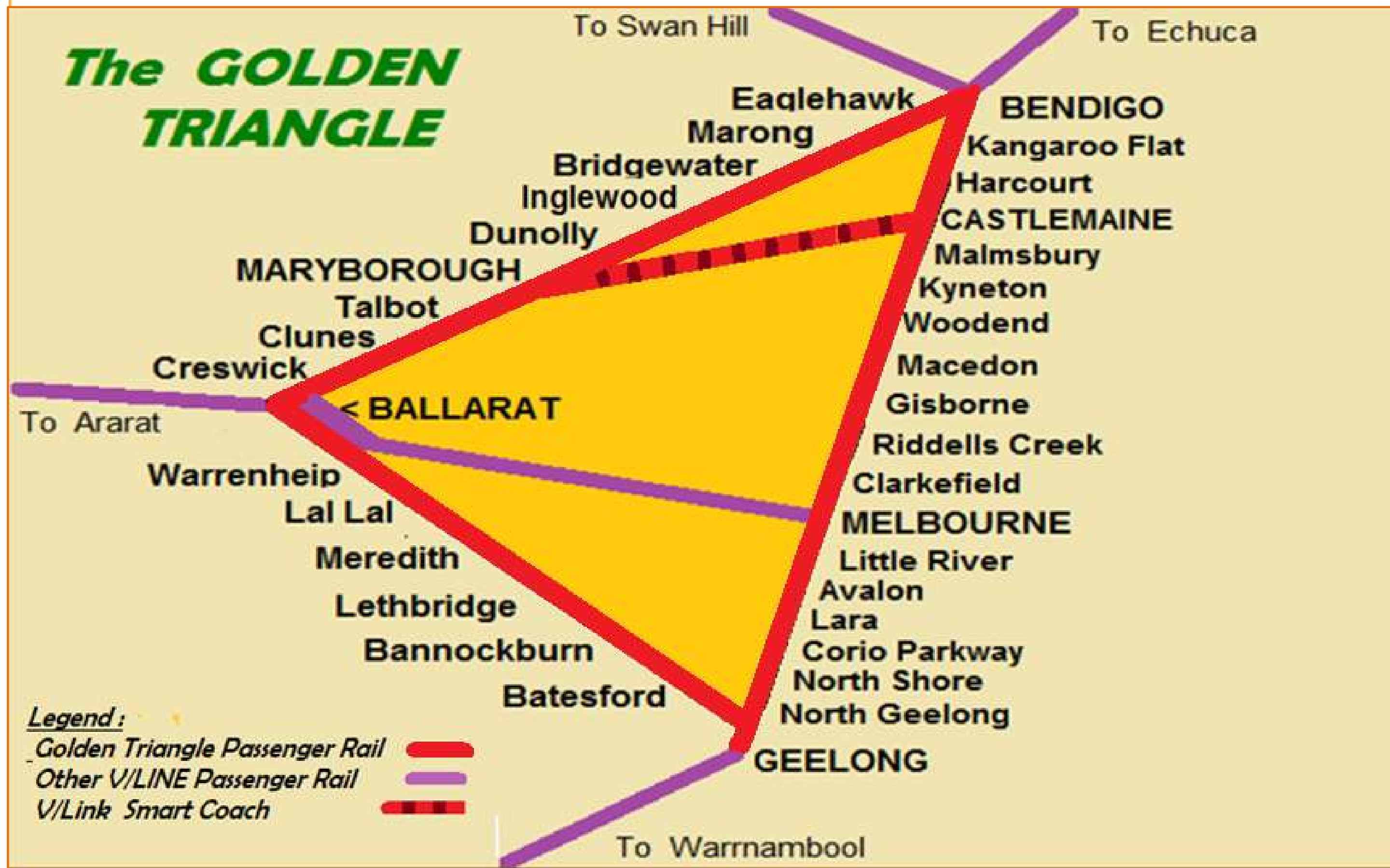
# Connecting the GOLDEN TRIANGLE

## STAGE – 3 Maryborough – Marong





# CONNECTING THE GOLDEN TRIANGLE



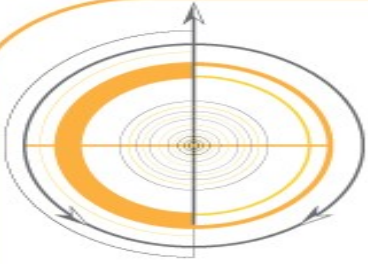
# RE-OPENING A KEY RAIL LINK

## INGLEWOOD - Bridgewater - EAGLEHAWK

- ★ Doubles grain train capacity on Sea Lake & Manangatang lines
- **100 Export containers a week from Bridgewater can use rail**
- More direct and shorter route to Melbourne for existing Ultima overnight Inter-modal train
- **Allows extension of Melbourne passenger services to Marong**
- Provides rail freight connection to City of Bendigo Business Park
- **Direct access from the North West to Bendigo Rail Workshops**
- Connects Bendigo to National Standard gauge rail network
- **Required for the Swan Hill & Echuca lines to be standardized**

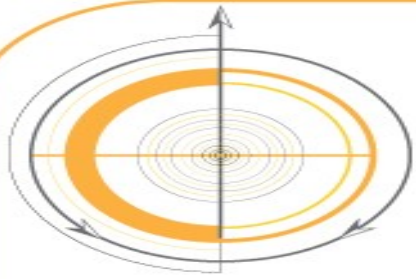


Atypical track condition as at March, 2022 on the Inglewood - Eaglehawk line. Line and top good, 47kg rail in long welded lengths fully base plated. Tie renewal required.

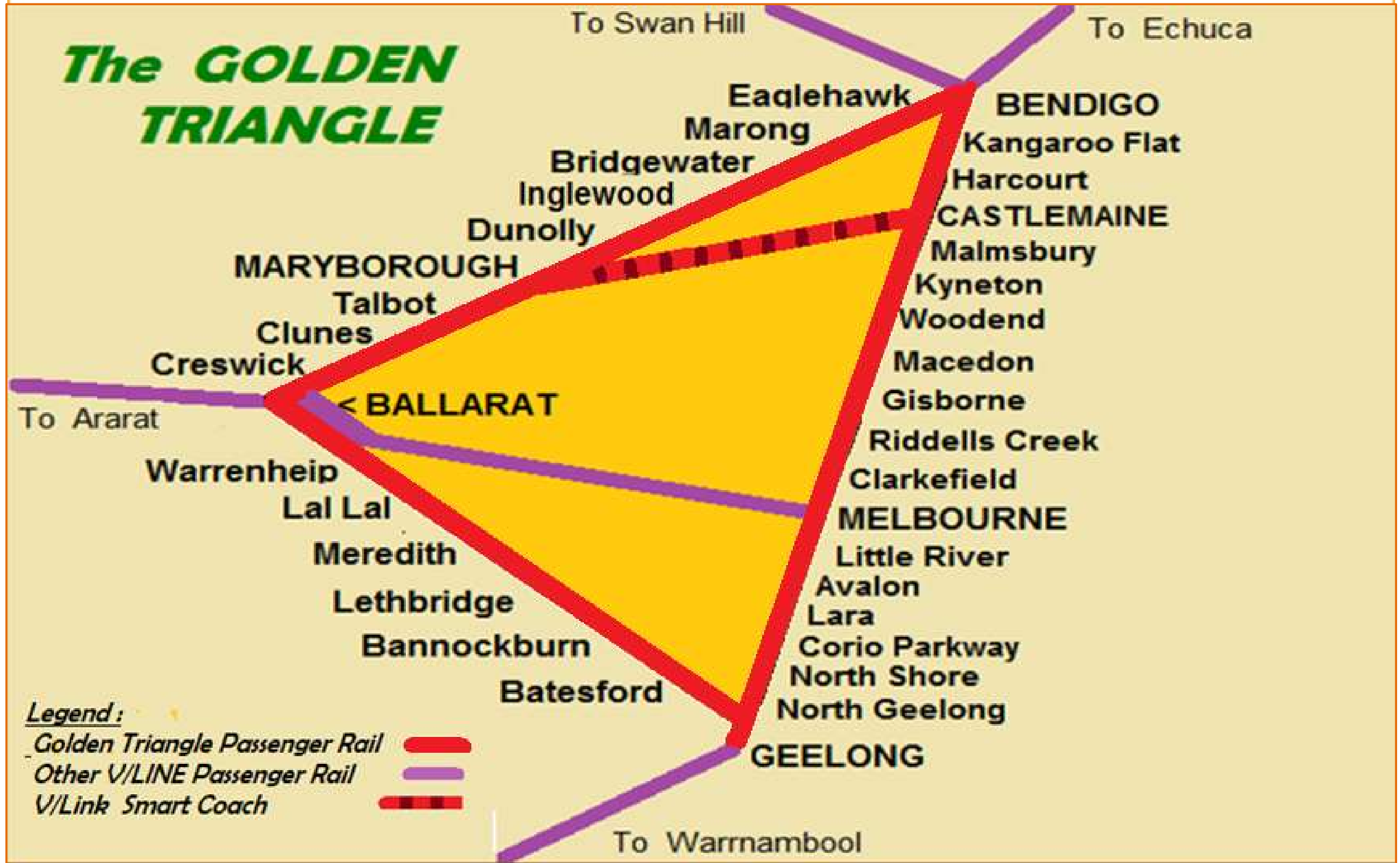


# ***CONSEQUENCES OF NOT RE-OPENING***

- With any average or above average grain harvest a LARGER portion of the grain harvest will be carried by hundreds of extra B double trucks delivering undesirable safety and environmental outcomes.
- **Key regional roads will see accelerated deterioration of road surfaces, leading to reduced asset life and totally avoidable increased on-going road maintenance costs**
- Bendigo would NOT be part of any future passenger rail direct link to Ballarat and Geelong linking the 3 largest regional cities
- **BENDIGO would NOT be connected to National SG Network**



# 2026 - COMMONWEALTH GAMES



**Down: BALLARAT - Maryborough - BENDIGO**

		----- Weekdays -----				----- Weekends -----		
		Coach	Train	Train	Train	Train	Coach	Train
BALLARAT	dep	0820	1041	1327	1801	1049	1450	1948
Maryborough	arr	0925	1143	1422	1857	1145	1555	2044
Change Service		Thru	Coach	Coach	Coach	Coach	Thru	Coach
Maryborough	dep	0930	1155	1435	1910	1155	1600	2055
Maldon		1000	1225	1505	1940	1235	1630	2125
BENDIGO	arr	1030	1255	1535	2010	1255	1700	2155

*All services departing Ballarat connect from Melbourne*

**UP: BENDIGO - Maryborough - BALLARAT**

		----- Weekdays -----				----- Weekends -----		
		Coach	Coach	Coach	Coach	Coach	Coach	Coach
BENDIGO	dep	0555	1100	1345	1550	0700	1200	1500
Maldon		0625	1130	1415	1620	0730	1230	1530
Maryborough	arr	0655	1200	1445	1650	0800	1300	1600
Change Service		Train	Train	Train	Thru	Train	Thru	Train
Maryborough	dep	0709	1214	1457	1655	0810	1305	1610
BALLARAT	arr	0804	1309	1552	1800	0904	1410	1705

*All services arriving Ballarat connect to Melbourne*

**Down: GEELONG - BALLARAT**

----- Weekdays -----

		<b>Coach</b>	Train	Train	Train	Train	Train
GEELONG	dep	<b>0700</b>	0816	1116	1500	1831	2140
BALLARAT	arr	<b>0835</b>	0935	1234	1620	1951	2300

----- Weekends -----

		<b>Coach</b>	Train	Train	<b>Coach</b>	Train
GEELONG	dep	<b>0700</b>	0900	1300	<b>1700</b>	1900
BALLARAT	arr	<b>0835</b>	1020	1420	<b>1835</b>	2020

**UP: BALLARAT - GEELONG**

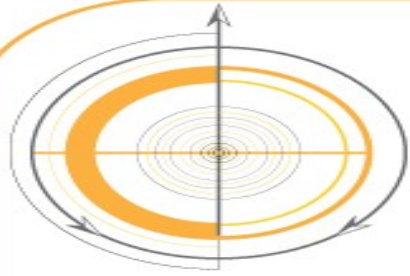
----- Weekdays -----

		Train	Train	Train	Train	<b>Coach</b>	Train
BALLARAT	dep	0635	0951	1250	1652	<b>1920</b>	2000
GEELONG	arr	0745	1101	1356	1758	<b>2100</b>	2115

----- Weekends -----

		Train	Train	<b>Coach</b>	Train	<b>Coach</b>
BALLARAT	dep	0650	1130	<b>1430</b>	1730	<b>1910</b>
GEELONG	arr	0800	1240	<b>1605</b>	1840	<b>2045</b>





# FURTHER INFORMATION & QUERIES

Please contact either :

John Hearsch - President

[president@railfutures.org.au](mailto:president@railfutures.org.au)

0419 736 816

David Hardy - Secretary

[secretary@railfutures.org.au](mailto:secretary@railfutures.org.au)

0418 522 590

**Rail Futures Institute Inc** - A0059839B

P. O. Box 1257 CARLTON Vic 3053

[www.railfutures.org.au](http://www.railfutures.org.au)



# **Rail Futures Institute Inc**

**Advocating cost effective  
sustainable  
solutions for  
Passengers  
& Freight**

# Confidential business

*Council meeting*

## Confidential Business

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

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

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

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

Confidential information, as defined by the *Local Government Act 2020*,<sup>6</sup> is:

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

---

<sup>1</sup> *Local Government Act 2020*, s 58 (a).

<sup>2</sup> *LGA 2020* s 66 (1).

<sup>3</sup> *LGA 2020* s 66 (2) a).

<sup>4</sup> *LGA 2020* s 66 (5).

<sup>5</sup> Section 3 (1).

<sup>6</sup> Section 3 (1).

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

The Governance Rules provide for information relating to a meeting to be confidential:<sup>7</sup>

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

---

<sup>7</sup> Chapter 6.

# Meeting closure

*Council meeting*